

THE
JOURNAL OF THE ASSEMBLY
OF THE
SEVENTH SESSION
OF THE
LEGISLATURE OF THE STATE OF NEVADA,
1875.

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



CARSON CITY:
JOHN J. HILL, STATE PRINTER.
1875.

ARRANGEMENT AND CONTENTS OF VOLUME.

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JOURNAL

OF THE

PROCEEDINGS OF THE ASSEMBLY.

SEVENTH SESSION, 1875.

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JOURNAL
OF THE
ASSEMBLY OF THE STATE OF NEVADA.

SEVENTH SESSION, 1875.

FIRST DAY.

CARSON CITY,
MONDAY, January 4th, 1875. }

Pursuant to the provisions of the Constitution and the statute, the Assembly was called to order at twelve M., by the Hon. J. D. Minor, Secretary of State.

The roll was called, and the following members elect answered to their names:

Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Dovey, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren.

Nominations for Speaker being in order, Mr. Smith placed in nomination Mr. Dovey, of Lyon County.

Mr. McGee, of Nye County, was placed in nomination by Mr. Dow, of Elko County.

Nominations declared closed.

The vote for Speaker resulted as follows:

For Mr. Dovey—Messrs. Allan, Atkinson, Andrews, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Tone, Watt, and Wren—29.

For Mr. McGee—Messrs. Allen, Alt, Bartlett, Beck, Bergstein, Buckner, Case, Dow, Ellison, Hogan, McDonnell, Penrod, Peyton, Sanford, and Van Hagen—15.

Mr. Dovey, having received a majority vote of the House, was declared elected.

On motion of Mr. J. P. Smith, a committee of two was appointed to conduct the Speaker elect to the chair, consisting of Mr. J. P. Smith and Mr. McGee.

The committee performed its duty, and the Speaker, assuming the chair, addressed the House with a few appropriate remarks.

Nominations for Chief Clerk declared in order.

Mr. E. R. Smith placed in nomination A. Whitford, of Douglas County.

Mr. Dow nominated Grey Thorpe, of Storey County.

Nominations for Chief Clerk declared closed; and the vote resulted as follows:

For Mr. Whitford—Messrs. Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dovey, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, and Wren—35.

For Mr. Thorpe—Messrs. Allen, Alt, Bartlett, Bergstein, Buckner, Case, Dow, Ellison, McGee, Peyton, Sanford, Van Hagen, and Watt—13.

Mr. Whitford declared elected.

Nominations for Assistant Clerk were declared in order.

Mr. Woodworth, of Elko County, was placed in nomination by Mr. E. R. Smith.

Mr. Dow nominated Charles Hoover, of Eureka County.

Nominations declared closed, and the vote for Assistant Clerk resulted as follows:

For Mr. Woodworth—Messrs. Allan, Alt, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Case, Carling, Comins, Dovey, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Wren, Van Sickle, and Crandall—35.

For Mr. Thorpe—Messrs. Allen, Len., Bartlett, Bergstein, Buckner, Dow, Ellison, Hubbard, McGee, Penrod, Peyton, Sanford, Van Hagen, and Watt—13.

The Speaker appointed Messrs. Wren, J. P. Smith, and Dow to wait upon the Chief Justice of the Supreme Court and invite him to the Assembly Chamber, to administer the oath of office to the members elect.

In due time Chief Justice Hawley appeared and administered the oath of office to the following members, who subscribed to the same:

Messrs. Allen, Len., Allan, Nelson, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case,

Carling, Comins, Crandall, Dovey, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, Van Sickle, and Peyton.

Nominations for Sergeant-at-Arms were declared in order.

Mr. Buckingham nominated H. W. Putnam, of Storey County.

Mr. Allen of Churchill, nominated H. B. Cossett.

Nominations closed.

The vote for Sergeant-at-Arms resulted as follows:

For Mr. Putnam—Messrs. Allan, Alt, Andrews, Atkinson, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dovey, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Wren, and Van Sickle—35.

For Mr. Cossett—Messrs. Allen of Churchill, Bartlett, Beck, Bergstein, Buckner, Case, Dow, Ellison, Hogan, Hubbard, McGee, Peyton, Sanford, Watt, and Willis—15.

Mr. Putnam, having received a majority vote of the House, was declared elected Sergeant-at-Arms.

Nominations for Assistant Sergeant-at-Arms declared in order.

Mr. E. R. Smith nominated Mr. Plageman, of White Pine County.

Mr. Carling nominated Mr. Hickey, of Lyon County.

Mr. Dow nominated J. Atwell, of Washoe County.

Nominations closed.

The vote for Assistant Sergeant-at-Arms resulted as follows:

For Mr. Plageman—Messrs. N. Allan, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, and Wren—28.

For Mr. Hickey—Messrs. Bergstein, Carling, Dovey, Johnson, Lowrey, McDonnell, Morrill, Sanford, and Van Sickle—9.

For Mr. Atwell—Messrs. L. Allen, Alt, Bartlett, Buckner, Case, Dow, Hogan, Hubbard, McGee, Penrod, Peyton, Watt, and Willis—13.

Mr. Plageman, having received a majority of votes of the House, was declared elected Assistant Sergeant-at-Arms.

Nominations for Minute Clerk declared in order.

Mr. E. R. Smith nominated George W. Rogers, of Storey County.

Nominations for Minute Clerk closed.

On motion of Mr. Bibbins, the rules were suspended, and Mr. Rogers elected Minute Clerk by acclamation.

Nominations for Journal Clerk declared in order.

Mr. E. R. Smith nominated C. Crandell, of Ormsby County.

Nominations closed.

On motion of Mr. Gearhart, the rules were suspended, and Mr. Crandell was elected Journal Clerk by acclamation.

Nominations for Enrolling Clerk were declared in order.

Mr. Smith nominated Ben. Gunn, of Storey County.

Mr. Van Hagen nominated Ed. Matthews, of White Pine County.

Nominations declared closed.

The vote for Enrolling Clerk resulted as follows:

For Mr. Gunn—Messrs. N. Allan, Andrews, Atkinson, Averill, Bibbins, Buckingham, Carling, Crandall, Dovey, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Wren, Van Sickle, Spencer, and Tone—30.

For Mr. Matthews—Messrs. L. Allen, Bartlett, Beck, Bergstein, Blair, Buckner, Case, Comins, Dow, Ellison, Hogan, Hubbard, McGee, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—19.

Mr. Gunn, having received a majority vote of the House, was declared elected Enrolling Clerk.

Nominations for Engrossing Clerk declared in order.

Mr. E. R. Smith nominated W. W. Bordwell, of Washoe County.

Nominations declared closed.

On motion of Mr. J. P. Smith, the rules were suspended, and Mr. Bordwell declared elected Engrossing Clerk by acclamation.

Nominations for Chief Clerk of Committees was declared in order.

Mr. J. P. Smith nominated Charles Stoddard, of Humboldt County.

Nominations for Chief Clerk of Committees declared closed.

On motion of Mr. Gearhart, the rules were suspended, and Mr. Stoddard declared elected Chief Clerk of Committees by acclamation.

Nominations for Committee Clerks declared in order.

Mr. E. R. Smith nominated R. P. Cochrane, M. W. Starling, Ed. Kiese, and George W. McKee.

Mr. Hubbard nominated Mr. Manning, of Esmeralda County.

Mr. Beck nominated A. D. Dawson, of Washoe County.

Mr. Buckner nominated E. Blennerhassett, of Humboldt County.

Nominations for Committee Clerks declared closed.

The vote resulted as follows:

For Mr. Cochrane—Messrs. N. Allan, L. Allen, Andrews, Atkinson, Beck, Bartlett, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Dovey, Ford, Frank, Gearhart, Gray, Haynie, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, and Wren—36.

For Mr. Starling—Messrs. L. Allen, Alt, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dow, Dovey, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Willis, Van Sickle, and Wren—43.

For Mr. Kiese—Messrs. Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Comins, Crandall, Dovey, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Nicholls, Ogg, Reese, E. R. Smith, Spencer, Tone, and Wren—28.

For Mr. McKee—Messrs. N. Allan, Alt, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Dovey, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McGee, Morrill, Nicholls, Ogg, Reese, E. R. Smith, J. P. Smith, Tone, Van Hagen, Van Sickle, and Wren—34.

For Mr. Manning—Messrs. Allen of Churchill, Allan of White Pine, Alt, Averill, Bartlett, Bergstein, Buckingham, Buckner, Carling,

Comins, Dow, Ellison, Ford, Frank, Gearhart, Hogan, Hubbard, McDonnell, McGee, Morrill, Penrod, Peyton, Sanford, Smith, J. P., Van Hagen, Willis, Watt, and Van Sickle—27.

For Mr. Blennerhassett—Messrs. Allen of Churchill, Bergstein, Buckner, Case, Dow, Ellison, Hubbard, McGee, Penrod, Peyton, Sanford, Watt, and Willis—14.

For Mr. Dawson—Messrs. Allen of Churchill, Alt, Beck, Bergstein, Bibbins, Buckner, Case, Dow, Ellison, Hogan, Hubbard, McGee, Penrod, Peyton, Sanford, Watt, and Willis—17.

Messrs. Starling, McGee, Cochrane, and Kiesele, having received a majority vote of the House, were declared duly elected.

Nominations for two Copying Clerks declared in order.

Mr. E. R. Smith nominated Miss Mary E. Wright, of Storey County, and C. S. Mott, of Esmeralda County.

Nominations for Copying Clerks closed.

On motion of Mr. Allan, of White Pine County, Miss Mary E. Wright and Mr. C. S. Mott were declared elected Copying Clerks by acclamation.

Nominations for Porter were declared in order.

Mr. E. R. Smith nominated B. Benson.

Mr. Gearhart nominated William Jackson.

Mr. Penrod nominated Charles A. Read.

Nominations for Porter declared closed.

The vote resulted as follows:

For Mr. Benson—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Dovey, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Watt, Willis, and Wren—41.

For Mr. Jackson—Mr. Van Hagen—1.

For Mr. Read—Messrs. Alt, Bergstein, Hogan, Hubbard, Penrod, and Van Sickle—6.

Mr. Benson, receiving a majority vote of the House, was declared duly elected.

Nominations for Messenger declared in order.

Mr. E. R. Smith nominated Master E. Pefley, of Storey County.

Mr. Dow nominated Frank Collins.

Mr. Case nominated John Ellis.

Mr. Willis nominated W. H. Butts.

Nominations closed.

The vote for Messenger resulted as follows:

For Mr. Pefley—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dovey, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Tone, Van Hagen, Watt, Wren, and Van Sickle—33.

For Mr. Ellis—Messrs. Allen of Churchill, Alt, Beck, Buckner, Case, Ellison, Hogan, Hubbard, McGee, Sanford, and Spencer—11.

For Mr. Butts—Messrs. Penrod and Willis—2.

For Mr. Collins—Messrs. Dow, Frank, Jones, and Peyton—4.

Master Pefley, having received a majority vote of the House, was declared duly elected Messenger.

Nominations for Pages were declared in order.

Mr. Wren nominated Master W. C. Noteware.

Mr. E. R. Smith nominated Master J. McDade.

Mr. Bartlett nominated Master F. Gregory.

Mr. Van Hagen nominated George M. Cagwin.

Mr. Dow nominated Master Parrott.

Mr. Gearhart nominated Master J. C. Reed.

Mr. Lowrey nominated Master R. S. Baker.

Mr. Ellison nominated Master Charles Smith.

Mr. Frank nominated Master W. H. Keyser.

Mr. Buckner nominated Master F. Breck.

Mr. Van Hagen withdrew the name of Master George M. Cagwin.

Nominations for Pages closed.

Roll call resulted in the election of Masters Noteware and Gregory.

The Speaker appointed Messrs. Wren, J. P. Smith, and Dow, to wait on the Chief Justice, and request him to administer the oath of office to the attachés of the Assembly elect.

Chief Justice Hawley appeared, and administered the oath of office to the following attachés elect:

Mr. Wren offered the following resolution:

Resolved, That the Clerk be instructed to inform the Senate that the Assembly is organized, by the election of the following named officers:

W. C. Dovey.....	Speaker.
Andrew Whitford.....	Chief Clerk.
J. M. Woodworth.....	Assistant Clerk.
H. W. Putnam.....	Sergeant-at-Arms.
J. F. Plageman.....	Assistant Sergeant-at-Arms.
Geo. W. Rogers.....	Minute Clerk.
C. Crandell.....	Journal Clerk.
B. M. Gunn.....	Enrolling Clerk.
W. W. Bordwell.....	Engrossing Clerk.
C. H. Stoddard.....	Chief Clerk of Committees.
M. W. Starling.....	Committee Clerk.
R. P. Cochrane.....	Committee Clerk.
Ed. Kiesele.....	Committee Clerk.
Geo. W. McKee.....	Committee Clerk.
Miss Mary E. Wright.....	Copying Clerk.
C. S. Mott.....	Copying Clerk.
B. Benson.....	Porter.
E. Pefley.....	Messenger.
W. C. Noteware.....	Page.
F. Gregory.....	Page.

And are now ready to proceed to business.

Adopted.

By Mr. Allan, of White Pine County:

Resolved, That a committee of two be appointed by the Speaker to wait on the Governor and inform him that the Assembly is organized, and now ready to receive any communication that he may have to make.

Adopted.

The Speaker appointed Messrs. Allan and Wren as such committee.

Mr. Allen, of Churchill County, moved that a committee of five be appointed on Rules, and that the Rules of the House of last session be adopted, until the report of said committee is received and adopted.

Motion agreed to.

The Speaker appointed Messrs. Allen, Dow, E. R. Smith, Beck, and Gearhart as Committee on Rules.

On motion of Mr. McGee, the House adjourned at two o'clock and thirty minutes P. M.

Approved:

W. C. DOVEY,
Speaker of the Assembly.

Attest: A. WHITFORD,
Clerk of the Assembly.

SECOND DAY.

CARSON CITY,
TUESDAY, January 5th, 1875. }

The House met at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Buckingham and Gray.

Mr. J. P. Smith asked leave of absence for Messrs. Buckingham and Gray, for one day.

Leave granted.

By Mr. Wren:

Resolved, The Rev. James Woods be and he is hereby invited to officiate as Chaplain of the Assembly.

Mr. Dow moved that the resolution be amended as follows:

That the clergy of Carson be invited to offer prayers at the opening of the morning sessions.

On motion of Mr. Wren, the resolution was withdrawn, and the whole subject matter postponed until to-morrow.

On motion of Mr. J. P. Smith, the reading of the Journal of yesterday was dispensed with.

The Speaker gave notice that he had in his possession the papers relative to the contest for office of Assemblymen from Churchill County.

On motion of Mr. Beck, the papers were referred to the Committee on Elections, when appointed.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker gave notice of the appointment of the following Standing Committees:

ON CLAIMS.

Messrs. Johnson, Ogg, Watt, Atkinson, and Tone.

ON MINES AND MINING.

Messrs. Buckingham, McDonnell, Ford, Willis, and Frank.

ON MILEAGE.

Messrs. Blair, Penrod, and Ellison.

ON JUDICIARY.

Messrs. Wren, Dow, Gearhart, Helm, E. R. Smith, Blair, and Buckner.

ON COUNTIES AND COUNTY BOUNDARIES.

Messrs. Laveaga, Morrill, Bergstein, Bibbins, and Hogan.

ON ELECTIONS.

Messrs. Jones, Crandall, Lowrey, Case, and Alt.

ON CORPORATIONS AND RAILROADS.

Messrs. J. P. Smith, Johnson, Haynie, Van Hagen, and Allan of White Pine.

ON WAYS AND MEANS.

Messrs. Nicholls, Comins, Beck, McGee, Gray, Carling, and Bartlett.

COMMUNICATION FROM THE SECRETARY OF STATE.

To the honorable the Assembly:

GENTLEMEN: I have the honor to transmit herewith, in compliance with Article IV, section thirty-five, of the Constitution, a bill which originated in the Assembly and passed both Houses, at the last session, viz: Assembly Bill No. 105; said bill having been filed in my office within

ten days after the final adjournment, together with the objections of his Excellency the Governor thereto.

Very respectfully,

J. D. MINOR,
Secretary of State.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 17th, 1873. }

Honorable JAMES D. MINOR, Secretary of State:

SIR: I have the honor to return herewith, without my approval, Assembly Bill No. 105—"An Act to grant the right of way to James E. Rooker, et als., their associates and assigns, to maintain and operate a railroad from the Central Pacific Railroad to the City of Austin."

The title of this bill is no real index of its contents, and is calculated to deceive. The seventeenth section of Article IV of the Constitution requires that "each law enacted by the Legislature shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title." By the terms of the title of this Act, it would appear that the right of way alone is granted to the beneficiaries of the bill; but, in addition thereto, a loan to the amount of three hundred thousand dollars is granted, a sum equal to one fifth of the taxable property of Lander County. A petition from three fifths of the taxpayers of the county is required, that the right of way may be granted. This provision is entirely useless, and its only possible object is to cloak the more objectionable features of the bill. The right of way may be acquired under the general law, without an express grant from the Legislature or the Board of County Commissioners. It may be possible that the required number of petitioners may be procured, and every one of them may be unaware of the real consequences of his signature. The signing of a petition to grant the right of way would be an ignorant assent to an enormous burden of taxation. The immediate and only object of the bill is a compulsory loan of money upon insufficient security, entirely out of proportion to the resources of the lender. I cannot approve the bill.

L. R. BRADLEY.

Select committee appointed to wait upon the Governor, reported that they had performed the duties assigned them.

Report received, and committee discharged.

The Speaker substituted the name of Mr. Comins for that of Mr. Case on Committee on Elections.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
CARSON CITY, NEVADA, January 4th, 1875. }

To the honorable the Assembly:

I am instructed by the Senate to inform your honorable body that the Senate is fully organized, by the election of the following officers, viz:

C. C. Stevenson.....	President pro tem.
C. N. Noteware.....	Secretary.
S. Pixley.....	Sergeant-at-Arms.
C. C. Wallace.....	Assistant Sergeant-at-Arms.
W. H. Hill.....	Minute Clerk.
R. R. Parkinson.....	Journal Clerk.
E. B. Pixley.....	Enrolling Clerk.
Delle Crandelle.....	Engrossing Clerk.
G. C. White.....	Copying Clerk.
J. J. Linn.....	Copying Clerk.
Fred. H. Hart.....	Chief Clerk of Committees.
J. G. Atchison.....	Committee Clerk.
H. L. Fish.....	Committee Clerk.
Israel Crawford.....	Committee Clerk.
Jacob Yates.....	Porter.
Ormsby Musser.....	Messenger.
Albert Harris.....	Page.
Geo. W. Cagwin.....	Page.

And the Senate is now ready to receive communications from his Excellency the Governor, and prepared to proceed with the legislative business of the session.

C. N. NOTEWARE,
Secretary of the Senate.

Mr. Helm moved that Assembly Bill No. 105, of the last session of the Nevada Legislature, be taken up, together with the Governor's objections.

Mr. Dow moved, as an amendment, that it be referred to the Judiciary Committee.

Amendment ruled out of order, and the motion to take up the bill carried.

Mr. Dow moved that Assembly Bill No. 105, of the last session of the Nevada Legislature, be transferred to the Judiciary Committee.

Carried.

INTRODUCTION OF BILLS.

Mr. Beck, by leave, introduced Assembly Bill No. 1—entitled an Act to repeal Chapter Eighty-eight (88) of the laws passed at the fourth session of the Nevada Legislature.

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

Mr. Beck, by leave, introduced Assembly Bill No. 2—entitled an Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

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

By Mr. Dow:

Resolved, That the Controller of the 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 newspapers, postage, express charges, and stationery, for the present session, as provided by the Con-

stitution of the State of Nevada, Article IV, section thirty-three, the same to be paid out of the Contingent Fund of the Assembly.

Adopted.

On motion of Mr. Beck, at twelve o'clock and five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the Assembly.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRD DAY.

CARSON CITY,
WEDNESDAY, January 6th, 1875. }

The House met at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

All members present.

The Journals of yesterday and the day previous were read and approved.

REPORTS OF STANDING COMMITTEES.

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

Names of Members.	Miles.	Amount.
<i>Storey County—</i>		
Philip Reese.....	44	\$17 60
E. R. Smith.....	44	17 60
N. G. Andrews.....	44	17 60
W. Averill.....	44	17 60
E. L. Buckingham.....	44	17 60
J. P. Smith.....	44	17 60
T. R. Atkinson.....	44	17 60
J. T. McDonnell.....	44	17 60

Names of Members.	Miles.	Amount.
W. D. Gray.....	44	\$17 60
Simon Ogg.....	44	17 60
H. Crandall.....	44	17 60
J. Lowrey.....	44	17 60
<i>Ormsby County—</i>		
J. W. Haynie.....
Alfred Helm.....
E. S. Jones.....	8	3 20
<i>Washoe County—</i>		
H. H. Hogan.....	70	28 00
George Alt.....	80	32 00
H. H. Beck.....	20	8 00
<i>Lyon County—</i>		
W. C. Dovey.....	24	9 60
L. Morrill.....	24	9 60
Hugh Carling.....	84	33 60
<i>Lander County—</i>		
A. Nicholls.....	736	294 40
George Watt.....	736	294 40
<i>Eureka County—</i>		
Thomas Wren.....	834	333 60
M. B. Bartlett.....	834	333 60
<i>White Pine County—</i>		
H. A. Comins.....	904	361 60
Nelson Allan.....	904	361 60
W. H. Ford.....	904	361 60
G. R. A. Bibbins.....	904	361 60
J. M. Gearhart.....	1,000	400 00
<i>Elko County—</i>		
J. C. Dow.....	814	325 60
H. H. Peyton.....	754	301 60
E. Penrod.....	848	339 20
F. J. Frank.....	754	301 60

Names of Members.	Miles.	Amount.
<i>Humboldt County—</i>		
Paul Laveaga.....	390	\$156 00
L. A. Buckner.....	480	192 00
J. B. Case.....	540	216 00
<i>Lincoln County—</i>		
A. J. Blair.....	1,242	496 80
H. Bergstein.....	1,242	496 80
J. B. Van Hagen.....	1,242	496 80
<i>Nye County—</i>		
J. B. McGee.....	984	393 60
P. M. Ellison.....	984	393 60
<i>Douglas County—</i>		
J. R. Johnson.....	28	11 20
H. Van Sickle.....	34	13 60
<i>Esmeralda County—</i>		
A. Spencer.....	360	144 00
R. T. Hubbard.....	370	148 00
R. V. Tone.....	370	148 00
E. R. Willis.....	180	72 00
<i>Churchill County—</i>		
L. Allen.....	200	80 00
James Sanford.....	200	80 00

All of which is respectfully submitted.

A. J. BLAIR,

Chairman of Committee.

Report received and adopted.

The Governor's Biennial Message received. Pending the reading, Mr. Buckner moved that the further reading of the Governor's Message be dispensed with.

Mr. Beck moved to amend the motion, so as to read: "That the reading of the Governor's Message be dispensed with, and the usual number of copies be ordered printed."

Mr. Wren moved the following amendment to the amendment: Insert after the words "dispensed with," the words "and one thousand copies be ordered printed."

Amendment to the amendment carried, and the original motion passed as amended.

COMMUNICATION FROM THE CONTROLLER OF STATE.

STATE CONTROLLER'S OFFICE,
CARSON CITY, January 6th, 1875. }

To the honorable the Assembly of the State of Nevada:

GENTLEMEN: In response to the resolution of your honorable body, authorizing and directing me to draw my warrant for sixty dollars in favor of each member of the Assembly, for newspapers, postage, etc., permit me to call your attention to section nineteen, Article IV, of the Constitution: "No money shall be drawn from the Treasury but in consequence of appropriations made by law." It will therefore be impossible for me to draw my warrant as directed, until after receiving official notification of the passage and approval of a Legislative Fund bill.

Very respectfully, your obedient servant,

W. W. HOBART,
State Controller.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
January 5th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit to your honorable body Senate Bill No. 1—entitled an Act to create a State Legislative Fund—the same having passed the Senate this day, by the following vote: Yeas, 22; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

NOTICES OF BILLS.

Mr. Dow, of Elko County, gave notice that, on to-morrow, or some succeeding day, he will ask leave to introduce a bill for an Act to create a State Board of Equalization.

Also, a bill for an Act to regulate freights and fares on railroads in this State.

Also, a bill for an Act to create and organize the State University, and to provide for the control and maintenance of the same.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 1—entitled "An Act to create a Legislative Fund."

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

On motion of Mr. Wren, the resolution of yesterday, relative to the

appointment of Chaplain, was taken up, together with the whole subject matter.

The amendment offered by Mr. Dow to the motion was adopted, and the resolution passed as amended.

Mr. Wren then moved that a committee of two be appointed to confer with the clergy of Carson, for the purpose of inviting them to officiate as Chaplains of the Assembly, alternately.

Motion carried, and Messrs. Wren and Dow were appointed as such committee.

On motion of Mr. Hogan, the rules were suspended, and the House resolved itself into the Committee of the Whole for the consideration of Senate Bill No. 1—entitled an Act to create a Legislative Fund.

In due time the committee arose, reported Senate Bill No. 1 back to the House without amendment, recommending its passage.

THIRD READING OF BILLS.

Senate Bill No. 1—entitled “An Act to create a Legislative Fund.”

Rules suspended, read a third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—48.

NAY—Mr. Beck—1.

ABSENT—Mr. Haynie—1.

On motion of Mr. Gearhart, the House adjourned at twelve o'clock and thirty minutes P. M.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FOURTH DAY.

CARSON CITY,
THURSDAY, January 7th, 1875. }

The House met at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Mr. McGee.

Mr. Dow, in behalf of the committee appointed to confer with the resident clergy of Carson, reported that the committee had performed its duty, and that the clergy had made joint arrangements to attend the Assembly during the session.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

REPORT OF COMMITTEE ON JUDICIARY.

Mr. SPEAKER: Your Standing Committee on Judiciary, to whom was referred Assembly Bill No. 105—"An Act to grant the right of way to James E. Rooker, et al."—report that they have had the same under consideration, and recommend that the Governor's veto be sustained.

THOMAS WREN, Chairman.

Report received and adopted.

On motion of Mr. Beck, Assembly Bill No. 105, of the last session, together with the Governor's veto message relative to the same, were taken up and read.

The question being, "Shall the bill pass notwithstanding the objections of the Governor?"

Roll called, and the veto was sustained by the following vote:

YAYS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, La-veaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—49.

ABSENT—Mr. McGee—1.

Mr. Buckner introduced Assembly Concurrent Resolution No. 1, amending section one, Article IX, of the Constitution.

Read first time, rules suspended, read second time.

MOTIONS AND RESOLUTIONS.

By Mr. Helm:

Resolved, That the Sergeant-at-Arms be instructed to provide a room, suitably furnished, and the necessary stationery, for Engrossing Clerk of the Assembly, the rent of the same to be paid out of the Legislative Fund.

Adopted.

By Mr. Hogan:

Resolved, That all standing and special committees, to whom bills and other matter may be referred, shall be required to return the same to this House within three days after their commitment.

Mr. Wren moved to amend the resolution by inserting the word "seven" in lieu of three.

Amendment adopted, and resolution passed as amended.

By Mr. Buckingham:

Resolved, That the Sergeant-at-Arms be and is hereby ordered to procure a room suitable for the Copying Clerk of this House.

Adopted.

On motion of Mr. Beck, Assembly Concurrent Resolution No. 1, amending section one, Article IX, of the Constitution, was taken up, and referred to the Committee on Judiciary.

NOTICES OF BILLS.

Mr. Case 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 provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five.

Mr. E. R. Smith gave notice that he would, on some future day, ask leave to introduce a bill for "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto."

Mr. McDonnell gave notice that he would, on Monday next, eleventh instant, ask leave to introduce a bill for an Act entitled "An Act to exempt from taxation all real estate and personal property belonging to the Miners' Union of Storey and Lyon Counties."

By Mr. Penrod—I hereby give notice that I will, at some future day, introduce a bill entitled "An Act to amend an Act entitled an Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three.

INTRODUCTION OF BILLS.

Mr. Buckner, by leave, introduced Assembly Bill No. 3—entitled "An Act to amend an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties, and establish their pay."

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

Mr. Bergstein, by leave, introduced Assembly Bill No. 4—entitled an Act to prevent the practice of medicine or surgery by unqualified persons.

Read first time; rules suspended; read a second time by title, and referred to a special committee, consisting of Messrs. Helm, E. R. Smith, and Gearhart.

Mr. Dow, pursuant to previous notice, introduced Assembly Bill No. 5—entitled an Act to amend the revenue laws, and create a State Board of Equalization.

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

Mr. Hogan, by leave, introduced Assembly Bill No. 6—entitled an Act concerning the registration of electors.

Read first time.

SENATE MESSAGE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 7th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Joint Resolution No. 1, the same having passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

Senate Joint Resolution No. 1 read, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—49.

ABSENT—Mr. McGee—1.

On motion of Mr. Beck, at twelve o'clock and fifty minutes p. m., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

FIFTH DAY.

CARSON CITY,
FRIDAY, January 8th, 1875. }

The House met at eleven o'clock a. m., pursuant to adjournment.
The Speaker in the chair.
Roll called.

Absent—Messrs. E. R. Smith, Van Sickle, Hubbard, Tone, Willis, and McGee.

Leave of absence was granted to Messrs. E. R. Smith, Hubbard, Tone, and Willis, for one day; to Mr. Van Sickle for two days, and indefinite leave of absence to Mr. McGee.

Prayer by the Rev. Mr. Allen.

Journal of yesterday read and approved.

On Committee on Counties and County Boundaries, the Speaker substituted the name of Mr. Spencer for that of Mr. Morrill; and on Committee on Elections, the name of Mr. Case was substituted for that of Mr. Comins.

The Speaker announced the appointment of the following Standing Committees:

ON STATE PRISON.

Messrs. Gray, Blair, Bartlett, L. Allen, and Comins.

ON CONTINGENT EXPENSES.

Messrs. Haynie, E. R. Smith, Hubbard, Nicholls, and Sanford.

ON STATE LIBRARY.

Messrs. Buckner, Helm, and Morrill.

ON INTERNAL IMPROVEMENTS.

Messrs. Beck, Atkinson, Ogg, Andrews, and Penrod.

ON ENGROSSMENT.

Messrs. Nelson Allan, Crandall, and Van Hagen.

ON STATE INSTITUTIONS.

Messrs. Tone, J. P. Smith, Penrod, Alt, and Reese.

ON PUBLIC MORALS.

Messrs. Carling, Willis, and Ellison.

ON AGRICULTURE.

Messrs. Van Sickle, Case, Ellison, Sanford, and Peyton.

ON EDUCATION.

Messrs. Averill, Bergstein, Case, Morrill, and Dow.

ON PRINTING.

Messrs. Frank, Watt, and Reese.

ON ENROLLMENT.

Messrs. Helm, Gearhart, and Hubbard.

REPORT OF STANDING COMMITTEES.

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 3—entitled an Act to amend an Act entitled “An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay”—upon examination we find that the bill does not change the law now in force, with the exception of adding one Page to the number now employed. In the opinion of your committee, this would be incurring an unnecessary expense; we would, therefore, recommend that the bill do not pass.

A. NICHOLLS,
W. D. GRAY,
M. B. BARTLETT,
H. C. COMINS,
HUGH J. CARLING.

ASSEMBLY CHAMBER,
CARSON CITY, January 7th, 1875. }

Mr. SPEAKER: Your special committee, to whom was referred Assembly Bill No. 4—entitled “An Act to prevent the practice of medicine or surgery by unqualified persons”—beg leave to report that they have considered it favorably, and recommend its passage without amendment.

ALFRED HELM,
J. M. GEARHART,
Special Committee.

MOTIONS AND RESOLUTIONS.

By Mr. Frank:

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

Adopted.

By Mr. Penrod:

Resolved, That the Sergeant-at-Arms is hereby instructed and directed to draw his warrant on the State Controller, for mileage, in favor of the following members, in place of the amount reported by the Committee on Mileage, to wit:

	Miles.	Amount allowed.	Miles.	Amount claimed.
J. M. Sanford, of Churchill County.....	200	\$80 00	240	\$96 00
R. J. Hubbard, of Esmeralda County ...	370	148 00	500	220 00
L. Morrill, of Lyon County.....	24	9 60	28	11 20
W. C. Dovey, of Lyon County.....	24	9 60	26	10 40
N. Allan, of White Pine County.....	904	361 60	950	380 00
H. H. Hogan, of Washoe County.....	70	28 00	60	24 00

Adopted.

By Mr. Bergstein:

Resolved, That the Sergeant-at-Arms be and is hereby instructed to purchase for the use of the Assembly the best map of the State of Nevada to be obtained.

Adopted.

Leave of absence was granted to Mr. Johnson, for one day.

Mr. Gray moved that when this House adjourns, it do adjourn until one o'clock P. M. to-morrow.

Adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 7th, 1875. }

To the honorable the Assembly:

I have the the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 2—relative to printing Governor's Message—the same having passed the Senate this day, by the following vote: Yeas, 23; nays, none.

C. N. NOTEWARE,
Secretary of Senate.

Senate Concurrent Resolution No. 2—relative to printing Governor's Message—was taken up, and passed the House by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, J. P. Smith, Spencer, Tone, Van Hagen, Watt, Wren, and Mr. Speaker—41.

NAYS—Mr. Bartlett—1.

ABSENT—Messrs. Beck, Haynie, Hogan, Hubbard, McGee, Smith, E. R., Van Sickle, and Willis—8.

NOTICE OF BILLS.

Mr. Alt gave notice that he would, on some future day, introduce a bill for an Act to regulate fees and compensation for county officers.

Mr. Van Hagen gave notice that, on some future day, he would introduce a bill entitled an Act to provide for the payment of expenses of the removal of convicts from counties to the State Prison.

Mr. Frank gave notice that he would, on to-morrow or some future day, introduce a bill concerning the transportation of prisoners to the State Prison, and to appropriate money for the same.

Mr. Frank gave notice that he would, on some future day, introduce a bill concerning the transportation of indigent insane to the State Asylum, and to appropriate money for the same.

Mr. Alt was granted leave of absence for the remainder of the day.

Mr. Hogan asked leave to withdraw Assembly Bill No. 6—entitled an Act concerning the registration of electors.

Leave granted.

INTRODUCTION OF BILLS.

Mr. Penrod, pursuant to previous notice, introduced Assembly Bill No. 7—entitled an Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three.

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

Mr. Beck, by leave, introduced Assembly Bill No. 8—entitled an Act to regulate fares and freights on railroads in the State of Nevada.

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

On motion of Mr. Dow, Assembly Bill No. 5—entitled an Act to amend the revenue laws, and create a State Board of Equalization—was referred to the Committee on Ways and Means.

THIRD READING OF BILLS.

Assembly Bill No. 3—entitled an Act to amend an Act entitled "An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and establish their pay."

Mr. Wren moved its indefinite postponement.

Roll called, and the bill was indefinitely postponed by the following vote:

YEAS—Messrs. Allen of Churchill, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Bibbins, Carling, Comins, Crandall, Ellison, Frank, Gearhart, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Watt, Wren, and Mr. Speaker—32.

NAYS—Messrs. Beck, Buckner, Case, Ford, Helm, and Hogan—6.

ABSENT—Messrs. Allan of White Pine, Alt, Buckingham, Dow, Gray, Haynie, Hubbard, McGee, Smith, E. R., Van Hagen, Van Sickle, and Willis—12.

Assembly Bill No. 4—entitled "An Act to prevent the practice of medicine or surgery by unqualified persons"—was taken up, and ordered engrossed.

On motion of Mr. Gearhart, at twelve o'clock and ten minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: J. M. WOODWORTH,
Assistant Clerk of the Assembly.

SIXTH DAY.

CARSON CITY,
SATURDAY, January 9th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Buckingham and Hogan.

Leave of absence was granted to Messrs. Buckingham and Hogan, for one day.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

The Speaker announced the appointment of the following Standing Committees:

ON FEDERAL RELATIONS.

Messrs. Helm, Frank, Bibbins, Buckingham, and Laveaga.

ON PUBLIC LANDS.

Messrs. Andrews, Peyton, Lowrey, Ford, and Watt.

ON TRADE AND MANUFACTURES.

Messrs. Atkinson, McGee, L. Allen, Morrill, and McDonnell.

ON MILITARY AND INDIAN AFFAIRS.

Messrs. Peyton, Tone, Andrews, Hogan, and Averill.

REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 1, report that they have had the

same under consideration, and have directed their Chairman to report the same to the House, recommending that it do pass.

THOMAS WREN,
Chairman of Committee.

MOTIONS AND RESOLUTIONS.

By Mr. Blair:

Resolved, That there be printed, on cardboard, one hundred copies of the Standing Committees of this House, for the use of its members.

Adopted.

By Mr. E. R. Smith:

Resolved, That the Sergeant-at-Arms be instructed to provide the Enrolling Clerk with suitable rooms.

Adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

MR. SPEAKER: The Standing Committee on Engrossment have carefully compared the following entitled bill—"An Act to prevent the practice of medicine and surgery by unqualified persons"—and have found the same correctly engrossed.

NELSON ALLAN, Chairman.

By Mr. Bergstein:

Resolved, That a committee of three be appointed to investigate the condition of our insane convicts.

Adopted.

By Mr. Bergstein:

Resolved, That Assembly Bill No. 4 be taken from the General File, and that it be printed and made the special order for next Wednesday, at twelve o'clock M.

Adopted.

NOTICES OF BILLS.

Mr. Bergstein gave notice that he would, on some future day, ask leave to introduce a bill for an Act to regulate the practice of pharmacy and sale of poisons.

INTRODUCTION OF BILLS.

Mr. Dow, pursuant to previous notice, introduced Assembly Bill No. 9—entitled an Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same.

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

Mr. Beck, by leave, introduced Assembly Bill No. 10—entitled an Act to provide for the payment of the State debt proper.

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

Mr. Van Hagen, pursuant to previous notice, introduced Assembly Bill No. 11—entitled an Act to provide for the payment of expenses of the removal of convicts from counties to the State Prison.

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

Pursuant to resolution relative to the appointment of a committee to investigate the condition of our insane convicts, the Speaker appointed Messrs. Bergstein, Gray, and Frank as such committee.

Mr. McDonnell, by leave, introduced Assembly Bill No. 12—entitled an Act amendatory of an Act entitled "An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and regulate their pay."

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

Assembly Concurrent Resolution No. 1—relative to amendment to the Constitution—was, on motion, considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—None.

Leave of absence was granted, at the request of J. P. Smith, to Chief Clerk Whitford, until Monday next.

Messrs. Wren and Dow were appointed to wait upon the Senate and inform that body that the Assembly is ready to receive them in Joint Convention, for the purpose of installing the Governor and Lieutenant Governor elect into office.

On motion of Mr. Gearhart, at one o'clock and fifty minutes P. M., the Assembly took a recess until two o'clock.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Quorum present.

Mr. Wren, on behalf of the committee appointed to wait upon the Senate and inform that body that the Assembly was ready to receive them in Joint Convention, reported that duty performed.

IN JOINT CONVENTION.

Lieutenant Governor Denver in the chair.

The roll being called, Senators Edwards, Farrell, Lockwood, Rickey, and Walter were absent; also, Assemblymen Buckingham, Hogan, Johnson, McGee, and Van Sickle, who were absent on leave.

Senator Varian moved that a committee of three be appointed to wait upon Chief Justice Hawley, of the Supreme Court, and request him to attend the Joint Convention, for the purpose of administering the oath of office to the Governor and Lieutenant Governor elect.

Carried.

The President appointed Senators Varian and Stampley, and Assemblyman J. P. Smith, as such committee.

In due time the committee returned, reported the duty assigned them performed, and the Chief Justice of the Supreme Court present.

On motion of Mr. Wren, the Joint Convention proceeded to the residence of the Governor elect, L. R. Bradley, for the purpose of administering the oath of office.

AT THE GOVERNOR'S RESIDENCE.

Lieutenant Governor Denver called the Joint Convention to order.

The Private Secretary of the Governor, C. Thornton, read the commission of the Governor elect, L. R. Bradley.

Chief Justice Hawley then administered the following oath of office to the Governor elect, who subscribed thereto:

"I, L. R. Bradley, do solemnly swear that I will support, protect, and defend the Constitution and Government of the United States, and the Constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State, Convention, or Legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear, that I have not fought a duel, or sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel, during my continuance in office. And further, that I will well and faithfully perform all the duties of the office of Governor of the State of Nevada, on which I am about to enter, so help me God."

ASSEMBLY CHAMBER.

Lieutenant Governor Denver in the chair.

Roll called; quorum of each House present.

Senator Stevenson moved that a committee of two be appointed to wait upon the Lieutenant Governor elect, and request his attendance before the Joint Convention for the purpose of being installed into office.

Carried.

The President appointed Senator Stevenson, and the Speaker appointed Mr. Wren, as such committee.

In due time the committee returned, accompanied by Jewett W. Adams, Lieutenant Governor elect.

Chief Justice Hawley, of the Supreme Court, then administered the

following oath of office to the Lieutenant Governor elect, who subscribed thereto:

"I, Jewett W. Adams, do solemnly swear that I will support, protect, and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State, Convention, or Legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear that I have not fought a duel, or sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel, during my continuance in office. And further, that I will well and faithfully perform all the duties of the office of Lieutenant Governor of the State of Nevada, on which I am about to enter, so help me God."

The commission of Lieutenant Governor Jewett W. Adams, read by C. Thornton, Private Secretary of the Governor.

The business for which the Joint Convention met having been performed, the Convention adjourned *sine die*.

ASSEMBLY IN SESSION.

The Speaker in the chair.

Roll called, quorum present.

On motion of Mr. Gearhart, at three o'clock p. m. the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

EIGHTH DAY.

CARSON CITY,

MONDAY, January 11th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Haynie, Reese, and Spencer.

Leave of absence was granted to Messrs. Haynie, Reese, and Spencer, for one day.

Prayer by Rev. Mr. Allen.

Journal of yesterday read and corrected by striking out the name of Mr. Helm, in the report of the Committee on Engrossment; the Journal was then approved.

MOTIONS AND RESOLUTIONS.

By Mr. Smith:

Resolved, That the Sergeant-at-Arms be instructed to procure and deliver to the Chief Clerk of Committees, the necessary stationery for the use of the several committees of the Assembly.

Adopted.

NOTICES OF BILLS.

Mr. Johnson gave notice that he would, on some future day, introduce a bill for an Act to build a railroad from the Virginia and Truckee Railroad depot, in Carson City, to the Warm Springs, at the State Prison.

Assembly Bill No. 9—entitled “An Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same”—referred to the Committee on Education.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Nicholls, by leave, introduced Assembly Bill No. 13—entitled an Act to amend an Act entitled “An Act to amend ‘An Act to create the office of State Printer, define the duties and compensation thereof, and to provide for the time and manner of election,’ approved January tenth, eighteen hundred and sixty-five,” approved January twenty-sixth, eighteen hundred and sixty-six.

Read first time.

Mr. Frank, by leave, introduced Assembly Bill No. 14—entitled an Act prohibiting certain gaming.

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

Mr. Beck introduced Joint Assembly Resolution No. 2—relative to the apportionment of members of the Senate and Assembly of the State of Nevada.

Read, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Beck, Bergstein, Bibbins, Buckingham, Case, Carling, Comins, Ellison, Gray, Helm, Johnson, Jones, Nicholls, Sanford, Smith, E. R., Van Sickle, Watt, Willis, and Mr. Speaker—24.

NAYS—Messrs. Andrews, Bartlett, Buckner, Crandall, Dow, Ford, Frank, Gearhart, Hogan, Hubbard, Laveaga, Lowrey, McDonnell, Morrill, Penrod, Peyton, Smith, J. P., Tone, Van Hagen, and Wren—20.

On motion of Mr. Gearhart, at eleven o'clock and thirty minutes A. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Chief Clerk of the Assembly.

NINTH DAY.

CARSON CITY,

TUESDAY, January 12th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Mr. McGee.

Prayer by the Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

To the honorable Speaker and members of the Assembly:

We, your Committee on Ways and Means, to which was referred Assembly Bill No. 12—entitled an Act to amend an Act entitled “An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay”—from examination, we find the only change proposed to be made is to raise the pay of the Porter from five (5) dollars per day, the amount fixed by law, to six (6) dollars per day. Your committee, therefore, recommend that the bill do not pass.

A. NICHOLLS, Chairman.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 14—entitled “An Act prohibiting certain gaming”—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

HUGH J. CARLING, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Wren:

Resolved, That the Assembly do proceed to vote *viva voce* for a United States Senator, in accordance with the provisions of the Act of Congress regulating the election of United States Senators, at twelve o'clock M. to-day, Tuesday, January twelfth, eighteen hundred and seventy-five.

Adopted.

Mr. Jones, on behalf of the Committee on Elections, asked for further time to report on the contested election of Assemblymen from Churchill County.

Leave granted.

By Mr. Beck:

Resolved, That it is the sense of this House that the Legislature has the right to regulate fares and freights over the railroads of the State of Nevada.

Adopted.

By Mr. Willis—Assembly Concurrent Resolution No. 3, amending Article II, section one, of the Constitution of the State of Nevada.

Read first time.

NOTICES OF BILLS.

Mr. Tone gave notice that he would, on some future day, introduce a bill for an Act to establish a standard of weights and measures.

Mr. Penrod gave notice that he would, on some future day, introduce a bill for an Act to legalize the act of the County Commissioners of Elko County, in issuing bonds for the construction of the University building at Elko, Nevada.

Assembly Bill No. 13—entitled an Act to amend an Act entitled "An Act to amend 'An Act to create the office of State Printer, define the duties and compensation thereof, and to provide for the time and manner of election,' approved January tenth, eighteen hundred and sixty-five," approved January twenty-sixth, eighteen hundred and sixty-six.

Read second time and referred to the Committee on Printing.

INTRODUCTION OF BILLS.

Mr. J. P. Smith, by leave, introduced Assembly Bill No. 15—entitled an Act to protect domestic animals from injury on railroad tracks.

Read first time.

Mr. Johnson, pursuant to previous notice, introduced Assembly Bill No. 16—entitled an Act granting to J. R. Johnson, J. B. Bradley, their associates, heirs, and assigns, the right to construct a street railroad in Carson City, Nevada.

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

Mr. Wren asked leave of absence for Mr. Plageman, Assistant Sergeant-at-Arms, for one day.

Leave granted.

On motion of Mr. Hogan, at eleven o'clock and twenty minutes A. M., the House took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

House in session at eleven o'clock and fifty-five minutes A. M.

The Speaker in the chair.

Roll called.

Absent—Mr. McGee.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 11th, 1875. }

To the honorable the Assembly of Nevada:

I am constrained to inform you that my physicians advise me to seek quiet and a change of climate for a brief period of time; acting upon this advice, I shall leave the State this evening, and will return as soon as the condition of my health will permit me to resume the duties of

my office. I regret that the necessity to absent myself from the State should occur at so important a period as the present, but I am gratified to know that Lieutenant Governor Adams, who will execute the duties of the office during my absence, has your confidence, and that of the people of the State.

L. R. BRADLEY.

MESSAGE FROM THE ACTING GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 12th, 1875. }

To the honorable the Assembly of Nevada:

I have the honor to transmit herewith the reports of the Controller of State for the ninth and tenth fiscal years.

JEWETT W. ADAMS.

Pursuant to resolution, at twelve o'clock m., the House proceeded to the election of United States Senator, to succeed the Hon. William M. Stewart.

Mr. McDonnell nominated the Hon. Wm. Sharon, of Storey County.

Mr. Wren seconded the nomination of Mr. Sharon.

Mr. Van Hagen nominated the Hon. H. K. Mitchell, of Storey County.

Mr. Dow seconded the nomination.

Mr. Beck offered the following preamble and resolution:

WHEREAS, The Constitution of the United States provides that no person shall be a Senator who shall not, when elected, be an inhabitant of the State for which he shall be chosen; and, whereas, it is a notorious and indisputable fact that Wm. Sharon, candidate for Senator, now is, and for more than three years last past has been, residing with his family, at his only and permanent family residence on Sutter street, in the City of San Francisco, in the State of California; and, whereas, doubts have been suggested respecting said Wm. Sharon's eligibility to be chosen a Senator for the State of Nevada; therefore, be it resolved, that the Judiciary Committee be instructed to forthwith inquire, and on to-morrow report, touching the fact of such residence, and whether said Wm. Sharon is eligible to be chosen a Senator from Nevada.

Mr. Allan, of White Pine County, moved its indefinite postponement.

Messrs. Hogan, Dow, and Hubbard called for the yeas and nays.

Mr. Speaker ruled the resolution of Mr. Beck out of order.

Mr. Dow moved that the House do now adjourn.

Messrs. Dow, Alt, and Peyton called for the yeas and nays, and the motion was lost by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Bartlett, Beck, Bergstein, Buckner, Case, Carling, Dow, Ellison, Hogan, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—18.

NAYS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Blair, Bibbins, Buckingham, Comins, Crandall, Ford, Frank, Gearhart, Gray,

Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—31.

Mr. Hogan placed in nomination for United States Senator, the Hon. Thos. P. Hawley.

Mr. Alt seconded the nomination of Mr. Hawley.

On motion of Mr. Lowrey the nominations for United States Senator closed.

Upon the roll being called, the vote for United States Senator resulted as follows:

For Hon. Wm. Sharon—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—32.

For Hon. Mr. Mitchell—Messrs. Allen of Churchill, Bartlett, Bergstein, Buckner, Case, Dow, Ellison, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—14.

For Hon. Thos. P. Hawley—Messrs. Alt, Beck, and Hogan—3.

Mr. McDonnell moved that the House adjourn—motion withdrawn.

On motion of Mr. Wren, the House resolved to meet with the Senate in Joint Convention at twelve o'clock M., to-morrow, for the purpose of comparing the Journals of both Houses, relating to election of United States Senator to succeed the Hon. Wm. M. Stewart.

On motion of Mr. McDonnell, at one o'clock and ten minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Chief Clerk of the Assembly.

TENTH DAY.

CARSON CITY,

WEDNESDAY, January 13th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Mr. McGee.

Prayer by the Rev. Mr. Allen.

Journal of yesterday read and approved.

COMMUNICATIONS FROM STATE CONTROLLER.

STATE CONTROLLER'S OFFICE,
CARSON, NEVADA, January 12th, 1875. }

State of Nevada to W. W. Hobart debtor, for preparing duplicates of the State Controller's Reports for eighteen hundred and seventy-three and eighteen hundred and seventy-four, for use of State Printer, two thousand seven hundred folios, at fifteen cents, four hundred and five dollars. (See section two of an Act approved February seventeenth, eighteen hundred and seventy-one, page sixty-one, statutes of eighteen hundred and seventy-one.)

OFFICE OF STATE CONTROLLER,
CARSON CITY, January 12th, 1875. }

I hereby certify that the above claim is just and correct, and that no part of the same has been paid by the State of Nevada.

[W. W. HOBART,
State Controller.]

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 12th, 1875. }

To the honorable the Assembly:

I have the honor to transmit herewith, for your consideration, Senate Concurrent Resolution No. 6—relative to printing Report of Superintendent of Public Instruction—which passed the Senate this day, by the following vote: Yeas, 24; nays, none.

C. N. NOTEWARE,
Secretary of the Senate.

Senate Concurrent Resolution No. 6—relative to printing Report of Superintendent of Public Instruction—was read, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—47.

NAYS—None.

NOTICES OF BILLS.

Mr. Nicholls gave notice that he would, on some future day, introduce a bill for an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled

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 twentieth, eighteen hundred and sixty-four, approved March eighth, eighteen hundred and sixty-five, approved February twentieth, eighteen hundred and sixty-six.

Mr. A. J. Blair gave notice that he would, on some future day, introduce a bill for an Act authorizing the County Commissioners of Lincoln County to levy a special tax for the benefit of the public schools in Lincoln County.

SECOND READING OF BILLS.

Assembly Concurrent Resolution No. 3—relative to amendment of Article II, section one, of the Constitution of the State of Nevada.

Read second time and referred to the Judiciary Committee.

Assembly Bill No. 15—entitled an Act to protect domestic animals from injury on railroad tracks.

Read second time and referred to Committee on Corporations.

INTRODUCTION OF BILLS.

Mr. Hogan, by leave, introduced Assembly Bill No. 17—entitled an Act granting the right of way for a narrow gauge railroad from Dayton, in Lyon County, through Silver City, Gold Hill, Virginia City, and Reno, to the California line.

Read first time.

Mr. Alt, pursuant to previous notice, introduced Assembly Bill No. 18—entitled 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, referred to Judiciary Committee, and ordered printed.

THIRD READING OF BILLS.

Assembly Bill No. 14—entitled an Act prohibiting certain gaming.

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—46.

NAYS—Mr. Buckner—1.

ABSENT—Messrs. Haynie, McGee, and E. R. Smith—3.

Assembly Bill No. 12—entitled an Act to amend an Act entitled "An Act fixing the number of employes of the Senate and Assembly, to define their duties and establish their pay."

Ordered engrossed.

Mr. Dow moved that further proceedings under the general order of business be dispensed with.

Motion carried.

By Mr. Wren:

Resolved, That a committee of two be appointed to inform the Senate that the Assembly is ready to receive the Senate in Joint Convention, to compare the vote for United States Senator.

Resolution adopted, and Messrs. Wren and Dow were appointed as such committee.

In due time the committee appeared, and reported the duty assigned them performed.

IN JOINT CONVENTION.

Hon. C. C. Stevenson, President pro tem. of the Senate, in the chair.
Roll of each House called.

Senators present—Messrs. Cassidy, Chubbuck, Clapp, Cohn, Davenport, Dickinson, Edward, Farrell, Garrard, Grimes, Hobart, King, Lockwood, McClinton, Piper, Riekey, Robinson, Ross, Sheppard, Stampley, Stevenson, Thompson, Varian, Walter, and Wescott—25.

Assemblymen present—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—49.
ABSENT—Mr. McGee—1.

Journals of each House, relative to the election of United States Senator, were read.

It appearing from the reading of the Journals of each House, that the Hon. William Sharon, having received a majority of the votes of each House, he was declared duly elected to succeed Hon. William M. Stewart as United States Senator, for the term of six years, from the fourth day of March, A. D. eighteen hundred and seventy-five.

Mr. Lockwood moved that a committee of five be appointed to wait upon Hon. William Sharon, and inform him of his election as United States Senator to succeed the Hon. William M. Stewart, and request his presence before the Joint Convention.

Motion carried.

On the part of the Senate, the President of the Convention appointed Messrs. Lockwood and Varian; on the part of the House, the Speaker appointed Messrs. Wren, Buckingham, and Peyton. In due time the committee returned and reported the duty for which it was appointed performed, and presented the Hon. William Sharon to the Joint Convention. After a few appropriate remarks from Mr. Sharon, the President stated that the business for which the Joint Convention convened, performed, and declared the Joint Convention adjourned *sine die*.

HOUSE IN SESSION.

On motion of Mr. Bergstein, the special order, viz: Assembly Bill No. 4—entitled an Act to prevent the practice of medicine and surgery by unqualified persons—was postponed until to-morrow, January fourteenth, at twelve o'clock M.

On motion of Mr. Wren, at twelve o'clock and thirty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

ELEVENTH DAY.

CARSON CITY,

THURSDAY, January 14th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Absent—Messrs. Buckner, McGee, Beck, and Jones.

Leave of absence granted to Mr. Buckner, for one day.

Prayer by the Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Engrossment has carefully compared Assembly Bill No. 12 with the original, and find it correctly engrossed.

NELSON ALLAN, Chairman.

MR. SPEAKER: Your Committee on Claims, to whom was referred account of State Controller, have examined the same, and found the amount claimed correct, according to law, and recommend the passage of the accompanying resolution for the payment of the same:

Resolved, That the Sergeant-at-Arms draw his warrant upon the Controller of State for the sum of four hundred and five dollars, in favor of W. W. Hobart, for copying the Controller's Reports for the year eighteen hundred and seventy-three and eighteen hundred and seventy-four.

Respectfully,

J. R. JOHNSON, Chairman.

Resolution adopted.

MR. SPEAKER: Your Committee on Corporations and Railroads, to which was referred Assembly Bill No. 16—entitled an Act granting J. R. Johnson, J. B. Bradley, and others, the right of way to construct a street railroad in the City of Carson—report that they have had the

same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

J. P. SMITH, Chairman of Committee.

Mr. SPEAKER: Your Committee on Printing, to whom was referred Assembly Bill No. 13—An Act to amend an Act entitled an Act to create the office of State Printer, define the duties and compensation thereof, and to provide for the time and manner of election, approved January tenth, eighteen hundred and sixty-five, approved January twenty-sixth, eighteen hundred and sixty-six—have had the same under consideration, and recommend its passage.

J. F. FRANK, Chairman.

Mr. SPEAKER: We, your Committee on Ways and Means, to whom was referred Assembly Bill No. 10—entitled an Act to provide for the payment of the State debt proper—have had the same under consideration, and recommend its passage.

A. NICHOLLS, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Allan, of White Pine County:

Resolved, That a joint committee of three, one from the Senate and two from the Assembly, be appointed to visit the insane of the State of Nevada, at Woodbridge, and examine into their condition.

Roll called, and resolution passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—44.

NAYS—Messrs. Bartlett and Dow—2.

On motion of Mr. Bergstein, the committee to be appointed under the above resolution is to delay its departure until after the report of special committee appointed to investigate the condition of insane convicts in the State Prison.

Mr. Dow arose to a question of privilege.

By Mr. Laveaga—Resolution relative to granting leave of absence to James Buckner, County Assessor of Humboldt County, for six months. Read, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Crandall, Dow, Ellison, Frank, Gearhart, Haynie, Helm, Hubbard, Johnson, Laveaga, Lowrey, Morrill, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, and Willis—35.

NAYS—Messrs. Comins, Gray, Hogan, McDonnell, Nicholls, Ogg, Tone, Wren, and Mr. Speaker—9.

ABSENT—Messrs. Bartlett, Beck, Ford, and Jones—4.

By Mr. Alt—Assembly Joint Resolution No. 5—relative to the appointment of a special committee to investigate State Prison building matters. Read, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—Mr. Allen of Churchill—1.

ABSENT—Messrs. Beck, Buckner, Jones, and McGee—4.

By Mr. Helm:

WHEREAS, The report of the State Controller has, under the law, to be published in the Appendix to the Senate Journal; therefore,

Resolved, That the Clerk of the Assembly be instructed to transmit said report to the Senate, that it may be published.

NOTICES OF BILLS.

Mr. Crandall gave notice that he would, on some future day, introduce a bill for an Act to establish an Insane Asylum for the State of Nevada, and provide for the maintenance thereof.

Mr. McDonnell gave notice that he would, on some future day, introduce a bill for an Act entitled an Act to preserve the health of the miners by providing a system of ventilation of mines, and restricting the hours of labor underground, under certain degrees of heat.

Assembly Bill No. 17—entitled an Act granting the right of way for a narrow gauge railroad from Dayton, in Lyon County, through Silver City, Gold Hill, Virginia City, and Reno, to the California line.

Read second time, and referred to the Committee on Corporations.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Case, pursuant to previous notice, introduced Assembly Bill No. 19—entitled an Act to amend an Act to provide for the maintenance and supervision of public schools.

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

On motion of Mr. J. P. Smith, the motion by which Assembly Bill No. 12—relative to amending the law fixing the number of employes of the Senate and Assembly, and their compensation—was ordered engrossed, was reconsidered.

On motion of Mr. Allan of White Pine County, the report of the Committee on Ways and Means, on Assembly Bill No. 12, was adopted.

Assembly Bill No. 10—entitled an Act to provide for the payment of the State debt proper—was referred to the Committee of the Whole.

Assembly Bill No. 13—entitled an Act to amend an Act entitled an

Act to amend an Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election, approved January tenth, eighteen hundred and sixty-five, approved January twenty-sixth, eighteen hundred and sixty-six—referred to the Committee of the Whole.

Assembly Bill No. 16—entitled an Act granting to J. R. Johnson, J. B. Bradley, their associates, heirs, and assigns, the right to construct a street railroad in Carson City, Ormsby County, Nevada—considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Buckingham, Case, Carling, Dow, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, and Mr. Speaker—35.

NAYS—Messrs. Bartlett, Bibbins, Comins, Crandall, Ellison, Ford, Lowrey, McDonnell, Watt, and Willis—10.

ABSENT—Messrs. Beck, Buckner, Jones, McGee, and Wren—5.

SPECIAL ORDER.

On motion of Mr. Dow, the House resolved itself into the Committee of the Whole for the consideration of Assembly Bill No. 4—entitled “An Act to prevent the practice of medicine or surgery by unqualified persons,” in the State of Nevada.

Mr. Hogan in the chair.

In due time the committee arose, and reported that it had had Assembly Bill No. 4 under consideration, and asked leave to sit again.

Mr. Speaker in the chair.

On motion, Assembly Bill No. 4 was made the special order for twelve o'clock M., to-morrow, January fifteenth, eighteen hundred and seventy-five.

On motion of Mr. Gray, at twelve o'clock and thirty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

TWELFTH DAY.

CARSON CITY,

FRIDAY, January 15th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent--Messrs. Buckingham, Carling, McGee, McDonnell, and Peyton.

Leave of absence was granted to Mr. Peyton for one day.

Prayer by the Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Elections beg leave respectfully to report that they met for the consideration of the contest of Asa Merry and D. M. Healy, of the seats now held by Len. Allen and J. M. Sanford, Assemblymen from Churchill County. After the reading of testimony and an examination of the papers in the case, the committee adopted the following resolution:

Resolved, That the testimony, together with the papers on file, be referred back to the Assembly without any findings by the committee, and with a recommendation that the consideration of the whole subject matter be had by the Assembly.

In accordance with the foregoing resolution, the evidence and papers submitted by the parties in the contest are herewith presented to the honorable the Assembly.

The committee recommend that the hearing of the evidence by the Assembly be made the special order for Monday, January eighteenth, at the hour of one o'clock P. M., and that legal counsel of the parties be allowed to argue the case within the bar of the Assembly.

S. E. JONES, Chairman.

On motion of Mr. Buckner, the resolution was amended so as to read that the committee recommend that the hearing of the evidence by the Assembly be made the special order for Monday evening, the twenty-fifth instant, at seven o'clock P. M.

Amendment adopted, and resolution passed as amended.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 9, beg leave to make the following majority report: They respectfully request that before making a report a committee of three be appointed to visit the Town of Elko and inspect the State University, report upon the condition of the same, and the feasibility of its location, as the ex-Superintendent of Public Instruction, Mr. A. N. Fisher, in his report, states that the present location is an unfortunate one, and that it is extremely doubtful whether the State at large can derive any special benefit from an institution so situated; that before recommending a further appropriation of money and means for its

maintenance, they would like to hear a report from a committee who have visited the same.

Respectfully, etc.,

WALES AVERILL, Chairman.

Adopted.

RESOLUTIONS.

By Mr. Crandall:

Resolved, That when the Assembly adjourn it do adjourn until Monday, the eighteenth instant.

Lost.

By Mr. Hogan:

Resolved, by the Assembly, the Senate concurring, That in no instance shall the number of votes by which any bill or resolution may pass either House be transmitted to the other.

Referred to Special Committee on Rules.

By Mr. Dow—Assembly Concurrent Resolution No. 7—relative to Louisiana affairs.

Read first time.

Mr. Dow moved that the resolution be made the special order for Monday evening next, the eighteenth instant, at seven o'clock.

Motion lost.

The hour having arrived for the consideration of special order, viz: Assembly Bill No. 4—entitled "An Act to prevent the practice of medicine and surgery, by unqualified persons, in the State of Nevada."

Mr. Wren moved to make it the special order for two o'clock P. M., to-day.

Motion carried.

Mr. Hogan moved that the rules be suspended, and the resolution relative to Louisiana affairs be referred to a select committee of five, consisting of three Democrats and two Republicans.

Mr. Wren moved to amend by striking out all after the words "committee of five;" amendment carried, and motion passed as amended.

Mr. Alt moved the resolution be printed.

Messrs. Dow, Sanford, and Allen called for the yeas and nays.

Roll called, and motion to print lost by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Bartlett, Bergstein, Buckner, Case, Dow, Ellison, Hubbard, Lowrey, Penrod, Sanford, Van Hagen, Watt, and Willis—15.

NAYS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Comins, Crandall, Ford, Frank, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—29.

By Mr. Bergstein—Assembly Concurrent Resolution No. 8, relative to the appointment of a Joint Committee on State University at Elko. Resolution read, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Averill, Beek, Bergstein, Blair, Bibbins, Case, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Lowrey, Morrill, Nicholls, Penrod, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—37.

NAYS—Messrs. Bartlett, Buckner, Ellison, Laveaga, and Smith, E. R.—5.

NOTICES OF BILLS.

Mr. Blair gave notice that he would, on some future day, introduce a bill for an Act to amend an Act entitled "An Act to provide for properly taking care of the indigent insane of the State of Nevada"—approved March third, eighteen hundred and seventy-one.

Mr. Willis gave notice that he would, on some future day, introduce a bill, entitled an Act to protect the agricultural interests of the State.

Mr. Averill gave notice that he would, on some future day, introduce a bill for an Act to prohibit the carrying of concealed weapons.

Also, an Act to prohibit the collection of accounts for liquors sold by retail.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Tone, by leave, introduced Assembly Bill No. 20—entitled an Act to establish a standard of weights and measures.

Read first time.

Mr. Allan of White Pine, by leave, introduced Assembly Bill No. 21—entitled an Act for the relief of the heirs of John Cradlebaugh, deceased, late United States District Judge.

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

Mr. Tone, by leave, introduced Assembly Bill No. 22—entitled an Act to create the offices of official reporters of the Senate and Assembly, to define their duties, and other matters relating thereto.

Read first time.

On motion of Mr. Hogan, at twelve o'clock and forty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

JANUARY 15th, 1875.

The House met pursuant to adjournment.

Roll called, and a quorum present.

Leave of absence was granted to Mr. McDonnell, for one day.

On motion of Mr. Bergstein, the House resolved itself into the Committee of the Whole for the consideration of Assembly Bill No. 4.

Mr. Frank in the chair.

In due time the committee arose and reported the bill back to the House, with the following amendments: In section three, third line, of printed bill, after the word "by" and before the word "two," insert the words "the affidavit of;" also, in same line, after the word "by" and before the word "affidavit," strike out the word "an" and insert the word "his;" also, insert at close of section, the words "which affidavit

shall be filed in the office of the County Recorder;" also, in section six, first line, after the word "who" and before the word "may," insert the words "in an emergency;" also, strike out in second line, same section, after the word "resides," the words "but such person shall not be entitled to collect a fee by law," and insert the words "nor to those who have practiced medicine or surgery in this State for a period of ten years next preceding the passage of this Act, nor to parents administering medicine in their own families;" and recommend that the bill be considered reengrossed, and that it be placed on its third reading and final passage.

Mr. Speaker in the chair.

On motion of Mr. Hogan, the report of the Committee of the Whole was adopted.

THIRD READING OF BILLS.

Assembly Bill No. 4—entitled "An Act to prevent the practice of medicine or surgery by unqualified persons in the State of Nevada."

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—Mr. Dow—1.

ABSENT—Messrs. Buckingham, Ellison, McDonnell, McGee, Peyton, and Ogg—5.

Mr. Gray gave notice that, on to-morrow, he would move to reconsider the vote by which the contested election case of Assemblymen from Churchill County was made the special order for Monday evening, the twenty fifth instant, at seven o'clock P. M.

By Mr. J. P. Smith:

Resolved, That when this House adjourns, it adjourn until Monday, the eighteenth instant.

Lost.

Mr. Gearhart, at three o'clock and twenty-five minutes P. M., moved to adjourn.

Motion lost.

On motion of Mr. Beck, the House resolved itself into the Committee of the Whole for the consideration of Assembly Bill No. 10—entitled "An Act to provide for the payment of the State debt proper."

Mr. Hogan in the chair.

In due time the committee arose, and reported Assembly Bill No. 10 back to the House without amendments, and recommended its engrossment.

Mr. Speaker in the chair.

On motion of Mr. Gearhart, the report of the Committee of the Whole was adopted, and bill ordered engrossed.

SENATE MESSAGE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 15th, 1875. }

To the honorable the Assembly:

I have the honor to return herewith Assembly Joint Resolution No. 2—which passed the Senate January twelfth, eighteen hundred and seventy-five, by the following vote: Yeas, 20; nays, 5.

Also, Assembly Resolution No. 5—relative to the appointment of joint commission to investigate State Prison building matters—which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Also, transmit for your consideration Senate Joint Resolution No. 5—relative to Indian reservation known as the Muddy or Moapa Indian Reservation—which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 4—An Act to prohibit cheating and unlawful games—which passed the Senate this day by the following vote: Yeas, 19; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

Senate Joint Resolution No. 5—relative to Indian reservation known as the Muddy, in Lincoln County, Nevada.

Read first time.

Senate Bill No. 4—entitled “An Act to prohibit cheating and unlawful games.”

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

On motion of Mr. Johnson, at three o'clock and thirty-five minutes p. m., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRTEENTH DAY.

CARSON CITY,
SATURDAY, January 16th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Blair, Alt, Haynie, Buckingham, Ogg, and McGee.

Leave of absence was granted to Messrs. Blair, Alt, Haynie, Buckingham, and Ogg.

Prayer by the Rev. Mr. Allen.

Journal of yesterday read and corrected so as to strike out the title of Assembly Bill No. 4.

The Speaker announced the following appointment of special committees:

COMMITTEE ON RESOLUTION RELATIVE TO LOUISIANA AFFAIRS.

Messrs. Wren, Frank, Averill, Dow, and Beck.

COMMITTEE TO VISIT INSANE AT WOODBRIDGE.

Messrs. Bergstein and Hogan.

COMMITTEE TO VISIT UNIVERSITY AT ELKO.

Messrs. Blair, Dow, and Hubbard.

COMMITTEE ON APPORTIONMENT.

Messrs. Beck, Wren, Comins, and Buckingham.

COMMITTEE TO VISIT STATE PRISON AT RENO.

Messrs. J. P. Smith, Spencer, and Morrill.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 11—entitled "An Act to provide for the payment of expenses of the removal of convicts from counties to the State Prison"—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

A. NICHOLLS, Chairman.

MR. SPEAKER: Your Committee on Corporations and Railroads, to which was referred Assembly Bill No. 8—An Act to regulate fares and freights on the railroads in the State of Nevada—report that they have had the same under consideration, and have directed their Chairman to report the same to the House without recommendation, at the request of the author.

J. P. SMITH, Chairman.

MR. SPEAKER: Your Committee on Corporations and Railroads, to which was referred Assembly Bill No. 15—An Act to protect domestic animals from injury on railroads—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

J. P. SMITH, Chairman.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2—An Act to amend an Act entitled an Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one—have had the same under consideration, and beg leave to report, viz: That the crime of murder is alarmingly frequent in this State. That numbers of desperate men are found, in almost every town and mining camp, constantly armed with deadly weapons, and ready upon slight provocation to use them. That this state of society has grown up, in a great measure, through the infrequency of the infliction of the death penalty for the crime of murder. It is noticeable that in nearly all of the counties in which the extreme penalty of the law has been visited on murderers, for a considerable time thereafter shooting and stabbing have almost wholly ceased, while, upon the other hand, convictions for murder in the second degree, and sentences of imprisonment for life, have produced no sensible diminution of the cases of murder. The reason seems obvious. The love of life is the strongest feeling implanted in the breast of man. The fear of losing it tends to prevent the commission of crime, by bad men, far more powerfully than any other punishment that can be devised. It is certainly far more effective than imprisonment for life. Long terms of imprisonment do not restrain men from the commission of lesser crimes, such as robbery, arson, and larceny; and to the fact, in some degree at least, that those crimes are only punishable with imprisonment, is due the greater frequency of their commission. The fear of imprisonment for life is always lessened by the hope that liberty may be in some way gained—a hope seldom delusive, as the records of your own State fully prove. A very large number of persons have been convicted of murder in the second degree and sentenced to the State Prison for life, or for long terms—rarely less than twenty years—since the organization of our State, many of them, unquestionably, guilty of murder of the first degree, as the records show. But ten years has passed since the State was organized, and a large number have been pardoned at the solicitation of the same mistaken philanthropy that seeks the abolition of the death penalty. Your committee are of the opinion that murders would not be so common if the death penalty, in punishment of the crime, was more certain and frequent. Your committee, therefore, report the bill back to the House, and recommend that it do not pass.

THOMAS WREN, Chairman.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 3—in relation to amending Article II, section one, of the Constitution of the State of Nevada—beg leave to report that they have had the same under consideration, and recommend the following amendments: Strike out the word "twelve," between the words "State" and "months," and insert "six;" also, strike out the

words "six months," between the words "county and not," and insert "sixty days." All of which is respectfully submitted.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Engrossment, having in consideration Assembly Bill No. 10—entitled "An Act to provide for the payment of the State debt proper—report that they have had the same under consideration, and have directed their Chairman to report the same to the House properly engrossed.

NELSON ALLAN, Chairman.

Mr. SPEAKER: Your Committee on Engrossment, having in consideration Assembly Bill No. 4—entitled "An Act to prevent the practice of medicine and surgery by unqualified persons,"—report that they have had the same under consideration, and have directed their Chairman to report the same to the House properly engrossed.

NELSON ALLAN, Chairman.

Mr. Nicholls, on behalf of the Committee on Ways and Means, asked for further time to report Assembly Bill No. 5—relative to amending the revenue laws and creating a State Board of Equalization—back to the House.

Leave granted.

Mr. SPEAKER: Your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 1—entitled "An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Legislature of Nevada"—beg leave to report the same back to the House, with recommendation that it do pass without amendment.

H. H. BECK, Chairman.

Leave of absence was granted to Mr. Woodworth, Assistant Clerk, for the remainder of the day.

The Special Committee on Rules and Regulations reported favorably on Assembly Concurrent Resolution No. 9—relative to transmitting the vote on bills or resolutions from one House to another—and recommended its passage.

Mr. Allen of Churchill County, asked leave to withdraw Assembly Concurrent Resolution No. 9, together with the report of committee thereon, for the purpose of making another report.

Leave granted.

MOTIONS AND RESOLUTIONS.

By Mr. Bartlett:

Resolved, That the Porter of the House be instructed to keep the locks and desks of members in good repair, and that the bills presented by the Porter be audited, and, if allowed, to be paid out of the Legislative Fund.

Adopted.

Mr. Ford moved that the House do now proceed to the election of a Speaker pro tem.

Motion lost.

Mr. J. P. Smith gave notice that on Monday he would move to amend Rule 1, changing the time of meeting from eleven to ten o'clock A. M.

Mr. Gray, pursuant to previous notice, moved to reconsider the vote by which the hearing of the evidence relative to the contest of election of Assemblymen from Churchill County was made the special order for Monday evening, the twenty-fifth instant, at seven o'clock P. M.

Motion carried.

Mr. Hogan moved that the report of the Committee on Elections be laid on the table.

Motion lost.

Mr. J. P. Smith moved that the report of the committee be made the special order for Tuesday evening next, at seven o'clock P. M.

Motion carried.

NOTICES OF BILLS.

Mr. Bartlett gave notice that he would, on some future day, introduce a bill for an Act authorizing Sheriffs and Constables in the State to work criminals in the several counties.

Mr. Hubbard gave notice that he would, on some future day during the next week, introduce a bill entitled an Act to prohibit gambling.

SECOND READING OF BILLS.

Assembly Bill No. 20—entitled an Act to establish a standard of weights and measures.

Read second time.

Mr. Johnson moved to indefinitely postpone the bill.

Motion withdrawn.

Mr. Bergstein moved to lay the bill on the table.

Motion carried.

Assembly Bill No. 22—entitled an Act to create the offices of Official Reporters of the Senate and Assembly, to define their duties, and other matters relating thereto.

Read second time, and referred to the Committee on Ways and Means.

Senate Joint Resolution No. 5—relative to the Indian reservation known as the Muddy or Moapa Indian Reservation.

Read second time, and referred to a special committee, consisting of the Lincoln County delegation.

INTRODUCTION OF BILLS.

Mr. Frank introduced Assembly Bill No. 23—entitled an Act to amend an Act entitled "An Act to provide revenue for the support of the government of Nevada," approved March ninth, eighteen hundred and seventy-five.

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

Mr. Hogan moved that when the House adjourns it do adjourn until Monday next, at eleven o'clock.

Motion carried.

On motion of Mr. Nicholls, the House resolved itself into the Committee of the Whole, for the consideration of Assembly Bill No. 13—

entitled "An Act to amend 'An Act to create the office of State Printer, define the duties and compensation thereof, and to provide for the time and manner of election,' approved January tenth, eighteen hundred and sixty-five," approved January twenty-sixth, eighteen hundred and sixty-six.

Mr. Beck in the chair.

In due time the committee arose, reported Assembly Bill No. 13 back to the House without amendment, and recommended its engrossment.

Mr. Speaker in the chair.

On motion of Mr. Wren, Assembly Bill No. 13 was considered engrossed, and placed upon its third reading and final passage.

Assembly Bill No. 13 read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Atkinson, Bartlett, Beck, Bergstein, Case, Carling, Ellison, Ford, Frank, Gearhart, Gray, Helm, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Nicholls, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Van Hagen, Watt, Wren, and Mr. Speaker—28.

NAYS—Messrs. Averill, Bibbins, Buckner, Comins, Hogan, Jones, Morrill, Peyton, and Willis—9.

ABSENT—Messrs. Allan of White Pine, Alt, Andrews, Blair, Buckingham, Crandall, Dow, McGee, Ogg, Spencer, Tone, and Haynie—13.

On motion of Mr. Hogan, the House resolved itself into the Committee of the Whole, for the consideration of the General File.

Mr. Hogan in the chair.

In due time the committee arose and reported back Assembly Bill No. 11—entitled "An Act to provide for the payment of expenses of the removal of convicts from counties to the State Prison"—and recommended that the amendments of the committee be adopted, and the bill ordered engrossed.

Also, Assembly Bill No. 8—entitled "An Act to regulate fares and freights on railroads in the State of Nevada"—with the recommendation that it be laid on the table.

Also, Assembly Bill No. 15—entitled "An Act to protect domestic animals from injury on railroad tracks"—and recommended that it be referred to the Committee on Judiciary.

Also, Assembly Bill No. 2—entitled "An Act to amend an Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one—with the recommendation that it do pass.

Also, Assembly Concurrent Resolution No. 3—relative to amending Article II, section one, of the Constitution of the State of Nevada—and recommend that the amendment reported by the Judiciary Committee be adopted, and the resolution ordered engrossed.

Also, Assembly Bill No. 1—entitled "An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Nevada Legislature"—without amendments, and recommend its engrossment.

Mr. Speaker in the chair.

On motion of Mr. Gearhart, the report of the Committee of the Whole was adopted.

On motion of Mr. Allen of Churchill County, at two o'clock p. m. the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: J. M. WOODWORTH,

Assistant Clerk of the Assembly.

FIFTEENTH DAY.

CARSON CITY,

MONDAY, January 18th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Quorum present.

Journal of Saturday read and approved.

The Speaker announced the appointment of Messrs. Blair and Dow as committee on part of the House to visit the University at Elko, in lieu of committee appointed by him on the sixteenth instant for the same purpose.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Engrossment have carefully compared the following engrossed bills with the originals, and find them correctly engrossed, to wit:

Assembly Bill No. 1—"An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Legislature of Nevada."

Also, Assembly Bill No. 11—"An Act to provide for the payment of expenses of the removal of convicts from counties to the State Prison."

Respectfully,

NELSON ALLAN,

Chairman of Committee.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 22—entitled an Act to create the offices of Official Reporters of the Senate and Assembly, to define their duties and other matters relative thereto—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend that it do not pass.

A. NICHOLLS, Chairman.

Mr. SPEAKER: The Lincoln County delegation, to whom was referred Senate Joint Resolution No. 5—relative to Indian reservation known as the Muddy or the Moapa Indian Reservation—report that they have had the same under consideration, and report the same to the House, and recommend its passage.

H. BERGSTEIN, Chairman.

Mr. J. P. Smith, pursuant to previous notice, moved to amend the rules of the House, so as to change the hour of meeting of the Assembly from eleven o'clock A. M., to ten o'clock A. M.

Motion lost.

NOTICES OF BILLS.

Mr. Jones gave notice that he would, on some future day, introduce a bill for an Act supplementary of an Act entitled "An Act to provide for the registration of electors, and prevent frauds at elections"—approved March fifth, eighteen hundred and sixty-nine.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Bartlett, pursuant to previous notice, introduced Assembly Bill No. 24—entitled an Act to authorize Sheriffs and Constables in the State to work prisoners in the several counties.

Read first time.

Mr. E. R. Smith, pursuant to previous notice, introduced Assembly Bill No. 25—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 Judiciary Committee, and ordered printed.

Mr. Averill, pursuant to previous notice, introduced Assembly Bill No. 26—entitled an Act to prohibit the collection of accounts for liquors sold at retail.

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

Mr. Blair, pursuant to previous notice, introduced Assembly Bill No. 27—entitled an Act to amend an Act entitled "An Act to provide for properly taking care of the indigent insane of the State of Nevada"—approved March three, eighteen hundred and seventy-one.

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

Mr. Willis, by leave, introduced Assembly Bill No. 28—entitled an Act to protect the agricultural interests of this State.

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

THIRD READING OF BILLS.

Assembly Bill No. 10—entitled "An Act to provide for the payment of the State debt proper."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gear-

hart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—46.

NAYS—None.

ABSENT—Messrs. Carling, Johnson, McGee, and Van Sickie—4.

Assembly Bill No. 1—entitled “An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Legislature of Nevada.”

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—None.

ABSENT—Messrs. Carling, Johnson, McGee, Van Hagen, and Van Sickie—5.

Assembly Bill No. 11—entitled “An Act to provide for the payment of expenses of the removal of convicts from counties to the State Prison.”

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—46.

NAYS—None.

ABSENT—Messrs. Carling, Johnson, McGee, and Van Sickie—4.

Senate Joint Resolution No. 5—Relative to the Indian reservation known as the Muddy or Moapa Indian Reservation.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—Messrs. Atkinson, Averill, Bibbins, Frank, Hogan, and Penrod—6.

ABSENT—Messrs. Carling, Johnson, McGee, and Van Sickie—4.

Assembly Bill No. 22—entitled “An Act to create the offices of Official Reporters of the Senate and Assembly, to define their duties, and other matters relating thereto.”

On motion of Mr. Wren, the report of the committee relative to the bill was adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 18th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 8—"An Act to grant certain persons the right of way for a railroad track within the corporate limits of the City of Virginia, and County of Storey, and to run horse cars thereon"—which passed the Senate this day: Yeas, 20; nays, none.

C. N. NOTEWARE,
Secretary of the Senate.

Senate Bill No. 8, as per Senate message, read first time; rules suspended; read second time by title, and referred to the Storey delegation.

Assembly Bill No. 20—entitled "An Act to establish a standard of weights and measures"—was, on motion of Mr. Tone, taken from the table and referred to the Committee on Trade and Manufactures.

On motion of J. P. Smith, at twelve o'clock and forty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

SIXTEENTH DAY.

CARSON CITY,
TUESDAY, January 19th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Rolled called.

Absent—Messrs. McGee, Beck, Buckingham, Frank, Jones, and Peyton.

Journal of yesterday read and approved.

Mr. Helm was appointed on special committee to visit the State University, at Elko, in lieu of Mr. Dow.

Leave of absence was granted to Mr. Jones, for one day.

REPORT OF COMMITTEE ON ENGROSSMENT.

MR. SPEAKER: Your Committee on Engrossment have carefully com-

pared the engrossed copy with the original, entitled Assembly Concurrent Resolution No. 3—relative to amending Article II, section one, of the Constitution of the State of Nevada—and beg leave to report the same properly engrossed.

NELSON ALLAN, Chairman.

REPORT OF COMMITTEE ON LOUISIANA RESOLUTIONS.

Mr. SPEAKER: Your select committee on the Louisiana resolutions beg leave to report that they have had the same under consideration, and report them back to the Assembly without recommendation, and that the resolutions be made a special order for Tuesday evening, January twenty-sixth, at seven o'clock.

THOS. WREN, Chairman.

NOTICES OF BILLS.

Mr. Bartlett gave notice that he would, on some future day, ask leave to introduce a bill for an Act to fence and otherwise improve the Capitol grounds.

Mr. J. P. Smith gave notice that he would, on some future day, introduce a bill for an Act to incorporate the City of Carson and construct sewers to carry the water to the Carson River.

SECOND READING OF BILL.

Assembly Bill No. 24—entitled "An Act to authorize Sheriffs and Constables in this State to work prisoners in their several counties."

Read second time, and referred to the Committee on Judiciary.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. J. P. Smith, by leave, introduced Assembly Bill No. 29—entitled an Act relating to prisoners discharged at the State Prison.

Read first time.

Mr. Averill, pursuant to previous notice, introduced Assembly Bill No. 30—entitled an Act to prohibit the carrying of concealed weapons.

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

THIRD READING OF BILLS.

Assembly Concurrent Resolution No. 3—relative to the amendment of Article II, section one, of the Constitution of the State of Nevada.

Read third time and laid on the table.

Mr. Wren moved to indefinitely postpone Assembly Bill No. 2—entitled an Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Mr. Hogan moved that the bill be laid on the table, temporarily.

Motion to lay on the table lost.

Mr. Hogan moved to amend the motion to indefinitely postpone, by making the bill the special order for next Thursday, the twenty-first instant, at two o'clock P. M.

Motion to amend lost.

The question recurring on the motion to indefinitely postpone Assembly Bill No. 2, resulted in its indefinite postponement, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Buckingham, Buckner, Case, Crandall, Dow, Ford, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Reese, Sanford, J. P. Smith, Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—35.

NAYS—Messrs. Bartlett, Bibbins, Carling, Comins, Ellison, Hogan, Lowrey, Penrod, Smith, E. R., and Van Hagen—10.

ABSENT—Messrs. Beck, Frank, Jones, McGee, and Peyton—5.

Mr. Bergstein gave notice that, on to-morrow, he would move for a reconsideration of the vote by which Assembly Bill No. 2 was indefinitely postponed.

Assembly Bill No. 22—entitled “An Act to create the offices of Official Reporters of the Senate and Assembly, define their duties, and other matters relating thereto”—was, on motion of Mr. Nicholls, indefinitely postponed.

Leave of absence was granted to Mr. Beck for one day.

On motion of Mr. Dow, the resolutions relative to Louisiana affairs were made the special order for next Tuesday evening, the twenty-sixth instant, at seven o'clock P. M.

Mr. Dow arose to a question of privilege, and introduced the following resolution:

Resolved, That when the Speaker shall have made an appointment of members of a joint committee to investigate the condition of any public institution in the State of Nevada, it shall be regarded as an improper act on the part of the House to change the number of that committee after the concurrent resolution for such committee shall have been transmitted to the Senate.

Lost.

On motion of Mr. Hogan, at twelve o'clock and thirty minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

TUESDAY, January 19th, 1875.

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Wren, the notice of the contest of the election of Messrs. L. Allen and J. M. Sanford, Assemblymen from Churchill County, by D. L. Healey and Asa Merry, together with the evidence and papers

relative to said contest, were read, and, on motion of Mr. Wren, the further consideration of the subject matter was made the special order for Wednesday evening, the twentieth instant, at seven o'clock P. M.

On motion of Mr. Helm, counsel were granted leave to withdraw the testimony and papers in the case, for examination.

On motion of Mr. Hogan, at nine o'clock and thirty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

SEVENTEENTH DAY.

CARSON CITY,
WEDNESDAY, January 20th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. McGee and Jones.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Enrollment have carefully examined Assembly Concurrent Resolution No. 5—for special committee to investigate State Prison building matters; and Assembly Resolution No. 2—on apportionment of the members of the Senate and Assembly of the State of Nevada—find the same correctly enrolled, and have filed the same with the Secretary of State.

A. HELM, Chairman of Committee.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 21—entitled "An Act for the relief of Hon. John Cradlebaugh, deceased"—beg leave to report the same back, and recommend that it do not pass.

J. R. JOHNSON, Chairman.

REPORT OF COMMITTEE ON INSANE CONVICTS.

MR. SPEAKER: Your special committee to whom was referred the investigation of the condition of our insane convicts, have inquired into

the same. Owing to the importance of the duty imposed upon them, your committee have endeavored to obtain such facts and reliable data as they deemed valid and worthy of your consideration. They have visited the State Prison, and, upon inquiry, Mr. Hyman showed them the two insane convicts, John Gates and Eugene Le Fevre—the latter a native of Canada, aged twenty-three. He was sentenced September eleventh, eighteen hundred and sixty-eight, for eight years, for the crime of manslaughter. He was received into the prison from Washoe County, there being no record of the date of his admission. Since his entrance, we were reliably informed by the prison officials, that he has been so violently insane as to require close and constant confinement. The other, John Gates, is a native of Prince Edwards Island, aged twenty-five, who was sentenced for life for the crime of murder; his condition is also such as to require constant confinement. We found them confined in close stone cells in which there is no means for heat or ventilation. We were informed by the Warden that they receive the best care he is able to afford them, but he is unable to furnish a fit place for their confinement, as he has scarcely accommodations for the healthy prisoners in his charge.

In view of the foregoing facts, your committee summoned the Hon. J. D. Minor, Secretary of State, the Hon. John R. Kittrell, Attorney General, who are members of the State Prison Board, and the Hon. W. W. Hobart, of the State Insane Board, also, Dr. Davison, the State Prison Physician, and obtained from them the following testimony:

Mr. Minor stated that Le Fevre had been insane, to his knowledge, about six (6) years. That he is conversant with the prison building. That, in his opinion, there is no proper place, nor can one be fitted up there, for the proper care of our insane convicts.

Mr. Kittrell stated that he was prosecuting attorney of White Pine County at the time when John Gates was tried for his crime; that there was at that time some doubts of his sanity; that he was tried by a jury before whom three physicians were examined—two believing him insane; the jury, however, decided him sane; and it is now his (Mr. Kittrell's) opinion that he was insane at that time; he also believes there is no accommodation for insane convicts at the State Prison.

Dr. Davison stated that he had been in attendance at the prison for one year; knows La Fevre and Gates, and is of the opinion that they are insane; he does not consider the prison a proper place to confine them; is familiar with the prison buildings, and could not prepare a proper place for them, nor does he consider their present cells a fit place to confine them.

Mr. Hobart believed them insane; is of the opinion that they could be properly cared for in the State Prison; thinks room could be made for them; is not very familiar with the prison buildings.

From all this testimony, and a personal inspection of their place of confinement, your committee make the following deductions:

That there are in the State Prison two insane convicts—Jno. Gates and Eugene La Fevre; that there is no proper place there for their care and confinement; that they should be removed as speedily as possible to an insane asylum, where they can receive proper treatment.

They believe that some legislation will be necessary in order to remove these men from the State Prison, as the State Insane Board deny their right to remove convicts.

The Chairman of this committee is at present preparing a bill which will provide for the proper care of insane persons who are charged

with or convicted of crime; which bill will provide for these two men, and all such cases which may arise in the future.

They would further suggest, that in case of the failure of the above mentioned bill to pass, a joint resolution be introduced for the immediate removal of these two persons, as it is a crying shame and disgrace to the State to confine human beings in such a mental condition in a prison.

H. BERGSTEIN,

Chairman of Committee.

Report received and committee discharged.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 19th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Concurrent Resolution No. 4—granting leave of absence to James Buckner, Assessor of Humboldt County—which passed the Senate this day: Yeas, 16; nays, 1.

Respectfully,

C. N. NOTEWARE,

Secretary of Senate.

Also, Assembly Concurrent Resolution No. 1—proposed amendment to the Constitution of Nevada—which passed the Senate this day, by the following vote: Yeas, 17; nays, none.

Respectfully,

C. N. NOTEWARE,

Secretary of Senate.

NOTICES OF BILLS.

Mr. Laveaga gave notice that he would, on some future day, introduce a bill for an Act to build a narrow gauge railroad from the Town of Winnemucca to Paradise Valley, and create a county subsidy.

Assembly Bill No. 29—entitled an Act relating to prisoners discharged from the State Prison.

Read second time, and referred to the Committee on Ways and Means.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Crandall, pursuant to previous notice, introduced Assembly Bill No. 31—An Act to establish an asylum for the insane of the State of Nevada.

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

Mr. Bartlett, pursuant to previous notice, introduced Assembly Bill No. 32—An Act to provide for fencing and beautifying the Capitol grounds.

Read first time; rules suspended; read second time by title, and referred to a special committee of three, to be appointed by the Speaker.

Mr. McDonnell, pursuant to previous notice, introduced Assembly Bill No. 33—An Act to preserve the health, life, and limbs of miners working underground within the limits of the State of Nevada.

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

Mr. Hubbard, pursuant to previous notice, introduced Assembly Bill No. 34—An Act to prohibit gambling.

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

Mr. Carling, by leave, introduced Assembly Bill No. 35—An Act to prohibit camels and dromedaries from traveling upon the highways of the State of Nevada.

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

Mr. Bergstein moved to indefinitely postpone Assembly Bill No. 21—“An Act for the relief of the heirs of Hon. John Cradlebaugh, deceased, late United States District Judge.”

Motion lost.

On motion of Mr. Bergstein, the bill was made the special order for one o'clock to-morrow, the twenty-first instant.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 20th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 11, which passed the Senate this day unanimously.

Also, Senate Concurrent Resolution No. 10, which passed the Senate this day unanimously.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 10—relative to printing Report of Directors of Orphans' Home—read, and passed unanimously.

Senate Concurrent Resolution No. 11—relative to granting leave of absence to W. H. Hall, Treasurer of Esmeralda County—read, and passed.

By Mr. Haynie:

Resolved, That the claim of Crittenden Thornton, in the sum of sixty dollars, for making duplicate copies of the Governor's Message, under the statute of eighteen hundred and seventy-one, be and the same is hereby allowed, and the State Controller is hereby directed to draw his warrant therefor.

Adopted.

On motion of Mr. Wren, at twelve o'clock and twenty-five minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

WEDNESDAY, January 20th, 1875.

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Dow, the special order, viz: the contest of the election of Assemblymen from Churchill County, was taken up.

On motion of Mr. Wren, the attorney for the contestants, Judge Wells, was allowed to open and close the argument; and counsel for the contestees, General R. M. Clarke, to reply to Judge Wells' opening argument.

Pending argument by counsel, on motion, the special order was postponed until January twenty-first, at seven o'clock P. M.

At nine o'clock and forty-five minutes P. M. the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

EIGHTEENTH DAY.

CARSON CITY,
THURSDAY, January 21st, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. McGee, Hubbard, Sanford, and Ogg.

Prayer by the Rev. Mr. Tevis.

Journal of yesterday read and approved.

The Speaker appointed, as select committee on Assembly Bill No. 32—An Act to provide for the fencing and beautifying the Capitol grounds—Messrs. E. R. Smith, Hubbard, and Johnson.

Leave of absence was granted to Mr. Sanford for one day.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 27—entitled "An Act for properly taking care of the indigent insane of the State of Nevada"—report that they have

had the same under consideration, and have directed their Chairman to report a substitute bill, and recommend the passage of the substitute.

A. NICHOLLS, Chairman.

Mr. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 39—entitled an Act relating to prisoners discharged from the State Prison—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

A. NICHOLLS, Chairman.

On motion of Mr. Dow, the Governor's Message was taken up.
By Mr. Dow:

Resolved, That the Message of the Governor be referred to the several Standing Committees, as follows: That so much as refers to general finances be referred to Committee on Ways and Means; so much as refers to School Fund be referred to Committee on Education; that so much as refers to taxation be referred to Committee on Ways and Means; that so much as refers to fisheries in the Truckee River be referred to a special committee of three; so much as refers to public institutions be referred to the Committee on State Institutions; so much as refers to resolutions, motions, and appointments, to the Committee on Judiciary; that so much as refers to State lands be referred to Committee on Public Lands; that so much as refers to fees of county and township officers be referred to Committee on Judiciary; that so much as refers to railroad subsidies be referred to Committee on Corporations and Railroads; that so much as relates to freights and fares be referred to Committee on Corporations and Railroads; that so much as relates to pardons be referred to Committee on State Institutions.

Adopted.

By Mr. Frank—Assembly Concurrent Resolution No. 10—relative to fares and freights on the Central Pacific Railroad.

Read first time; rules suspended; read second time by title, and referred to a special committee of five, to be appointed by the Speaker, with power to send for papers and persons, and to administer oaths and take testimony.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 20th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 1—An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Legislature of Nevada—which passed the Senate this day, by the following vote: Yeas, 19; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

NOTICES OF BILLS.

Mr. Nicholls gave notice that he would, on some future day, introduce a bill for an Act to more fully define the manner of collecting the taxes on movable personal property by the Assessor.

Mr. McDonnell gave notice that he would, on some future day, introduce a bill for an Act to provide for payment of officers and soldiers of the Nevada State Militia, for services rendered at a call of the Governor in eighteen hundred and seventy-three.

REPORT OF COMMITTEE ON ENROLLMENT.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Bill No. 1—entitled “An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Legislature of Nevada;”

Also, Concurrent Resolution No. 1—proposed amendment to the Constitution of Nevada;

Also, Assembly Concurrent Resolution No. 4—granting leave of absence to James Buckner, Assessor of Humboldt County;

Have been carefully compared with the engrossed copies, found correctly enrolled, and the bill has this day been presented to the Governor, and the concurrent resolutions deposited with the Secretary of State.

ALFRED HELM, Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Wren, by leave, introduced Assembly Bill No. 36—An Act to amend an Act entitled “An Act to regulate and make effectual the power of the Governor, Justices of the Supreme Court, and Attorney General, to remit fines and forfeitures, commute punishments, and grant pardons after convictions”—approved February eight, eighteen hundred and sixty-seven.

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

Mr. E. R. Smith, by leave, introduced Assembly Bill No. 37—An Act for the better observance of the Sabbath.

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

Mr. Wren, by leave, introduced Assembly Bill No. 38—An Act in relation to the Great Seal of the State of Nevada.

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

By Mr. Spencer, Assembly Concurrent Resolution No. 11—relative to taxation on boracic acid.

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

Substitute Assembly Bill No. 27—“An Act for properly taking care of the indigent insane of the State of Nevada.”

Considered engrossed, and adopted.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews,

Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Penrod, Peyton, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—None.

ABSENT—Messrs. Buckingham, Dow, Hubbard, McGee, Sanford, Ogg, and Van Sickle—7.

Leave of absence was granted to Mr. Hogan for the remainder of the day.

Assembly Bill No. 29—An Act relating to prisoners discharged from the State Prison.

Considered engrossed, read third time, and laid on the table until to-morrow, January twenty-second.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 21st, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 12—which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 12—relative to printing report of Warden of State Prison—read and passed unanimously.

At twelve o'clock and fifteen minutes P. M., on motion of Mr. Wren, the House took a recess until one o'clock P. M.

AFTERNOON SESSION.

JANUARY 21st, 1875.

The Speaker in the chair.

Roll called.

Quorum present.

Messrs. J. P. Smith, Dow, and Alt, moved a call of the House.

Motion carried.

Roll called.

Absent—Messrs. Allen of Churchill, Atkinson, Bartlett, Beck, Blair, Buckingham, Buckner, Carling, Ellison, Gray, Helm, Hubbard, McGee, Ogg, Sanford, Tone, Van Hagen, and Willis.

Leave of absence was granted to Mr. Ogg, for one day.

Messrs. Beck, Buckner, Helm, Tone, and Wren, appearing at the bar of the House, were allowed to take their seats without fine.

On motion of Mr. Dow, further proceedings under the call were dispensed with.

On motion of Mr. Bergstein, the House resolved itself into the Committee of the Whole for the consideration of Assembly Bill No. 21—"An Act for the relief of the heirs of John Cradlebaugh, deceased, late United States District Judge."

The Speaker in the chair.

In due time the committee arose and reported back Assembly Bill No. 21, with the recommendation that it do not pass.

The Speaker in the chair.

Report of committee adopted, bill considered engrossed, and placed upon its third reading and final passage.

Mr. Dow moved that the bill be referred to a special committee of one, to amend as follows: In section one, that the words "five thousand and six hundred dollars" be stricken out, and, in lieu thereof, "the sum of two thousand dollars be donated to the heirs of the late John Cradlebaugh, for the purpose of conveying his remains to Ohio."

Motion lost.

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

YEAS—Messrs. Buckner, Dow, Ellison, Penrod, and Tone—5.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Case, Comins, Crandall, Ford, Frank, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Peyton, Reese, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—34.

ABSENT—Messrs. Bartlett, Buckingham, Gearhart, Hogan, Hubbard, McGee, Ogg, and Van Hagen—8.

On motion of Mr. Allan of White Pine County, at two o'clock and thirty minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

JANUARY 21st, 1875.

The House in session at seven o'clock P. M.

Roll called.

Quorum present.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 21st, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 1—"An Act to repeal Chapter Eighty-eight of the laws passed at the fourth session of the Legislature of Nevada."

JEWETT W. ADAMS,
Acting Governor.

Special order taken up, and counsel for contestees continued to argue the case.

On motion of Mr. Wren, the special order was further postponed until seven o'clock P. M., January twenty-second.

On motion of Mr. Wren, at nine o'clock and twenty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

NINETEENTH DAY.

CARSON CITY,
FRIDAY, January 22d, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Hogan and Laveaga.

Prayer by the Rev. Mr. Tevis.

Leave of absence was granted to Mr. Laveaga for one day; also, to Mr. Rogers, Minute Clerk, indefinite leave of absence.

Journal of yesterday read and approved.

The Speaker appointed the following committees:

ON FISHERIES.

Messrs. Dow, Alt, and Buckner.

ON CENTRAL PACIFIC RAILROAD.

Messrs. Wren, Helm, Ford, Gray, and Laveaga.

REPORT OF STANDING COMMITTEES.

MR. SPEAKER: Your standing committee on State Institutions, to whom was referred Assembly Bill No. 31—entitled "An Act to establish an asylum for the insane of the State of Nevada"—beg leave to report the same back to the House, and suggest that the bill be referred to the Committee of the Whole.

R. V. TONE, Chairman.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 19—An Act to amend an Act entitled "An Act to

provide for the maintenance and supervision of public schools"—beg leave to report the bill back, and recommend its passage, with the following amendments:

SEC. 2. Section twenty-two of said Act is hereby amended so as to read as follows:

Section Twenty-two. An annual meeting for the election of School Trustees shall be held in such district, on the first Saturday in June of each year, at the district school house, if there be one, and if there be none, at a place to be designated by the Clerk of the Board, who shall post notices thereof, specifying the day, time, object, and place of such meeting, in at least three public places in the district, one of which shall be at the school house, if there be one. At least ten days previous to the time of meeting, the Trustees shall appoint three Judges to conduct the election, and it shall be held in all other respects, as nearly as practicable, in conformity with the general election law. No person shall be eligible to the office of Trustee unless he be an elector, resident in the district. The term of office of any Trustee which would otherwise expire in January of any year, shall expire on the first Saturday in June of the same year. At the first election held under the provisions of this Act, three Trustees shall be elected, for one, two, and three years, respectively; and thereafter one Trustee shall be elected annually. Trustees shall enter upon the duties of their office on the day of their election. They are authorized to administer to each other the oath or affirmation of office.

Sections two, three, and four of this Act shall be, as amended, sections three, four, and five.

Section five shall read: Sections thirteen and fourteen of this Act shall take effect from and after their passage.

Section two of this Act shall take effect on the first Monday in October, eighteen hundred and seventy-six.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Concurrent Resolution No. 11—memorializing Congress relative to taxation on boracic acid—beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend its passage.

ALFRED HELM, Chairman.

MR. SPEAKER: Your Committee on State Library, to whom was submitted Assembly Bill No. 38—entitled "An Act in relation to the Great Seal of the State of Nevada"—have had the same under consideration, and recommend in lieu of "not more than two and one half inches in diameter," that "not more than two and three fourths inches in diameter," be substituted.

With the foregoing amendment, we respectfully recommend the passage of said bill.

L. A. BUCKNER, Chairman.

MR. SPEAKER: Your Committee on Engrossment have carefully examined the engrossed copy with the original of Assembly Bill No. 27—entitled "An Act for properly taking care of the indigent insane of the State of Nevada"—and beg leave to report the same back for reengrossment.

NELSON ALLAN, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Bergstein:

Resolved, That the Sergeant at Arms be instructed to obtain a piece of carpet, to cover the stairs leading from the floor to the gallery of the Assembly Chamber.

Lost.

By Mr. Peyton:

Resolved, by the Assembly of the State of Nevada, That a shorthand reporter be employed by this House, for the purpose of reporting its proceedings correctly and in full.

Lost.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 21st, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Joint Resolution No. 4—in relation to the preservation of fish in the Truckee River, and for other purposes—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

Senate Joint Resolution, as per message, read first time; rules suspended; read second time by title.

Mr. E. R. Smith moved that a committee of three be appointed to investigate the matter under consideration.

Motion lost.

Rules further suspended; resolution read a third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Ellison, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Lowrey, McDonnell, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, J. P. Smith, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—38.

NAYS—Messrs. Bartlett, Comins, Dow, Ford, and E. R. Smith—5.

ABSENT—Messrs. Blair, Gray, Laveaga, McGee, Nicholls, Spencer, and Tone—7.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 22d, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 13—relative to printing Reports of the Bond Commissioners and of the Indigent Insane—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, Senate Joint^d Resolution No. 8—relative to Camp McDermitt, with accompanying petition—which passed the Senate this day, by the following vote: Yeas, 22; nays, none.

Also, Assembly Bill No. 13—entitled an Act to amend an Act entitled "An Act to amend 'An Act to create the office of State Printer, to define the duties and compensation thereof, and to provide for the time and manner of election,' approved January tenth, eighteen hundred and sixty-five," approved January twenty-sixth, eighteen hundred and sixty-six—which passed the Senate this day, by the following vote: Yeas, 20; nays, 6.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Concurrent Resolution No. 13—relative to printing Reports of Bond Commissioners and the Indigent Insane.

Read and passed unanimously.

Senate Joint Resolution No. 8—relative to the military post of Camp McDermitt.

Read first time; rules suspended; read second time by title, and made the special order for January twenty-third, eighteen hundred and seventy-five, at twelve o'clock M.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Willis introduced Assembly Bill No. 39—An Act defining the time for levying and assessing taxes for State and county purposes.

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

Mr. Frank introduced Assembly Bill No. 40—An Act to amend section four hundred and sixty-eight of "An Act to regulate proceedings in criminal cases in the Courts of justice in the State of Nevada."

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

Mr. Nicholls introduced Assembly Bill No. 41—An Act more fully defining the manner of collecting the taxes on movable personal property by the Assessor.

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

THIRD READING OF BILLS.

Assembly Bill No. 29—An Act relating to prisoners discharged from the State Prison.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, Lowrey, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Wren, and Mr. Speaker—37.

NAYS—Messrs. Buckner, Frank, Hogan, Morrill, and Willis—5.

ABSENT—Messrs. Dow, Helm, Laveaga, McDonnell, McGee, Nicholls, Ogg, and Watt—8.

Assembly Bill No. 31—An Act relating to an asylum for the insane.

On motion of Mr. Beck, the bill was made the special order for Monday, January twenty-fifth, at twelve o'clock M.

Assembly Bill No. 19—An Act entitled an "An Act to provide for the maintenance and supervision of public schools."

Amendments of committee adopted, and bill ordered engrossed.

Assembly Bill No. 38.

Amendments of committee adopted.

On motion of Mr. Wren, the House went into Committee of the Whole, to consider the bill.

Mr. Bergstein in the chair.

The committee arose to receive a message from the Senate.

In due time the committee arose, and reported back Assembly Bill No. 38, and recommended its passage.

The report of the committee was adopted.

On motion of Mr. Wren, the bill was considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Hogan, Johnson, Jones, Lowrey, McDonnell, Morrill, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—40.

NAYS—Messrs. Frank and Peyton—2.

ABSENT—Messrs. Beck, Dow, Helm, Hubbard, Laveaga, McGee, Nicholls, and Watt—7.

Concurrent Resolution No. 11—relative to boracic acid.

On motion, the resolution was ordered engrossed.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 24th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly

Bill No. 16—"An Act granting to J. R. Johnson, J. B. Bradley, their heirs and assigns, the right to construct a street railroad in Carson City, Ormsby County"—which passed the Senate this day, with the following amendments:

In section two, line two, strike out the word "exclusive." In section three, line three, strike out the word "three" and insert "one." Add two new sections, as follows:

SEC. 4. The rails shall be of good substantial material, and the owners or agents of the said road shall be required to keep the track, between the rails of said railroad, in a good and substantial condition. The track of said railroad shall not be more than five feet in width between the rails; the same to be laid as near flush with the street as practicable, so as to not obstruct the passage of vehicles.

SEC. 5. The fare for each passenger, for one trip either way within the corporate limits of Carson City, shall not exceed the sum of ten cents; and from Carson City to the Warm Springs, and return, shall not exceed twenty-five cents each way.

Section five amended by striking out the words "twenty-five," in last line, and inserting the word "fifteen," by the following vote: Yeas, 13; nays, 8.

Also, Senate Bill No. 3—An Act to encourage the construction of a railroad from Battle Mountain, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county—which passed the Senate this day by the following vote: Yeas, 16; nays, 5.

Respectfully,

C. N. NOTEWARE,

Secretary of the Senate.

On motion of Mr. Buckner, Assembly Bill No. 16 was referred to the Ormsby County delegation.

Senate Bill No. 3, as per message, read first time; rules suspended; read second time by title, and referred to Lander County delegation.

On motion of Mr. Frank, at one o'clock and forty-five minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

JANUARY 22d, 1875.

The House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Counsel for contestants commenced his closing argument.

Counsel for contestants having concluded his argument, on motion of Mr. Wren, the case was made the special order for Wednesday evening, the twenty-seventh instant, at seven o'clock.

On motion of Mr. Frank, at nine o'clock and ten minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

TWENTIETH DAY.

CARSON CITY,
SATURDAY, January 23d, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Beck, Andrews, Gray, McGee, and E. R. Smith.

Leave of absence was granted to Messrs. Andrews, Gray, McGee, and E. R. Smith.

Prayer by the Rev. Mr. Tevis.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Engrossment have compared the engrossed copy with the original of Assembly Bill No. 27—entitled "An Act for properly taking care of the indigent insane of the State of Nevada"—and beg leave to report the same properly engrossed.

NELSON ALLAN, Chairman.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 4—"An Act to prohibit cheating and unlawful games"—have had the same under consideration, and have instructed their Chairman to report the bill back to the House with amendments, as follows: In eleventh line strike out all the words after "card monte," including "passed," in the sixteenth line, and insert the words "or any similar game, with any number of cards;" in the twenty-second line, insert after the word "aforesaid" the following: "or any similar games;" also, in section three, eleventh line, strike out the word "bearing" and insert the word "having;" also, section six, third line, insert after the word "in" the following words: "section one of."

Your committee would recommend its passage as amended.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 15—"An Act to protect domestic animals from injury on railroad tracks"—report that they have had the same under consideration, and have directed their Chairman to report the bill back to the House, with the following amendments, viz: In the eleventh line, strike out the words "with cattle guards at the crossings of all public highways," and insert "with cattle crossings at such intervals and at such points as the Commissioners of the county through which such railroad shall pass shall indicate and direct;" also, substitute section two, thereby making section two of the original bill section three.

With these amendments, your committee do recommend the passage of the bill.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 24—An Act to authorize Sheriffs and Constables to work prisoners—report that they have had the same under consideration, and have directed their Chairman to report it back to the House, with the substitute for the same, and recommend its passage.

THOMAS WREN, Chairman.

Mr. SPEAKER: The Storey County delegation, to whom was referred Senate Bill No. 8—An Act to grant to C. C. Batterman, George A. King, E. B. Stonehill, and their associates, the right of way for a railroad track within the corporate limits of the City of Virginia, and the County of Storey, and to run horse cars thereon—report that they have had the same under consideration and come to an unfavorable conclusion thereon, and have directed their Chairman to report the same to the Assembly, and recommend that it do not pass.

N. G. ANDREWS, Chairman.

Mr. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 26—entitled "An Act to prohibit the collection of accounts for liquors sold at retail"—would respectfully report that they have had the same under consideration, and have directed their Chairman to report the same to the House, without any recommendation.

Also, Assembly Bill No. 30—entitled "An Act to prohibit the carrying of concealed weapons"—beg leave to report that they have had the same under consideration, and recommend that it do not pass.

Also, Assembly Bill No. 37—entitled "An Act for the observance of the Sabbath"—respectfully report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

HUGH J. CARLING, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. SPEAKER: Your special committee, consisting of the Ormsby County delegation, to whom was referred Assembly Bill No. 16—entitled "An Act granting J. R. Johnson, J. B. Bradley, and their associates, heirs, and assigns, the right to construct a street railroad in Carson City, Ormsby County"—have had the same under consideration, together with the amendments of the honorable Senate, and now beg leave to re-

port favorably on said bill as amended, and recommend that the House concur in the amendments of the Senate.

S. E. JONES, Chairman.

Mr. Johnson moved that the report of the special committee be received, and amendments of the Senate concurred in.

Motion carried, and amendments concurred in by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—42.

NAYS—None.

REPORT OF COMMITTEE ON ENROLLMENT.

Mr. SPEAKER: Your Committee on Enrollment report that Assembly Bill No. 13—An Act to amend an Act entitled "An Act to amend 'An Act to create the office of State Printer, define the duties and compensation thereof, and to provide for the time and manner of election,' approved January tenth, eighteen hundred and sixty-five," approved January twenty-sixth, eighteen hundred and sixty-six—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor, for his approval.

ALFRED HELM, Chairman.

On motion of Mr. Morrill, at eleven o'clock and thirty-five minutes A. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

TWENTY-SECOND DAY.

CARSON CITY,
MONDAY, January 25th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.
The Speaker in the chair.
Roll called.
Quorum present.

Prayer by the Rev. Mr. Woods.

Leave of absence granted to Mr. Ogg for one day.

Journal of Saturday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 41—entitled an Act more fully defining the manner of collecting the taxes on movable personal property by the Assessor—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

A. NICHOLLS, Chairman.

REPORT OF SELECT COMMITTEE.

Mr. SPEAKER: We, your select committee to whom was referred Senate Bill No. 3—entitled "An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county"—report that they have had the same under consideration, and report the same back to the House, and recommend its passage.

A. NICHOLLS,
GEORGE WATT,
Select Committee.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 22d, 1875. }

To the honorable the Assembly:

I have the honor to transmit herewith, for your consideration, Senate Substitute for Assembly Concurrent Resolution No. 6—relative to visiting the insane asylum at Woodbridge, California—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Very respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

NOTICES OF BILLS.

Mr. Gray gave notice that he would, on some future day, introduce a bill for an Act to allow County Commissioners to establish new election precincts in certain cases.

Mr. Johnson gave notice that he would, on some future day, introduce a bill for an Act amendatory to an Act entitled an Act to provide revenue for the support of the government of the State of Nevada.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Hubbard, by leave, introduced Assembly Bill No. 42—An Act to

better define the boundaries between Nye, Esmeralda, and Churchill Counties.

Read first time; rules suspended; read second time by title, and referred to committee of the delegates from Nye and Esmeralda Counties.

Mr. Jones, by leave, introduced Assembly Bill No. 43—An Act supplementary to an Act entitled an Act to provide for the registration of the names of electors, and to prevent fraud at elections, approved March fifth, eighteen hundred and sixty-nine.

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

Senate Substitute for Assembly Joint Resolution No. 6—relating to visiting the insane asylum at Woodbridge, California.

On motion of Mr. Bergstein, the Substitute for Concurrent Resolution No. 6 was not concurred in.

Mr. Bergstein moved that a committee of three be appointed to meet a committee from the Senate and confer on Joint Resolution No. 6.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 15—An Act to protect domestic animals from injury on railroad tracks.

Mr. Wren moved that Assembly Bill No. 15 be laid on the table until to-morrow.

Motion carried.

Senate Bill No. 4—An Act to prohibit cheating and unlawful games.

Mr. Penrod moved that the Bill No. 4 be laid on the table for two days.

Motion lost.

Mr. Hogan moved that the amendments of the committee be adopted, bill read third time, and placed on its final passage.

Motion carried.

On motion of Mr. Wren, Senate Bill No. 4 was referred to Committee on Judiciary.

Senate Bill No. 8.

Mr. McDonnell moved to indefinitely postpone.

Mr. Buckingham moved to amend by postponing for one week.

Amendment lost, and bill indefinitely postponed.

Senate Memorial and Joint Resolution No. 8—relative to the military post Camp McDermitt.

Read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Beck, Blair, Buckingham, Buckner, Case, Carling, Ford, Gearhart, Haynie, Hubbard, Laveaga, Lowrey, McDonnell, Reese, Sanford, Smith, J. P., Watt, and Willis—19.

NAYS—Messrs. Allan of White Pine, Atkinson, Averill, Bibbins, Comins, Crandall, Dow, Frank, Gray, Helm, Johnson, Jones, McGee, Morrill, Nicholls, Penrod, Peyton, Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—22.

ABSENT—Messrs. Alt, Andrews, Bartlett, Bergstein, Ellison, Hogan, Ogg, E. R. Smith, and Van Hagen—9.

Assembly Bill No. 31—relative to an asylum for the insane of the State of Nevada.

On motion of Mr. Buckner, the bill was laid on the table until after

the Committee on Insane have visited the asylum and made their report.

Senate Bill No. 24.

Substitute adopted.

Mr. Wren moved that the substitute be engrossed.

Motion carried.

REPORT OF COMMITTEE ON ENROLLMENT.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 16—"An Act granting to J. R. Johnson, J. B. Bradley, their associates, heirs, and assigns, the right to construct a street railroad in Carson City, Ormsby County"—with the engrossed bill, and find the same correctly enrolled, and the same has this day been delivered to the Governor, for his approval.

A. HELM, Chairman.

THIRD READING OF BILLS.

Assembly Bill No. 26—"An Act to prohibit the collection of accounts for liquors sold at retail."

Ordered engrossed.

Assembly Bill No. 30—"An Act to prohibit the carrying of concealed weapons."

On motion of Mr. Wren, the bill was indefinitely postponed.

Assembly Bill No. 37—An Act for the observance of the Sabbath.

Mr. Frank moved the indefinite postponement of the bill.

Motion lost.

Mr. Johnson moved that the bill be engrossed.

Mr. Wren moved to lay the bill on the table until to-morrow.

Motion carried.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 25th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 14—relative to printing Surveyor General's report—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Assembly Bill No. 41—"An Act to more fully define the manner of collecting taxes on movable personal property by the Assessors."

Mr. Nicholls moved that the bill be ordered engrossed.

Motion carried.

Senate Bill No. 3—a bill for "An Act relating to Battle Mountain Railroad."

Mr. Nicholls moved that the bill be laid over for one day.

Motion carried.

The Speaker appointed on Committee of Conference on Joint Resolution No. 6, Messrs. Buckner, Bergstein, and Hogan.

INTRODUCTION OF BILLS.

Mr. Beck, by leave, introduced Assembly Bill No. 44—An Act to create a State Board of Equalization, to define its powers and duties, and to fix the compensation of its members.

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

On motion of Mr. Buckingham, at twelve o'clock and fifty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the Assembly.

Attest: A. WHITFORD,
Clerk of the Assembly.

TWENTY-THIRD DAY.

CARSON CITY,
TUESDAY, January 26th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Bibbins, Lowrey, and Spencer.

Leave of absence was granted to Messrs. Bibbins, Lowrey, and Spencer.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the several bills, report as follows:

Assembly Bills Nos. 5 and 44—entitled Acts to create a State Board of Equalization, to define their powers and duties, and to fix the compensation of its members.

Report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, without recommendation.

Also, Assembly Bill No. 39—entitled "An Act defining the time for levying and assessing taxes for State and county purposes;" and Assembly Bill No. 23—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 ninth, eighteen hundred and sixty-five.

Report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that they do not pass.

A. NICHOLLS, Chairman.

Mr. SPEAKER: Your Committee on Engrossment, to whom was referred for examination Assembly Bill No. 38—An Act relative to the Great Seal of the State of Nevada; Substitute for Assembly Bill No. 24—An Act to authorize Sheriffs to work prisoners; No. 26—An Act to prohibit the collection of accounts for liquors sold at retail; No. 29—An Act relative to prisoners discharged from the State Prison; No. 19—An Act to amend an Act entitled "An Act to provide for the maintenance and supervision of public schools;" also, Assembly Concurrent Resolution memorializing Congress relative to taxation on boracic acid—beg leave to report that they have carefully compared the same, and find them correctly engrossed.

NELSON ALLAN, Chairman.

Mr. SPEAKER: Your Committee on Agriculture, to whom Assembly Bill No. 28—An Act to protect the agricultural interests of the State—was referred, have had the same under consideration, and report the same back to the House, and recommend that it do not pass.

H. VAN SICKLE, Chairman.

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 20—entitled "An Act to establish a standard of weights and measures"—beg leave to report it back to the House, without recommendation.

T. B. ATKINSON,
Chairman of Committee.

Mr. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 40—entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada"—report that they have had the same under consideration, and report the same back to the House favorably, with the following amendments: after the words "by the neck," insert the words "until he be dead."

H. J. CARLING, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 4—An Act to prohibit cheating and unlawful games—have directed their Chairman to report the same back to the House.

THOMAS WREN,
Chairman of Committee.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 36—An Act entitled an amendatory Act entitled "An Act to regulate and make effectual the power of the Governor, Justices of the Supreme Court, and Attorney General, to remit fines and forfeitures, commute punishments, and grant pardons after convictions," ap-

proved February eighth, eighteen hundred and sixty-seven—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOMAS WREN,
Chairman of Committee.

Mr. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 35—entitled "An Act to prohibit camels and dromedaries from traveling upon the highways of the State of Nevada"—beg leave to report the same back to the House, with the recommendation that it do not pass.

H. H. BECK, Chairman.

Mr. SPEAKER: Your Committee of Conference have met the Senate committee, with whom they have agreed to recommend the adoption of the following substitute for Assembly Joint Resolution No. 6:

Resolved, by the Assembly and Senate jointly, That a committee of one from the Senate and two from the Assembly, be appointed, to visit the asylum at Woodbridge, California, where the insane of the State are being cared for, and the asylum for the deaf and dumb at Oakland, California, where our deaf and dumb are being kept, with full power to administer oaths (in this State), and take testimony concerning the manner of conducting the affairs of said asylums, and the condition of the patients therein, with leave to report by bill or otherwise.

For Assembly:

L. A. BUCKNER,
H. BERGSTEIN,
H. H. HOGAN,

For Senate:

C. S. VARIAN,
W. C. GRIMES,
ROBERT ROBINSON.

Report received, and resolution passed unanimously.

MOTIONS AND RESOLUTIONS.

Mr. Buckner introduced a concurrent resolution relative to Chaplains of both Houses.

Passed unanimously.

Mr. Hubbard introduced a concurrent resolution relating to existing treaties with China.

Read first time.

Mr. Beck moved that Assembly Bill No. 8 be taken from the table and placed on file.

Motion carried.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 CARSON CITY, January 26th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 13—"An Act to amend an Act entitled an Act to amend an Act to create the office of State Printer," etc.

J. W. ADAMS,
 Acting Governor.

By Mr. Bergstein:

Resolved, That the Assembly do now proceed to elect a Speaker pro tem.

Resolution adopted.

Mr. Averill nominated Mr. Bergstein.

Mr. Ford nominated Mr. Gearhart.

Mr. Hubbard nominated Mr. Van Hagen.

Roll called, with the following result:

For Mr. Bergstein—Messrs. Alt, Averill, Blair, Buckner, Case, Carling, Crandall, Hogan, McGee, Morrill, Van Sickle, Willis, and Mr. Speaker—13.

For Mr. Gearhart—Messrs. Allan of White Pine, Beck, Buckingham, Comins, Ford, Frank, Gray, Haynie, Helm, Johnson, Jones, Laveaga, McDonnell, Ogg, Smith, E. R., Smith, J. P., Van Hagen, Watt, and Wren—19.

For Mr. Van Hagen—Messrs. Allen of Churchill County, Atkinson, Dow, Ellison, Gearhart, Hubbard, Nicholls, Peyton, Reese, Sanford, and Tone—11.

No election.

Roll called again, with the following result:

For Mr. Gearhart—Messrs. Allan of White Pine, Atkinson, Beck, Buckingham, Comins, Ford, Frank, Gray, Jones, Laveaga, McDonnell, Reese, Smith, E. R., Smith, J. P., Van Hagen, Watt, and Wren—17.

For Mr. Bergstein—Messrs. Alt, Averill, Blair, Buckner, Case, Carling, Crandall, Haynie, Helm, Hogan, McGee, Morrill, Ogg, Van Sickle, Willis, and Mr. Speaker—16.

For Mr. Van Hagen—Messrs. Allen of Churchill, Dow, Ellison, Gearhart, Hubbard, Johnson, Nicholls, Penrod, Peyton, Sanford, and Tone—11.

No election.

On motion of Mr. Wren, the election of Speaker pro tem. was made the special order for to-morrow, at twelve o'clock M.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 25th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 13—"An Act supplementary to an Act entitled 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 upon the public lands, approved March second, eighteen hundred and sixty-seven,' approved February twentieth, eighteen hundred and sixty-nine"—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 15—"An Act to amend an Act to regulate rafting and running timber and wood on the rivers in the State of Nevada"—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 9—"An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three—which passed the Senate this day, by the following vote: Yeas, 19; nays, none.

Also, return Assembly Bill No. 10—"An Act to provide for the payment of the State debt proper"—which was amended, and passed the Senate this day, by the following vote: Yeas, 16; nays, 4.

I am also instructed to inform your honorable body that the Senate has appointed Messrs. McClinton, Cassidy, and Chubbuck, as a committee on the part of the Senate, to act with a like committee on the part of the Assembly, under Concurrent Resolution No. 2.

I am also instructed to inform your honorable body that the Senate has this day appointed Senators Varian, Robinson, and Grimes a Committee of Conference on the disagreement of the two Houses with reference to Assembly Concurrent Resolution No. 1.

I am also instructed to inform your honorable body that the Senate has appointed Senators Varian and Ross members of joint committee on the part of the Senate under Assembly Concurrent Resolution No. 5.

Also, Substitute for Concurrent Resolution No. 9—relative to affairs in Louisiana—which passed the Senate this day, by the following vote: Yeas, 15; nays, 8.

Also, Assembly Bill No. 4—"An Act to prevent the practice of medicine or surgery by unqualified persons"—the same having been amended in the Senate, and passed, as amended, this day, by the following vote: Yeas, 16; nays, 6.

Also, Senate Bill No. 20—"An Act to amend an Act entitled "An Act concerning District Attorneys"—which passed the Senate this day, by the following vote: Yeas, 18; nays, 3.

Also, Senate Concurrent Resolution No. 15—relative to printing State Mineralogist's Report—which passed the Senate this day unanimously.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

Assembly Bill No. 10—An Act to provide for the payment of the State debt proper—with amendments from the Senate.

On motion of Mr. Nicholls, amendments of the Senate concurred in, by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Atkinson, Averill, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—None.

Assembly Bill No. 4—An Act to prevent the practice of medicine and surgery by unqualified persons—with amendments from Senate.

On motion of Mr. Van Hagen, amendments of Senate concurred in, by the following vote:

YEAS—Messrs. Alt, Atkinson, Averill, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, McDonnell, McGee, Morrill, Nicholls, Ogg, Peyton, Reese, Smith, E. R., Smith, J. P., Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—36.

NAYS—Messrs. Allen of Churchill, Dow, Ford, Frank, Penrod, Sanford, and Tone—7.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 26th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Concurrent Resolution No. 8—relating to appointing special committee to visit the State University at Elko—which was concurred in by the Senate this day by the following vote: Yeas, 19; nays, 3.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

REPORTS OF COMMITTEES.

MR. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copy with the original of Assembly Bill No. 41—entitled “An Act more fully defining the manner of collecting the taxes on movable personal property”—and beg leave to report the same as properly engrossed.

NELSON ALLAN, Chairman.

NOTICES OF BILLS.

Mr. Johnson gave notice that he would, on some future day, introduce a bill for an Act to amend an Act entitled an Act concerning unlawful stock.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Averill introduced Assembly Bill No. 45—An Act supplementary to and amendatory of an Act entitled "An Act amendatory of an Act to provide for the payment of the outstanding indebtedness of Virginia City."

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

Mr. Averill introduced Assembly Bill No. 46—An Act to amend an Act entitled an Act to amend an Act entitled "An Act to incorporate the City of Virginia."

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

Senate Concurrent Resolution No. 15—relative to printing State Mineralogist's report.

Substitute for Senate Concurrent Resolution No. 9—relative to affairs in Louisiana.

Read first time; rules suspended; read second time by title, and made special order for seven o'clock this evening.

Senate Bill No. 20—An Act to amend an Act entitled "An Act concerning District Attorneys."

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

Senate Bill No. 9—An Act to amend an Act entitled "An Act to redistrict the State of Nevada"—approved March seventh, eighteen hundred and seventy three.

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

Senate Bill No. 15—An Act to amend an Act to regulate rafting and running on the rivers in the State of Nevada.

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

Senate Bill No. 13—An Act entitled "An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress for the relief of the inhabitants of cities and towns upon the public lands."

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

Assembly Bill No. 47—An Act entitled "An Act to allow County Commissioners to establish new election precincts."

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

Mr. Nicholls, by leave, introduced Assembly Bill No. 48—An Act to amend "An Act to provide revenue for the support of the government of the State of Nevada"—approved March ninth, eighteen hundred and sixty-five.

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

Mr. Beck, by leave, introduced Assembly Bill No. 49—An Act to regulate fares and freights on railroads in the State of Nevada.

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

On motion of Mr. Nicholls, the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

JANUARY 26th, 1875.

House in session at two o'clock and thirty minutes P. M.

The Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 15—An Act to protect domestic animals from injury on railroad tracks.

Mr. J. P. Smith moved the amendments of the committee be adopted, the bill considered engrossed, and placed on its third reading and final passage.

Mr. Buckingham moved that the bill be temporarily laid on the table.

Motion lost.

Amendments of committee adopted, bill considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Beck, Bergstein, Blair, Case, Carling, Comins, Dow, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—Messrs. Buckingham and Ford—2.

ABSENT—Messrs. Andrews, Bartlett, Bibbins, Buckner, Crandall, Ellison, and Lowrey—7.

On motion of Mr. J. P. Smith, Assembly Bill No. 15 was ordered printed.

Senate Bill No. 3—A bill for an Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county.

Read third time.

Mr. Bergstein moved that a committee of one be appointed to amend section four, line three, of the bill, by inserting after the word "railroad" the words "which labor shall not have been done by Chinamen."

On call for division, motion lost.

Yeas and nays called for by Messrs. Bergstein, McDonnell, and Hubbard, by which the motion was lost.

Mr. Peyton, at four o'clock P. M., moved to take a recess until seven o'clock P. M.

Motion carried.

EVENING SESSION.

The House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Special order, Assembly Concurrent Resolution No. 7—relative to Louisiana affairs—taken up, together with Senate substitute.

Mr. Wren moved the adoption of the substitute.

On calling the yeas and nays, the result was as follows:

YEAS—Messrs. Allan of White Pine, Alt, Atkinson, Averill, Beck, Blair, Buckingham, Carling, Comins, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—31.

NAYS—Messrs. Allen of Churchill, Bartlett, Bergstein, Buckner, Case, Dow, Ellison, Hogan, Hubbard, McGee, Peyton, Penrod, Sanford, Van Hagen, Watt, and Willis—16.

ABSENT—Messrs. Andrews, Bibbins, and Crandall—3.

On motion of Mr. Wren, at nine o'clock and ten minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

TWENTY-FOURTH DAY.

CARSON CITY,

WEDNESDAY, January 27th, 1875. }

The House met pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Andrews, Bartlett, Crandall, and Haynie.

Leave of absence was granted to Messrs. Bartlett, Crandall, and Haynie, for one day.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 4—"An Act to prevent the practice of medicine or surgery by unqualified persons"—with the engrossed bill, found the same correctly enrolled, and has this day been delivered to the Governor, for his approval.

J. M. GEARHART.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 10—"An Act to provide for the payment of the State debt proper"—found the same correctly enrolled, and has this day been delivered to the Governor, for his approval.

J. M. GEARHART.

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 28—"An Act to protect the agricultural interests of this State"—beg leave to make the following report:

Agriculture is the basis of all substantial prosperity; and believing this to be true, we deem it right, just, and essentially necessary to guard, protect, and encourage the agricultural interests of this State by legislative enactments.

We do not wish to protect or encourage this industry to the detriment or injury of any other interest, but desire that all the resources of the State may develop and advance together in harmony, for the general prosperity of the people.

The surface of our "Silver State" is composed of hills and valleys, of towering mountains and extensive plains. In her numerous valleys are many thousand acres of rich agricultural and meadow land, capable of making homes for ten times our present population. In a few years all of these lands would be settled up, improved, and beautified by the hand of industry and art, if it were not for the well-known fact that in the greater portion of our State timber is scarce, and lumber for fencing material so costly that during the first few years of the agricultural labors of the farmer he cannot fence his farm, consequently his growing crops are overrun and destroyed by roaming herds of stock from California and adjacent Territories, as well as by those belonging within our own borders. All we ask is simply justice—protection for the farmer while his crops are growing. During this time the stock can be herded in the cañons and on the hills surrounding the valleys. In Autumn they can be returned to the valleys, where they will have a good Winter range. Thus the farmer and the stock raiser would be mutually benefited.

Therefore, after a careful consideration of said bill, and believing it to be for the best interest of the people, we recommend its passage.

J. B. CASE,

Chairman of Committee.

GENERAL FILE AND THIRD READING OF BILLS.

Senate Bill No. 3—"An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said Lander County."

Taken up, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Ellison, Ford, Gearhart, Gray, Helm, Johnson, Jones, Laveaga, Lowrey, McGee, Morrill, Nicholls, Ogg, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickie, Watt, Wren, and Mr. Speaker—33.

NAYS—Messrs. Alt, Beck, Bergstein, Case, Dow, Frank, Hogan, Hubbard, McDonnell, Penrod, Peyton, and Willis—12.

ABSENT—Messrs. Andrews, Bartlett, Buckner, Crandall, and Haynie—5.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER.
CARSON CITY, January 26th, 1875. }

To the honorable the Assembly:

I am instructed to inform your honorable body that the Senate has this day appointed Mr. Davenport as a committee on the part of the Senate, under Assembly Concurrent Resolution No. 8.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 27th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 15—relative to the exchange between the Senate and Assembly of copies of all printed bills—which passed the Senate unanimously.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Resolution, as per message, passed unanimously.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Gearhart introduced Assembly Bill No. 50—An Act to amend an Act entitled "An Act concerning crimes and punishments"—approved November twenty-sixth, eighteen hundred and sixty-one.

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

Mr. Buckner, by leave, had his vote recorded on Senate Bill No. 3 in the negative.

NOTICES OF BILLS.

Mr. Penrod gave notice that he would, on some future day, introduce a bill for an Act to license pawnbrokers in the State of Nevada, and fix the rate of interest, etc.

Also, gave notice that he would, on some future day, introduce a bill for an Act to amend an Act entitled "An Act to restrict gaming, and prevent the dealing of thieving games in the State."

Mr. Dow gave notice that he would, on some future day, introduce a bill for an Act to encourage the construction of artesian wells.

SECOND READING AND REFERENCE OF BILLS.

Senate Bill No. 13 read second time by title, and referred to Committee on Public Lands.

Assembly Concurrent Resolution No. 13 read second time.

Substitute for Assembly Bill No. 24—An Act to authorize the Sheriffs to work prisoners.

Read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Dow, Ellison, Ford, Gearhart, Gray, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—Messrs. Frank, Tone, and Van Hagen—3.

ABSENT—Messrs. Andrews, Bartlett, Crandall, Hubbard, Haynie, and Allen of Churchill—6.

Special order of the day, being the election of Speaker pro tem:

Mr. Averill moved that the election of Speaker pro tem. be indefinitely postponed.

Motion carried.

Assembly Bill No. 26—"An Act to prohibit the collection of accounts for liquors sold at retail."

Read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Averill, Bergstein, Buckingham, Case, Dow, Ellison, Frank, Helm, Hogan, McDonnell, McGee, Nicholls, Penrod, Peyton, Spencer, Tone, Van Sickle, Watt, Wren, and Mr. Speaker—23.

NAYS—Messrs. Atkinson, Beck, Blair, Bibbins, Buckner, Carling, Comins, Ford, Gearhart, Gray, Hubbard, Johnson, Jones, Laveaga, Lowrey, Morrill, Ogg, Reese, Sanford, Smith, E. R., Van Hagen, and Willis—22.

ABSENT—Messrs. Andrews, Bartlett, Crandall, Haynie, and J. P. Smith—5.

On motion of Mr. Dow, Assembly Bill No. 5—An Act to amend the revenue laws, and create a State Board of Equalization—taken up.

Mr. Dow moved that the House go into the Committee of the Whole for the consideration of the bill.

Motion carried.

House in Committee of the Whole.

Mr. Bergstein in the chair.

In time the committee arose, reported progress, and asked leave to sit again.

At twelve o'clock and forty minutes p. m., on motion of Mr. Wren, the House took a recess until two o'clock p. m.

AFTERNOON SESSION.

JANUARY 27th, 1875.

House in session at two o'clock P. M.

House called to order by Mr. Bergstein.

Roll called.

Quorum present.

Mr. McGee moved a call of the House.

Carried.

Pending the call the Speaker appeared, and took the chair.

Mr. Gray moved further proceedings under the call of the House be dispensed with.

Carried.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 19—An Act to amend "An Act to provide for the maintenance and supervision of public schools."

Taken up.

Read third time.

On motion of Mr. Wren, the bill was laid on the table for one day.

Leave of absence was granted to Mr. Blair for the remainder of the day.

On motion of Mr. Hogan, the House went into the Committee of the Whole for consideration of the General File.

House in Committee of the Whole.

Mr. Van Hagen in the chair.

In due time the committee arose, and reported back the following bills:

Concurrent Resolution No. 11, recommending its passage.

Senate Bill No. 4, recommending the adoption of the amendments of committee, and passage of the bill.

Assembly Bill No. 41, recommending the following amendments, and its passage as amended in Committee of the Whole: In section six, after the word "on," in second line, insert the words, "the first;" also in third line, strike out the word "week," and insert the word "month."

Assembly Bill No. 37, recommending that the bill do not pass.

Assembly Bill No. 28, recommending its indefinite postponement.

Assembly Bill No. 23, recommending its passage.

Assembly Bill No. 39, recommending that the same do not pass.

Assembly Bill No. 44, recommending its commitment to Committee on Ways and Means.

Assembly Bill No. 8, recommending that the same be returned to the author.

Assembly Bill No. 20, recommending that the same be referred to Judiciary Committee.

Assembly Bill No. 36, recommending that the bill be considered engrossed, and placed on its third reading and final passage.

On motion of Mr. Van Hagen, at four o'clock and thirty-five minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

JANUARY 27th, 1875.

House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Rule number sixteen suspended, and Mr. Averill gave notice that, on to-morrow, he would move to reconsider the vote by which the election of Speaker pro tem. was indefinitely postponed.

Special order, being the contested election case, was taken up, and, on motion of Mr. Wren, the matter of the Churchill delegation was postponed until Friday evening, at seven o'clock, January twenty-ninth.

Mr. Johnson moved to adjourn.

Motion lost.

On motion of Mr. Wren, the report of the Committee of the Whole was adopted, and General File taken up.

GENERAL FILE AND THIRD READING OF BILLS.

Concurrent Resolution No. 11—memorializing Congress relative to boracic acid.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckner, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—None.

ABSENT—Messrs. Andrews, Bartlett, Buckingham, Case, Nicholls, Ogg, and Tone—7.

Senate Bill No. 4—"An Act to prevent cheating and unlawful games."

Amendments adopted; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—None.

ABSENT—Messrs. Andrews, Buckingham, Nicholls, Ogg, and Tone—5.

Assembly Bill No. 41—An Act entitled "An Act to more fully define the manner of collecting the taxes on movable personal property by the Assessor."

On motion of Mr. Bergstein, the amendments of the Committee of the Whole were adopted.

On motion of Mr. Bergstein, a committee of one was appointed, with

instructions to amend section two by inserting the word "monthly," instead of "weekly."

Mr. Bergstein appointed as such committee, who reported the bill amended, as per instruction.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—None.

ABSENT—Messrs. Andrews, Buckingham, Dow, Nicholls, Ogg, Tone, and Van Hagen—7.

Assembly Bill No. 37—An Act for the observance of the Sabbath.

On motion of Mr. Frank, the bill was indefinitely postponed.

At seven o'clock and forty-five minutes, Mr. Hubbard moved that the House do adjourn.

Motion lost.

Assembly Bill No. 28—"An Act to protect the agricultural interests of the State of Nevada."

On motion of Mr. Johnson, the bill was indefinitely postponed.

Assembly Bill No. 23—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 ninth, eighteen hundred and sixty-five.

On motion, the bill was considered engrossed, read third time, and lost by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Atkinson, Crandall, Ellison, Ford, Frank, Helm, Hogan, McGee, Morrill, Penrod, Peyton, Reese, Smith, J. P., and Van Sickle—16.

NAYS—Messrs. Allen of Churchill, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Sanford, Smith, E. R., Spencer, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—28.

Mr. Wren gave notice that he would, on to-morrow, move to reconsider the vote by which Assembly Bill No. 23 was lost.

Assembly Bill No. 39—"An Act defining the time for levying and assessing taxes for State and county purposes."

Read third time, and, on motion of Mr. Comins, the bill was indefinitely postponed.

Assembly Bill No. 44—An Act to create a State Board of Equalization.

On motion of Mr. Beck, the bill was referred to the Committee on Ways and Means.

Assembly Bill No. 8—An Act to regulate fares and freights on railroads in the State of Nevada.

On motion of Mr. McGee, the bill was returned to the author.

Assembly Bill No. 20—An Act to establish a standard of weights and measures.

Mr. McGee moved that the bill be indefinitely postponed.

Motion lost.

Mr. Hogan moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 36—An Act to amend an Act entitled "An Act to regulate and make effectual the power of the Governor, Justices of the Supreme Court, and Attorney General."

Mr. Wren moved that the recommendation of the committee be adopted; bill considered engrossed; read third time, and placed on its final passage.

Motion carried.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—41.

NAYS—None.

ABSENT—Messrs. Andrews, Buckingham, Dow, Frank, Helm, Hubbard, Nicholls, Ogg, and Willis—9.

At eight o'clock and ten minutes P. M., Mr. Johnson moved that the House adjourn.

Motion lost.

Assembly Bill No. 40—"An Act to amend section four hundred and sixty-eight of an Act to regulate proceedings in criminal cases in the Courts of justice."

Amendments adopted.

Mr. Hogan moved that the bill be considered engrossed, read third time, and placed on its final passage.

Motion carried.

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

AYES—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Wren, and Mr. Speaker—38.

NAY—Mr. Penrod—1.

ABSENT—Messrs. Andrews, Bibbins, Buckingham, Dow, Frank, Helm, Hubbard, Nicholls, Ogg, Van Hagen, and Willis—11.

Assembly Bill No. 35—"An Act to prohibit camels and dromedaries from traveling upon the highways of the State of Nevada."

On motion of Mr. Carling, the bill was laid on the table for one day.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 27th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate

Bill No. 24—"An Act for the relief of Ormsby County"—which passed the Senate this day: Yeas, 21; nays, none.

Also, Senate Bill No. 25—"An Act for the relief of T. J. Edwards, County Clerk of Ormsby County"—which passed the Senate this day: Yeas, 15; nays, 7.

Also, Senate Bill No. 26—"An Act for the relief of S. T. Swift, Sheriff of Ormsby County"—which passed the Senate this day, by the following vote: Yeas, 20; nays, 1.

I am also directed to return to your honorable body Substitute for Assembly Concurrent Resolution No. 6—relative to visiting the indigent insane and deaf and dumb of the State of Nevada—which passed the Senate this day unanimously.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

Senate Bill No. 24, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Claims.

Senate Bill No. 25, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Claims.

Senate Bill No. 26, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Claims.

At eight o'clock and twenty minutes P. M., on motion of Mr. Gray, the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

TWENTY-FIFTH DAY.

CARSON CITY,
THURSDAY, January 28th, 1875. }

The House met pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Andrews, Hubbard, and Buckingham.

Leave of absence was granted to Mr. Hubbard for one day.

Prayer by the Rev. James Woods.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copies with the originals of the following bills, to wit:

Substitute for Assembly Joint Resolution No. 6.

Assembly Bill No. 36—entitled an Act to amend an Act entitled "An Act to regulate and make effectual the powers of the Governor, Justices of the Supreme Court, and Attorney General."

Also, Assembly Bill No. 40—An Act to amend section four hundred and sixty-eight of an Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada.

And find the same correctly engrossed.

NELSON ALLAN, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Concurrent Resolution No. 8—relative to appointing special committee to visit the State University at Elko—and found the same correctly enrolled, and has this day been deposited with the Secretary of State.

ALFRED HELM, Chairman.

Mr. SPEAKER: Your Committee on Contingent Expenses, having had under consideration certain bills presented by the Sergeant-at-Arms of the Assembly, recommend the passage of the following resolution:

Resolved, That the Controller of State be and is hereby authorized and instructed to draw his warrant on the Legislative Fund, in favor of H. W. Putnam, Sergeant-at-Arms, for the sum of five hundred and twenty-one dollars and twenty-one cents (\$521 21), for stationery and other articles furnished for the use of the Assembly, and its officers and attachés, as per invoice and vouchers herewith submitted.

J. W. HAYNIE, Chairman.

Resolution adopted.

REPORT OF SPECIAL COMMITTEE.

Mr. SPEAKER: Your special committee (Storey County delegation) to whom was referred Assembly Bill No. 45, have had the same under consideration, and refer the same back to the House, with a recommendation that it do pass.

WALES AVERILL,
Chairman of Committee.

MOTIONS AND RESOLUTIONS.

Mr. Wren, pursuant to notice, moved to reconsider the vote by which Assembly Bill No. 23 was lost, on yesterday.

Motion carried, and vote reconsidered.

Mr. Averill, pursuant to previous notice, moved to reconsider the vote by which the election of Speaker pro tem. was indefinitely postponed.

Motion carried, and vote reconsidered.

By Mr. Gray:

Resolved, That in the absence of the Speaker at the opening of any session of the Assembly, the Clerk shall call the House to order, after which they shall select one of their number to preside over their deliberations during the absence of the Speaker.

Lost.

Mr. Allan of White Pine moved that the House do proceed to elect a Speaker pro tem.

Carried.

Mr. E. R. Smith nominated Mr. H. H. Beck.

Mr. Blair nominated Mr. Van Hagen.

Roll called, with the following result:

For Mr. Beck—Messrs. Allan of White Pine, Alt, Atkinson, Averill, Bergstein, Bibbins, Case, Comins, Crandall, Ford, Frank, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Ogg, Reese, Smith, E. R., Van Sickle, Willis, Wren, and Mr. Speaker—25.

For Mr. Van Hagen—Messrs. Allen of Churchill, Bartlett, Blair, Dow, Ellison, Gearhart, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Sanford, Smith, J. P., Spencer, Tone, and Watt—17.

Absent—Messrs. Andrews, Beck, Buckingham, Buckner, Carling, Hogan, Hubbard, and Van Hagen—8.

No election.

Roll ordered called again, with the following result:

For Mr. Beck—Messrs. Allan of White Pine, Alt, Atkinson, Averill, Bergstein, Bibbins, Case, Comins, Crandall, Ford, Frank, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Ogg, Reese, Smith, E. R., Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—26.

For Mr. Van Hagen—Messrs. Allen of Churchill, Bartlett, Blair, Carling, Dow, Ellison, Gearhart, Hogan, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Sanford, Smith, J. P., Spencer, Tone, and Watt—19.

Mr. Beck, having received a majority of the votes of all the members of the House, was duly declared elected Speaker pro tem. of the House.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 28th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body, Senate Bill No. 4, and to respectfully request your honorable body to particularly specify what words and lines are proposed to be amended in said bill.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

The Clerk was instructed to notify the Senate in relation to the same.

NOTICES OF BILLS.

Mr. McDonnell gave notice that he would, on some future day, introduced a bill for an Act to establish a standard rate of freights and fares upon all railroads operating within the State of Nevada.

SECOND READING AND REFERENCES OF BILLS.

Assembly Concurrent Resolution No. 13—relative to existing treaties with China.

Referred to Committee on Federal Relations.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Wren, by leave, 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; rules suspended; read second time by title, and referred to Judiciary Committee, and ordered printed.

Mr. Helm, by leave, introduced Assembly Bill No. 52—An Act to incorporate Carson City.

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

Mr. Johnson, pursuant to notice, introduced Assembly Bill No. 53—An Act to amend section five of an Act entitled "An Act concerning unlawful stock," approved April tenth, eighteen hundred and sixty-two.

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

Mr. McDonnell, pursuant to notice, introduced Assembly Bill No. 54—An Act to exempt from taxation certain real estate and personal property of the Miners' Union.

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

Mr. Carling, pursuant to notice, introduced Assembly Bill No. 55—An Act to prohibit camels and dromedaries from running at large on or about any public highways.

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

Mr. Nicholls, by leave, introduced Assembly Bill No. 56—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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in the State.

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

Leave of absence was granted to Mr. Laveaga for the remainder of the day.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 19—An Act to amend "An Act to provide for the maintenance and supervision of the public schools."

Mr. Bartlett moved to lay on the table, for one day.

Lost.

Bill taken up, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Averill, Bergstein, Bibbins, Buckner, Case, Carling, Comins, Ford, Helm, Hogan, Morrill, Penrod, Sanford, and Smith, E. R.—15.

NAYS—Messrs. Allan of White Pine, Alt, Atkinson, Bartlett, Beck, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Johnson, Jones, Lowrey, McDonnell, McGee, Nicholls, Ogg, Peyton, Reese, Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—29.

Assembly Bill No. 5—An Act entitled “An Act to amend the revenue laws and create a State Board of Equalization.”

Mr. Dow moved the House go into the Committee of the Whole to consider the bill.

Carried.

House went into the Committee of the Whole to consider Assembly Bill No. 5.

Mr. Bergstein in the chair.

In time the committee arose, reported bill back with amendments to the House, recommending that the bill be referred to Committee on Ways and Means.

Report of committee adopted and bill so referred.

Assembly Bill No. 45—An Act supplementary to an Act entitled “An Act to provide for the payment of the outstanding indebtedness of Virginia City, Storey County.”

Mr. McDonnell moved that the bill be considered engrossed, read third time, and placed on its final passage.

Motion carried.

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

AYES—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckner, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Andrews, Bartlett, Buckingham, Case, Dow, Hubbard, Laveaga, Nicholls, Watt, and Willis—10.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 28th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 16—relative to printing the majority and minority reports of the Regents of the State University.

Also, Senate Concurrent Resolution No. 17—relative to granting leave of absence to James A. Service, Recorder of Nye County.

Which passed the Senate this day.

Also, Senate Bill No. 29—entitled “An Act granting the right of way

for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points"—which passed the Senate this day by the following vote: Yeas, 19; nays, 1.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 16, as per message, passed unanimously.

Senate Concurrent Resolution No. 17, referred to the Nye County delegation.

Senate Bill No. 29.

Read first time; rules suspended; read second time by title, and referred to the Lyon and Storey County delegations.

At two o'clock and twenty minutes P. M., Mr. E. R. Smith moved to adjourn.

Lost.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,

CARSON CITY, January 28th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Concurrent Resolution No. 12—relative to the payment of Chaplains of Senate and Assembly—which failed to pass the Senate this day by the following vote: Yeas, 4; nays, 14.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

At two o'clock and twenty-five minutes P. M., on motion of Mr. McDonnell, the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

TWENTY-SIXTH DAY.

CARSON CITY,

FRIDAY, January 29th, 1875. }

The House met pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Andrews, Bartlett, Bergstein, Hogan, Hubbard, and Van Hagen.

Leave of absence was granted to Messrs. Bartlett and Van Hagen for one day.

Leave of absence was granted to Mr. Hubbard for two days.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read, corrected, and approved.

PRESENTATION OF PETITION.

Mr. Lowrey presented a petition from citizens of Storey County, in favor of Assembly Bill No. 34.

Read, and referred to the Judiciary Committee.

COMMUNICATION FROM NATIONAL BOARD OF TRADE.

CHICAGO, January 21st, 1875.

To the honorable the Speaker of the House, Carson City, Nevada:

DEAR SIR: In accordance with a vote of the National Board of Trade, I beg leave to inclose herewith three memorials by that body, and to respectfully request that you will be so kind as to present them to the House over which you preside, for its consideration, and we hope its favorable action.

I have the honor to be, very respectfully,

Your obedient servant,

CHAS. RANDOLPH, Secretary.

Memorials read, and referred to Committee on Trade and Manufactures.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 46—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,' approved March fourth, eighteen hundred and sixty-five," approved February fourth, eighteen hundred and sixty-six, and to repeal section eight of an Act entitled "An Act to restrict gaming, passed March fourth, eighteen hundred and sixty-nine"—have had the same under consideration, and have directed their Chairman to report the same back to

the House, with a recommendation that it be ordered printed, and re-referred to the Judiciary Committee.

THOS. WREN, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 34—"An Act to prohibit gambling"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, recommending that it be referred to Committee on Public Morals.

THOS. WREN, Chairman.

Mr. SPEAKER: Your Committee on State Institutions, to whom was referred Assembly Bill No. 54—entitled "An Act to exempt from taxation certain real estate and personal property of the Miners' Unions throughout the State of Nevada"—beg leave to report the bill back to the House, and recommend that it do pass.

R. V. TONE, Chairman.

Mr. SPEAKER: Your Committee on Federal Relations beg leave to report that they have had Concurrent Resolution No. 13—"relative to existing treaties with China"—under consideration; and now report favorably on the same, and recommend its passage.

A. HELM, Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. SPEAKER: Your committee to whom was referred Senate Concurrent Resolution No. 17, report the same back, and recommend its passage.

JOHN B. MCGEE, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. McGee introduced Joint Resolution No. 14—relative to mail service in southeastern Nevada.

Read first time; rules suspended; read second time by title; rules further suspended; considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—Mr. Peyton—1.

ABSENT—Messrs. Andrews, Bartlett, Bergstein, Dow, Hogan, Hubbard, Smith, E. R., and Van Hagen—8.

Mr. Willis introduced Concurrent Resolution No. 15—relative to Constitutional Convention.

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

Mr. Ford introduced Joint Memorial Resolution No. 16—asking Congress to pass a bill relative to tunnel in White Pine Mountain.

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

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 29th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 18—relative to Joint Convention of the Senate and Assembly for the purpose of electing a Board of Regents—which was unanimously adopted.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Concurrent Resolution No. 18—relative to Joint Convention.
Read and passed unanimously.

NOTICES OF BILLS.

Mr. Van Sickle gave notice that he would, on some future day, introduce a bill for the relief of John Pendegast.

Mr. Atkinson gave notice that he would, on some future day, introduce a bill for an Act to tax drummers, agents, and others, from other States, doing business in the State of Nevada.

Mr. Peyton gave notice that he would, on some future day, introduce a bill for an Act creating a new county office.

Mr. Haynie gave notice that he would, on some future day, introduce a bill for an Act to provide for the disposition of unclaimed freight on railroads.

Mr. J. P. Smith gave notice that he would, on some future day, introduce a bill for an Act to exempt the property of the "Pacific Coast Pioneers," State of Nevada, from taxation.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 23—An Act entitled an Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five.

On motion of Mr. Wren, made special order for Thursday next.

Assembly Bill No. 46—"An Act to incorporate the City of Virginia."

Report of committee adopted, bill ordered printed, and referred to Judiciary Committee.

Assembly Bill No. 34—"An Act to prohibit gambling."

On motion of Mr. Wren, bill laid on the table, temporarily.

Assembly Bill No. 54—"An Act to exempt from taxation certain real

estate and personal property of the Miners' Unions throughout the State of Nevada."

On motion of Mr. Allan of White Pine, the bill was considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Averill, Blair, Buckingham, Buckner, Case, Carling, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—38.

NAYS—Messrs. Allan of White Pine, Atkinson, Beck, Bibbins, Comins, and Ford—6.

ABSENT—Messrs. Andrews, Bartlett, Bergstein, Hogan, Hubbard, and Van Hagen—6.

Assembly Concurrent Resolution No. 13—relative to existing treaties with China.

On motion of Mr. Willis, resolution ordered engrossed.

Senate Concurrent Resolution No. 17—granting leave of absence to James A. Service, Recorder of Nye County.

Read and adopted unanimously.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, January 29th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 6—An Act to amend an Act entitled "An Act to regulate proceedings in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—which passed the Senate this day, by the following vote: Yeas, 13; nays, 4.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Bill No. 6, as per message.

On motion of Mr. Wren, the bill was returned to the Senate, with notification that there was no enacting clause to the bill.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 28th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 4—"An Act to prevent the practice of medicine and surgery by unqualified persons."

Also, Assembly Bill No. 10—"An Act to provide for the payment of the State debt proper."

J. W. ADAMS,
Acting Governor.

On motion of Mr. Frank, at twelve o'clock and twenty minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

JANUARY 29th, 1875.

House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Mr. Dow moved that the special order—the consideration of the contested election of Assemblymen from Churchill County—be continued until February seventeenth, eighteen hundred and seventy-five, at seven o'clock P. M.

Mr. Beck moved to amend by continuing the special order until February twenty-third, eighteen hundred and seventy-five, at seven o'clock P. M.

Amendment accepted, and motion adopted as amended.

Mr. Dow, by unanimous leave, introduced Assembly Bill No. 57—An Act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State.

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

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: We, your Committee on Ways and Means, to which was referred Assembly Bills Nos. 5 and 44—both of which bear on the same subject, entitled Acts to create a State Board of Equalization—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that they be referred to a special committee, consisting of Messrs. Dow, Beck, and Wren.

Also, Assembly Bill No. 48—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 ninth, eighteen hundred and sixty-five—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that it be amended by striking out section two, and that it pass as amended.

Also, Assembly Bill No. 56—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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner

of assessing railroads proper in this State—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that it do pass.

A. NICHOLLS, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 38—"An Act in relation to the Great Seal of the State of Nevada"—found the same correctly enrolled, and delivered to the Governor for his approval.

J. M. GEARHART,

On motion of Mr. Wren, at eight o'clock and fifteen minutes P. M., the House adjourned until Monday, the first day of February next.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

TWENTY-NINTH DAY.

CARSON CITY,
MONDAY, February 1st, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Allen of Churchill, Buckingham, Alt, Atkinson, Bartlett, Bergstein, Sanford, Morrill, E. R. Smith, McDonnell, and Hogan.

Leave of absence was granted to Messrs. Atkinson, Allen of Churchill, Sanford, Morrill, and Buckingham, for one day; and indefinite leave of absence was granted to Mr. Bartlett.

Prayer by the Rev. Mr. Tevis.

Journal of the twenty-ninth day of January was read and approved.

Mr. Hubbard presented a petition from the residents of Storey County, praying for the passage of Assembly Bill No. 34—"An Act to prohibit gambling."

Laid on the table.

Mr. Wren, for the Judiciary Committee, returned to the House petition from residents of Storey County relative to Assembly Bill No. 34—"An Act to prohibit gambling."

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copy with the original of Assembly Concurrent Resolution No. 13—relative to existing treaties with China—and beg leave to report the same correctly engrossed.

NELSON ALLAN, Chairman.

Mr. SPEAKER: Your Committee on Internal Improvements, to whom was referred Senate Bill No. 15—entitled an Act to amend "An Act to regulate rafting and running timber and wood on the rivers in the State of Nevada"—beg leave to report that they have considered the same, and directed the Chairman to report the same back to the House, with the recommendation that the bill pass without amendment.

H. H. BECK, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 29—"An Act relating to prisoners discharged from the State Prison"—found the same correctly enrolled, and has this day been delivered to the Governor for his approval.

A. HELM, Chairman.

Leave of absence was granted to Mr. E. R. Smith, for one day.

Mr. J. P. Smith introduced Assembly Concurrent Resolution No. 17—relative to joint special committee on Reno State Prison.

Resolution adopted.

By Mr. Dow:

Resolved, That the Assembly committee appointed to visit and inspect the State University, at Elko, be instructed to proceed forthwith on their mission, and make a report on Monday next.

Adopted.

Mr. Peyton, from the Committee on Public Lands, reported Senate Bill No. 13 back to the House, and suggested it be referred to the Lyon County delegation.

So referred.

MESSAGES FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 1st, 1875. }

To the honorable the Assembly:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 29—"An Act relating to prisoners discharged from the State Prison."

Also, Assembly Bill No. 38—"An Act in relation to the Great Seal of the State of Nevada."

J. W. ADAMS.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 CARSON CITY, January 30th, 1875. }

To the honorable the Assembly of Nevada:

I return to you herewith, without my approval, Assembly Bill No. 16—"An Act granting J. R. Johnson, J. B. Bradley, their associates, heirs, and assigns, the right to construct a street railroad in Carson City, Ormsby County."

Throughout the whole Constitution of this State, the intention of its framers to restrict legislation to general laws, when the same may be done, is clearly manifested.

In the twentieth section of Article Four, the Legislature is positively prohibited from passing "local or special laws," on as many as thirteen different subjects.

In the succeeding section, the language of the Constitution is this: "Section 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State."

The Act under consideration grants to certain parties, their associates, heirs, and assigns, the right to do an act in a designated locality which no other persons can do in the same place, and which the persons named in the bill cannot perform in any other place. Hence the Act is both special and local.

As a matter of policy, I do not consider that the road leading from Carson City to the State Prison is properly protected from injury or destruction. This road is county property, and its use is essential to the general public. No provision is made requiring the grantees to build the railroad in such a manner as not to obstruct the use of the highway. The only restriction refers to the streets of Carson City. The building of the contemplated track through the center of the public road will most effectually destroy the latter for freighting purposes.

J. W. ADAMS.

NOTICES OF BILLS.

Mr. Beck gave notice that he would, on some future day, introduce a bill for an Act to regulate the posting of estray animals.

Mr. Buckner gave notice that he would, on some future day, ask leave to introduce a bill for an Act for the relief of J. F. Abel.

Mr. J. P. Smith gave notice that he would, on some future day, introduce a bill for an Act to remove the Supreme Court to Virginia City.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Blair, by leave, introduced Assembly Bill No. 58—An Act to amend an Act entitled an Act to amend an Act entitled "An Act relative to attorneys and counselors at law," approved March fourth, eighteen hundred and seventy-one.

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

Mr. Crandall, by leave, introduced Assembly Bill No. 59—An Act to create the office of Inspector of Boilers, to define their duties, and other matters relative thereto.

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

Mr. J. P. Smith, pursuant to previous notice, introduced Assembly Bill No. 60—An Act to exempt from taxation the property of the "Pacific Coast Pioneers."

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

Mr. Van Sickle, pursuant to previous notice, introduced Assembly Bill No. 61—An Act for the relief of John Pendegast.

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

Mr. Bibbins, by leave, introduced Assembly Bill No. 62—An Act to enable individuals or unincorporated companies to carry on mining and prospecting in the State of Nevada.

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

THIRD READING OF BILLS.

Assembly Concurrent Resolution No. 13—relative to "existing treaties with China."

Read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Averill, Beck, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McGee, Nicholls, Ogg, Peyton, Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—37.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Atkinson, Bartlett, Bergstein, Buckingham, Hogan, McDonnell, Morrill, Penrod, Reese, Sanford, Smith, E. R., and Spencer—13.

Senate Bill No. 15—An Act to amend an Act to regulate rafting and running timber and wood on the rivers in the State of Nevada.

Read third time, and laid on the table for one day.

Assembly Bill No. 48—An Act to amend an Act entitled "An Act to provide for the support of the government of the State of Nevada."

Amendments reported by Committee on Ways and Means adopted, and bill ordered engrossed.

Assembly Bill No. 56—An Act supplementary to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Ordered engrossed.

Assembly Bill No. 5—An Act to amend the revenue laws and create a State Board of Equalization; also, Assembly Bill No. 44—An Act to create a State Board of Equalization, to define its powers and duties, and to fix the compensation of its members.

Were referred to special committee, consisting of Messrs. Dow, Beck, and Wren.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 1st, 1875. }

To the honorable the Assembly:

I have the honor to return to your honorable body Assembly Concurrent Resolution No. 17—relative to joint special committee on Reno State Prison—which passed the Senate this day unanimously.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

On motion of Mr. Beck, Assembly Bill No. 16—"An Act granting to J. R. Johnson, J. B. Bradley, their associates, heirs, and assigns, the right to construct a street railroad in Carson, Ormsby County"—together with the Acting Governor's veto message relating to the same, was taken up. The question being, "Shall the bill pass, notwithstanding the objections of the Governor?"

Roll called, with the following result:

YEAS—Messrs. Averill, Gearhart, Gray, Helm, Nicholls, Ogg, Smith, J. P., Tone, and Van Sickle—9.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Beck, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Haynie, Hubbard, Johnson, Jones, Laveaga, Lowrey, McGee, Peyton, Watt, Willis, Wren, and Mr. Speaker—25.

ABSENT—Messrs. Allen of Churchill, Atkinson, Bartlett, Bergstein, Buckingham, Dow, Hogan, Morrill, Reese, Sanford, Smith, E. R., Spencer, Van Hagen, and Penrod—14.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 1st, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 28—"An Act to supply the Town of Winnemucca with water"—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Bill No. 28, as per message, read first time; rules suspended; read second time by title, and referred to Judiciary Committee.

On motion of Mr. Allan of White Pine County, at twelve o'clock and thirty minutes p. m., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

THIRTIETH DAY.

CARSON CITY,

TUESDAY, February 2d, 1875. }

The House met, pursuant to adjournment, at eleven o'clock a. m.

The Speaker in the chair.

Roll called.

Absent—Messrs. Bergstein and Hogan.

Prayer by the Rev. Mr. Kelley.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Claims have had under consideration Senate Bill No. 24—entitled "An Act for the relief of Ormsby County"—report it back and recommend its passage.

Also, Senate Bill No. 25—entitled "An Act for the relief of T. J. Edwards, County Clerk of Ormsby County"—and recommend its passage.

Also, Senate Bill No. 26—entitled "An Act for the relief of S. T. Swift, Sheriff of Ormsby County"—and recommend its passage.

Also, Assembly Bill No. 61—entitled "An Act for the relief of John Pendegast"—refer it back to the House, without recommendation.

J. R. JOHNSON, Chairman.

Mr. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 55—entitled "An Act to prohibit camels and dromedaries from running at large on or about public highways of the State of Nevada"—have considered the same, and report the same back, with recommendation that it do pass.

H. H. BECK, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Concurrent Resolution No. 17—

relative to joint special committee on Reno State Prison—with the engrossed copy, found the same correctly enrolled, and has this day been deposited in the office of the Secretary of State.

A. HELM, Chairman.

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 60—An Act to exempt from taxation the property of the "Pacific Coast Pioneers"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House with the following amendments, and recommend its passage.

Amend title, third line, before the word "the," insert the following words: "The association known as."

Also, in section one, second line, after the word "the" and before the word "Pacific," insert the following words: "Association known as the."

Also, in section one, sixth line, after the word "said" and before the word "Pacific," insert the following words: "Association of."

THOMAS WREN,

Chairman Judiciary Committee.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 51—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 eighth, eighteen hundred and sixty-nine—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House with the following amendments, and recommend that it do pass.

In the twenty-fifth line, after the word "that," insert the words "property or money of;" in the twenty-sixth line, after the word "than," insert the words "the value of."

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 47—An Act entitled "An Act to allow County Commissioners to establish new election precincts"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House with a substitute, and recommend the passage of the same.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copies with the originals of Nos. 48 and 56, and beg leave to report the same as being correctly engrossed.

NELSON ALLAN, Chairman.

Mr. SPEAKER: Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 20—entitled "An Act to establish a standard of weights and measures"—beg leave to report that they have duly considered the same, and herewith return the same to the House, with the recommendation that it do not pass, for the following reasons:

First—The title of the bill does not express the true intent thereof. While the title proposes to establish a standard of weights and meas-

ures, it is the opinion of your committee that the legislation proposed is more for the purpose of creating the office of "Sealer" of such weights and measures.

Second—This matter was the subject of legislation in eighteen hundred and sixty-six; in fact, the bill under consideration is substantially a verbatim copy of the Act of eighteen hundred and sixty-six, which, after a trial of one year, was repealed by almost the unanimous voice of the Legislature of eighteen hundred and sixty-seven.

Third—It is the opinion of your committee that this bill, if passed, would cause an expense to the merchant and other dealers, without affording any benefit whatever to the general public.

Fourth—At present, and under the laws as they exist, the public is protected against the irregularities of the dishonest dealer; but should this bill become a law, it will only be necessary for such dishonest dealer to have his measures corrected once each year; and while they may be right one day, they may be wrong during all the other days of the year, and the injured public have no redress, because it only requires the letter "C" to make such measures and weights conform to the standard, and therefore legal.

All of which is respectfully submitted.

A. NICHOLLS, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. SPEAKER: Your special committee, consisting of the Storey and Lyon County delegations, beg leave to report that they have had under consideration Senate Bill No. 29—"An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points"—and report the same back to the House, with the recommendation that it do pass.

Respectfully,

J. F. McDONNELL, Chairman.

Mr. SPEAKER: Your committee on Assembly Bill No. 32—entitled "An Act to provide for fencing and beautifying the Capitol grounds"—ask for three days further in which to make their report.

E. R. SMITH, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Wren:

Assembly Concurrent Resolution No. 18—granting leave of absence to F. H. Harmon, County Clerk of Eureka County.

Read, and passed unanimously.

REPORT OF SPECIAL COMMITTEE.

Mr. SPEAKER: Your special committee of the Lyon County delegation, beg leave to report that they have had Senate Bill No. 13—entitled "An

Act supplementary to an Act entitled 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 upon the public lands,' approved March second, eighteen hundred and sixty-seven," approved February twentieth, eighteen hundred and sixty-nine—under consideration, and recommend that it do pass.

H. J. CARLING, Chairman.

On motion of Mr. Johnson, Senate Bill No. 15—An Act to amend an Act to regulate rafting and running timber and wood on the rivers in the State of Nevada—was taken up.

On motion of Mr. J. P. Smith, the bill was laid on the table for one day.

On motion of Mr. Dow, the use of the Assembly Chamber, for one evening, was granted to Mrs. T. B. Stenhouse, for the purpose of lecturing on Mormonism.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 1st, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 16—"An Act to provide for the publication and distribution of Nevada Reports"—which passed the Senate this day by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 17—"An Act to fix the compensation of the Clerk of the Supreme Court"—which passed the Senate this day by the following vote: Yeas, 19; nays, none.

Also, Senate Concurrent Resolution No. 19—in relation to printing the Report of the Secretary of State—which passed the Senate this day unanimously.

Also, I am instructed to inform your honorable body that the Senate has this day concurred in the Assembly amendments to Senate Bill No. 4—"An Act to prohibit cheating and unlawful games."

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

Senate Bill No. 16, as per message from Senate; read first time; rules suspended; read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 17, as per Senate message; read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

Senate Concurrent Resolution No. 19—relative to printing the Report of the Secretary of State.

Read, and passed unanimously.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 1st, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 14, which was this day indefinitely postponed.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Atkinson, by leave, introduced Assembly Bill No. 63—An Act to amend an Act entitled "An Act defining the time of commencing civil actions," approved November twenty-first, eighteen hundred and sixty-one.

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

Mr. Penrod, pursuant to previous notice, introduced Assembly Bill No. 64—An Act defining the duties of pawnbrokers and pledgees.

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

Mr. Gearhart, by leave, introduced Assembly Bill No. 65—An Act for the relief of F. F. Johnson and others.

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

On motion of Mr. Wren, Assembly Bill No. 34—"An Act to prohibit gambling"—was taken up.

Mr. Hubbard moved that the bill be made the special order for next Monday, the eighth instant, at two o'clock P. M.

Mr. Wren moved that the bill be indefinitely postponed.

Mr. McGee moved to amend the motion making it the special order for Monday, the eighth instant, by making it the special order for Wednesday, the third instant.

Motion to amend lost.

The question recurring on the motion to make it the special order for Monday, the eighth instant, at two o'clock P. M., motion lost.

The question now being on motion to indefinitely postpone, Messrs. Wren, J. P. Smith, and Lowrey called for the yeas and nays.

Roll called, and bill indefinitely postponed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Blair, Bibbins, Buckingham, Crandall, Dow, Ellison, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, McDonnell, McGee, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Van Hagen, and Wren—30.

NAYS—Messrs. Case, Carling, Comins, Ford, Frank, Hubbard, Johnson, Lowrey, Morrill, Penrod, Spencer, Tone, Van Sickle, Watt, Willis, and Mr. Speaker—16.

On motion of Mr. Crandall, the House resolved itself into the Committee of the Whole for the consideration of the General File.

Mr. Nicholls in the chair.

In due time the committee arose, and reported back Senate Bill No. 24—An Act for the relief of Ormsby County.

Also, Senate Bill No. 25—An Act for the relief of T. J. Edwards, County Clerk of Ormsby County.

Also, Senate Bill No. 26—An Act for the relief of S. T. Swift, Sheriff of Ormsby County.

With the recommendation that they do pass.

Mr. Speaker in the chair.

On motion of Mr. Gray, at twelve o'clock and thirty-five minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

FEBRUARY 2d, 1875.

The Speaker in the chair.

Roll called.

Quorum present.

Leave of absence was granted for the remainder of the day to Messrs. Averill, Alt, and Gearhart.

On motion of Mr. Dow, at two o'clock and fifteen minutes, the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

THIRTY-FIRST DAY.

CARSON CITY,

WEDNESDAY, February 3d, 1875. }

The House met pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Bergstein and Bibbins.

Prayer by the Rev. Mr. Kelley.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 33—"An Act to preserve the health, life, and limbs of miners working underground within the limits of the State of Nevada"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with no recommendation.

E. L. BUCKINGHAM, Chairman.

Mr. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 62—"An Act to enable individuals or unincorporated companies to carry on mining and prospecting in the State of Nevada"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do not pass.

E. L. BUCKINGHAM, Chairman.

Mr. SPEAKER: Your Committee on Mines and Mining, to whom was referred Joint Memorial and Assembly Resolution No. 16—"relative to tunnel through White Pine mountain"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

E. L. BUCKINGHAM, Chairman.

By Mr. Blair—Assembly Concurrent Resolution No. 19—empowering Joint Committee on State University to issue subpoenas, send for witnesses and papers, take testimony, and administer oaths.

Read, and passed unanimously.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 2d, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body, Assembly Bill No. 40—An Act to amend section four hundred and sixty-eight of an Act to regulate proceedings in criminal cases in Courts of justice in the Territory of Nevada—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, Assembly Joint Resolution No. 14—relative to mail service in southeastern Nevada—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 43—An Act to regulate the measurement of charcoal—which passed the Senate this day, by the following vote: Yeas, 19; nays, 1.

Also, Senate Bill No. 32—An Act for the relief of B. H. Meder—which passed the Senate by the following vote: Yeas, 21; nays, none.

Also, Assembly Bill No. 39—An Act for the relief of Matthew Rinckle—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 38—An Act to establish and define the east boundary line of the County of Eureka—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 40—Substitute for Senate Bill No. 2 and Assembly Bills Nos. 11 and 27—which passed the Senate this day, by the following vote: Yeas, 19; nays, 1.

Also, to return to your body Assembly Bill No. 11—An Act to provide for the payment of the expenses of the removal of convicts from counties to the State Prison; also, Assembly Substitute Bill No. 27—An Act for properly taking care of the indigent insane of the State of Nevada—for which Senate Bill No. 40 was adopted by the Senate as a substitute.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

Mr. Laveaga gave notice that he would, on some future day, introduce a bill for an Act to create the County of Buena Vista.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Frank, by leave, introduced Assembly Bill No. 66—An Act to amend "An Act providing for the taxation of the net proceeds of mines," approved February twenty-eighth, eighteen hundred and seventy-one.

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

Mr. Penrod, by leave, introduced Assembly Bill No. 67—An Act amendatory to an Act to restrict gaming, passed in eighteen hundred and sixty-nine, and Acts amendatory thereof.

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

Senate Bill No. 39, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Claims.

Senate Bill No. 40, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 38, as per message, read first time; rules suspended; read second time by title, and referred to White Pine and Eureka County delegations.

Senate Bill No. 32, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Claims.

Senate Bill No. 43, as per message, read first time; rules suspended; read second time by title, and referred to Eureka delegation.

On motion of Mr. Ford, Assembly Joint Resolution No. 16—relative to tunnel through White Pine Mountain—was taken up, considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—42.

ABSENT—Messrs. Beck, Bergstein, Bibbins, Dow, Gearhart, Laveaga, Smith, E. R., and Van Hagen—8.

Assembly Bill No. 51—An Act to amend an Act entitled "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 eighth, eighteen hundred and sixty-nine.

Amendments of committee adopted; bill considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—45.

NAY—Mr. Willis—1.

ABSENT—Messrs. Bergstein, Bibbins, Laveaga, and E. R. Smith—4.

On motion of Mr. Johnson, Senate Bill No. 15—An Act to amend "An Act to regulate rafting and running timber and wood on the rivers in the State of Nevada"—was laid on the table, temporarily.

Senate Bill No. 24—"An Act for the relief of Ormsby County."

Report of Committee of the Whole adopted, bill read third time, and laid on the table for two days.

Senate Bill No. 25—"An Act for the relief of T. J. Edwards, County Clerk of Ormsby County."

Laid on the table for two days.

Senate Bill No. 26—"An Act for the relief of S. T. Swift, Sheriff of Ormsby County."

Laid on the table for two days.

Assembly Bill No. 56—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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State."

Referred to Judiciary Committee.

Assembly Bill No. 48—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 ninth, eighteen hundred and sixty-five.

Read third time, and laid on the table for two days.

Senate Bill No. 29—"An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points."

Laid on the table, temporarily.

On motion of Mr. Allan of White Pine County, at one o'clock P. M. the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The Speaker in the chair.

Roll called.

Quorum present.

Leave of absence was granted to Messrs. Averill, Bibbins, and Laveaga, for the remainder of the day.

GENERAL FILE AND THIRD READING OF BILLS.

Senate Bill No. 3—An Act supplementary to an Act entitled "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 upon the public lands,' approved March second, eighteen hundred and sixty-seven," approved February twentieth, eighteen hundred and sixty-nine.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Buckner, Case, Carling, Comins, Crandall, Ellison, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Laveaga, Nicholls, Smith, J. P., and Van Sickle—10.

Assembly Bill No. 61—"An Act for the relief of John Pendegast"—was indefinitely postponed.

Assembly Bill No. 55—An Act to prohibit camels and dromedaries from running at large on or about public highways of the State of Nevada."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Buckner, Case, Carling, Comins, Ellison, Ford, Frank, Gearhart, Gray, Helm, Hogan, Hubbard, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—35.

NAYS—Messrs. Bartlett, Crandall, Dow, Haynie, Reese, and Van Hagen—6.

ABSENT—Messrs. Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Laveaga, Nicholls, and Smith, J. P.—9.

Assembly Bill No. 60—An Act to exempt from taxation the property of the Pacific Coast Pioneers.

Laid on the table.

Substitute reported by committee to Assembly Bill No. 47—An Act amendatory of and supplementary to an Act entitled "An Act relative to elections," approved March twelfth, eighteen hundred and seventy-three—was, on motion, adopted and considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford,

Smith, E. R., Spencer, Tone, Van Hagen, Van Sickie, Watt, Willis, Wren, and Mr. Speaker—39.

NAY—Mr. Bartlett—1.

ABSENT—Messrs. Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Helm, Laveaga, Lowrey, and Smith, J. P.—10.

Assembly Bill No. 20—"An Act to establish a standard of weights and measures."

Ordered printed, and made the special order for Saturday, the sixth instant, at twelve o'clock M.

Mr. Van Hagen moved that the House do now adjourn.

Motion lost.

Assembly Bill No. 33—"An Act to preserve the health, life, and limbs of miners working underground within the limits of the State of Nevada."

Considered engrossed, and made the special order for Monday, at twelve o'clock M.

Mr. Dow moved to adjourn.

Motion lost.

Assembly Bill No. 62—"An Act to enable individuals or unincorporated companies to carry on mining and prospecting in the State of Nevada."

Laid on the table.

Mr. Gray moved to adjourn.

Motion lost.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 3d, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Substitute for Senate Bill No. 14—"An Act for the relief of Daniel G. and William H. Corbett"—which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 10—"An Act to detach a portion of Nye County from said county, and to attach the same to Lincoln County"—which passed the Senate this day by the following vote: Yeas, 19; nays, 2.

Also, Assembly Concurrent Resolution No. 18—relative to granting leave of absence to F. H. Harmon, County Clerk of Eureka County—which passed the Senate by the following vote: Yeas, 19; nays, 2.

Also, Assembly Concurrent Resolution No. 19—relative to joint special committee to visit the State University at Elko—which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

Senate Bill No. 10, as per message, read first time; rules suspended; read second time by title, and referred to Nye and Lincoln County delegations.

Substitute for Senate Bill No. 14, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Claims.

On motion of Mr. Dow, the Committee on Claims were instructed to report to the House the nature of the claims of D. G. and W. H. Corbett against the State of Nevada.

Mr. Peyton moved to adjourn.

Motion lost.

Messrs. Hogan, Alt, and McGee moved a call of the House.

Motion carried.

Pending the calling of the roll, Mr. Wren moved that further proceedings under the call be dispensed with.

Motion carried.

On motion of Mr. McGee, at two o'clock and fifty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRTY-SECOND DAY.

CARSON CITY,
THURSDAY, February 4th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent — Messrs. Reese, Atkinson, Gray, Bergstein, Blair, Bibbins, Lowrey, Ogg, and Averill.

Indefinite leave of absence was granted to Mr. Averill.

On motion of Mr. Frank, leave of absence was granted to all absentees for one day.

Prayer by Rev. Mr. Kelley.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Printing beg leave to submit the following report, exhibiting the amount of printing executed by the State Printer from January fourth to February fourth, inclusive:

Governor's Message.

Controller's Report.

Treasurer's Report.

Directors of Orphans' Home Report.

Ordered by concurrent resolution from the Senate, contains the number of copies delivered to the Assembly:

Date of delivery.	Name of Document.	No. of bill.	No. printed.
Jan. 8th....	Assembly Bill.....	5	240
Jan. 9th....	Assembly Bill.....	8	240
Jan. 11th....	Assembly Bill.....	4	240
Jan. 11th....	Assembly Bill.....	10	240
Jan. 13th....	Assembly Bill.....	9	240
Jan. 15th....	Assembly Bill.....	19	240
Jan. 15th....	Assembly Bill.....	18	240
Jan. 18th....	Assembly Bill.....	23	240
Jan. 20th....	Assembly Bill.....	26	240
Jan. 20th....	Assembly Bill.....	25	240
Jan. 21st....	Assembly Bill.....	34	240
Jan. 21st....	Assembly Bill.....	32	240
Jan. 22d....	Assembly Bill.....	28	240
Jan. 25th....	Assembly Bill.....	31	240
Jan. 25th....	Assembly Bill.....	33	240
Jan. 26th....	Assembly Bill.....	15	240
Jan. 26th....	Assembly Bill.....	49	240
Jan. 26th....	Senate Bill No. 15 (by order of Assembly)....		240
Jan. 27th....	Assembly Bill.....	48	240
Jan. 27th....	Assembly Bill.....	45	240
Jan. 29th....	Assembly Memorial and Joint Resolution.....	16	240
Jan. 29th....	Assembly Bill.....	51	240
Jan. 30th....	Assembly Bill.....	56	240
Jan. 30th....	Assembly Bill.....	52	240
Feb. 1st....	Assembly Bill.....	57	240
Feb. 1st....	Assembly Bill.....	46	240
Feb. 1st....	Assembly Bill.....	53	240
Jan. 8th....	Seven books, orders on Controller, members and attachés, mileage and per diem—orders.....		700
Jan. 9th....	Blanks, Committee Reports.....		500
Jan. 11th....	Blanks, Standing Committees, Assembly.....		100
Jan. 19th....	Blanks, receipts, Sergeant-at-Arms.....		200
Jan. 19th....	Blanks, notices introduction of bills.....		500
Jan. 28th....	Blanks, cap heads, General File.....		50
Jan. 8th....	Blanks, per diem, members, six books—orders.....		600
.....	Blanks, roll-calls, Assembly, to date.....		1,120
Jan. 20th....	Governor's Message.....		675
Feb. 1st....	Controller's Report.....		550
Feb. 1st....	Treasurer's Report.....		550
Feb. 2d....	Directors Orphans' Home Report.....		500
Feb. 3d....	Assembly Bill.....	62	240

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 53—An Act to amend section five of an Act entitled "An Act concerning unlawful stock," approved April tenth, eighteen

hundred and sixty-two—have had the same under consideration, and have directed their Chairman to report the bill back to the House without recommendation.

H. VAN SICKLE, Chairman.

MR. SPEAKER: Your Committee on Judiciary beg leave to report that they have considered the following bills, and report as follows:

Assembly Bill No. 25—"An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto"—that they have made some amendments thereto, and recommend that the bill pass as amended.

Also, Assembly Bill No. 56—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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State"—have come to a favorable conclusion thereon, and recommend that it pass.

Also, Assembly Bill No. 58—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law,'" approved March fourth, eighteen hundred and seventy-one—and have come to an unfavorable conclusion, and recommend that the bill do not pass.

THOMAS WREN, Chairman.

By Mr. Gearhart:

Resolved, That the members of this Assembly allow Mr. Brown the use of their Assembly room, to lecture, this evening, immediately after the adjournment of the special meeting to be held at seven o'clock P. M., of this February fourth, eighteen hundred and seventy-five.

Adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 44—An Act to amend an Act entitled "An Act to regulate proceedings in the Courts of justice of this State, and to repeal all other Acts in relation thereto"—approved March eighth, eighteen hundred and sixty-nine—which passed the Senate February second, by the following vote: Yeas, 19; nays, 1.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

NOTICES OF BILLS.

Mr. Laveaga gave notice that he would, on some future day, introduce a bill for an Act to set aside certain acts of the County Commissioners of Humboldt County, in the issuance of twenty-five thousand dollars county bonds for the construction of a Court House.

Mr. Jones gave notice that he would, on some future day, introduce a bill for an Act to amend an Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one.

Mr. Tone gave notice that he would, on some future day, introduce a bill for an Act to prevent certain parties from erecting gas works in the City of Carson, and preventing obnoxious smells.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Laveaga, pursuant to previous notice, introduced Assembly Bill No. 68—An Act to create the County of Buena Vista, and provide for the organization thereof.

Read first time; rules suspended; read second time by title, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 44, as per message, read first time; rules suspended; read second time by title, and referred to Judiciary Committee.

Mr. Penrod, by leave, introduced Assembly Bill No. 69—An Act to prevent trespass upon private lands along the lines of railroads within this State.

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

Mr. Buckingham, by leave, introduced Assembly Bill No. 70—"An Act to provide the State Capitol with historical and ornamental paintings."

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

Mr. McDonnell, pursuant to previous notice, introduced Assembly Bill No. 71—An Act to provide payment for the officers and soldiers of the Nevada State militia, for military services rendered at a call of the Governor.

Read first time; rules suspended; read second time by title, and referred to Committee on Claims, with instructions to report to the House the nature and justice of the services rendered.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 56—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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Atkinson, Averill, Bergstein, Blair, Gray, Johnson, Lowrey, Ogg, Reese, and Van Hagen—10.

Assembly Bill No. 53—An Act to amend section five of an Act en-

titled "An Act concerning unlawful stock"—approved April tenth, eighteen hundred and sixty-two.

Considered engrossed; read third time, and on motion of Mr. Frank, the bill was referred to a special committee of one, with instructions to strike out the words, "hog and hogs, goat and sheep," whenever they occur in the bill.

Carried; and Mr. Frank appointed as such committee, who reported the bill amended as per instructions.

On motion of Mr. Frank, the bill was then indefinitely postponed.

Special order, viz: Assembly Bill No. 23—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 by the following vote:

YEAS—Messrs. Alt, Beck, Case, Frank, Haynie, Helm, Hogan, Hubbard, McGee, Morrill, Nicholls, Peyton, Smith, E. R., Smith, J. P., Van Sickle, and Wren—16.

NAYS—Messrs. Allen of Churchill, Andrews, Bartlett, Buckingham, Buckner, Carling, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Johnson, Laveaga, McDonnell, Penrod, Sanford, Spencer, Van Hagen, Watt, Willis, and Mr. Speaker—22.

ABSENT—Messrs. Allan of White Pine, Atkinson, Averill, Bergstein, Blair, Bibbins, Gray, Jones, Lowrey, Ogg, Reese, and Tone—12.

Assembly Bill No. 25—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto.

Made the special order for Wednesday, the ninth instant, at twelve o'clock M.

Assembly Bill No. 58—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law,'" approved March fourth, eighteen hundred and seventy-one.

Laid on the table temporarily.

Assembly Bill No. 60—An Act to exempt from taxation the property of the "Pacific Coast Pioneers."

Amendments reported by the committee adopted; rules suspended; bill considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—39.

NAYS—None.

ABSENT—Messrs. Atkinson, Averill, Bergstein, Blair, Bibbins, Dow, Gray, Lowrey, Ogg, Reese, and Tone—11.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 20—relative to the distribution of the report

of the Warden of the State Prison—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 31—"An Act to reduce the rate of State taxation"—which passed the Senate this day by the following vote: Yeas, 23; nays, none.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

Senate Bill No. 31, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 20, as per message, read, and passed unanimously.

Mr. Johnson was granted leave of absence for the remainder of the day.

On motion of Mr. Frank, at twelve o'clock and fifty-five minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

The House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Mr. Wren moved that a committee of two be appointed to wait on the Senate, and inform that body that the House was ready to receive them in Joint Convention.

Messrs. Beck and Wren were appointed as such committee.

In due time the committee returned, and reported the duty assigned them performed.

IN JOINT CONVENTION.

Hon. C. C. Stevenson, President pro tem. of the Senate, in the chair.

Roll of the Senate called.

Absent—Messrs. Clapp, Edwards, and King.

Roll of the Assembly called.

Absent—Messrs. Alt, Atkinson, Averill, Bergstein, Blair, Bibbins, Buckingham, Johnson, and McGee.

By Senator Rickey:

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.

Resolution adopted.

Nominations were declared in order.

Senator Lockwood nominated C. C. Stevenson, of Storey County.

Senator Davenport nominated W. C. Dovey, of Lyon County.

Senator McClinton nominated A. Helm, of Ormsby County.
 Senator Cassidy nominated W. S. Keys, of Eureka County.
 Mr. Buckner nominated Dr. Fox, of Elko County.
 Senator Cassidy nominated W. E. F. Deal, of Storey County.
 Mr. Beck nominated Messrs. Dow, Wren, and Beck.
 On motion of Senator Chubbuck, nominations were closed.
 Roll called, resulting as follows:

For Mr. Stevenson—Senators Chubbuck, Davenport, Dickinson, Farrell, Hobart, Lockwood, McClinton, Piper, Rickey, Robinson, Ross, Thompson, Varian, and Walter—14.

For Mr. Helm—Senators Chubbuck, Davenport, Dickinson, Farrell, Hobart, Lockwood, McClinton, Piper, Rickey, Robinson, Ross, Stevenson, Thompson, Varian, and Walter—15.

For Mr. Dovey—Senators Chubbuck, Davenport, Dickinson, Farrell, Hobart, Lockwood, McClinton, Piper, Rickey, Robinson, Ross, Stevenson, Thompson, Varian, and Walter—15.

For Mr. Keys—Senators Cassidy, Cohn, Garrard, Grimes, Shepherd, and Stampley—6.

For Mr. Fox—Senators Cassidy, Cohn, Garrard, Grimes, Shepherd, and Stampley—6.

For W. E. F. Deal—Senators Cassidy, Cohn, Garrard, Grimes, Shepherd, and Stampley—6.

For Mr. Mayhugh—Senator Stevenson—1.

ROLL CALL OF THE ASSEMBLY.

For Mr. Stevenson—Messrs. Allan of White Pine, Andrews, Beck, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—25.

For Mr. Helm—Messrs. Allan of White Pine, Andrews, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, E. R. Smith, Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—23.

For Mr. Dovey—Messrs. Allan of White Pine, Andrews, Beck, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Smith, E. R. Smith, J. P., Spencer, Tone, Van Sickle, and Wren—24.

For Mr. Keys—Messrs. Allen of Churchill, Bartlett, Buckner, Case, Dow, Ellison, Hubbard, McGee, Peyton, Sanford, Van Hagen, Watt, and Willis—13.

For Mr. Fox—Messrs. Allen of Churchill, Bartlett, Beck, Buckner, Case, Dow, Ellison, Hubbard, McGee, Peyton, Sanford, Van Hagen, Watt, and Willis—14.

For Mr. Deal—Messrs. Allen of Churchill, Bartlett, Case, Dow, Ellison, Hubbard, McGee, Peyton, Sanford, Van Hagen, Watt, and Willis—12.

For Mr. Dow—Mr. Penrod—1.

For Mr. Wren—Mr. Penrod—1.

For Mr. Beck—Messrs. Buckner, Helm, Hogan, Penrod, and Mr. Speaker—5.

For Mr. Alt—Mr. Hogan—1.

Messrs. Stevenson, Dovey, and Helm, having received a majority of

all the votes cast in Joint Convention, were declared duly elected Regents for the ensuing four years.

On motion of Senator Varian, at seven o'clock and forty minutes P. M., the Joint Convention adjourned *sine die*.

HOUSE IN SESSION.

Mr. Speaker in the chair.

On motion of Mr. E. R. Smith, at seven o'clock and forty-three minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRTY-THIRD DAY.

CARSON CITY,
FRIDAY, February 5th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Atkinson, Blair, Lowrey, Morrill, J. P. Smith, and Spencer.

Prayer by the Rev. Mr. Kelley.

Journal of yesterday read and amended so as to read that Assembly Bill No. 69—"An Act to prevent trespass upon private lands along the lines of railroads within this State."

The minutes were then approved as corrected.

Speaker pro tem. in the chair.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER: Your special committee composed of the delegations from the Counties of Nye and Esmeralda, to whom was referred Assembly Bill No. 42—entitled "An Act to better 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 submit the following report: Insert in lieu of section two, the following:

"Section Two. Said meridian of longitude shall be established from the official survey made by Colonel A. W. Von Schmidt, of the State

line between the States of California and Nevada, to be ascertained from his astronomical observations, and also from the mileposts set by him on said survey; and, if it be found necessary, to ascertain by calculation from Colonel A. W. Von Schmidt the said meridian of longitude. All expenses attaching thereto shall be equally borne by said Counties of Nye and Esmeralda."

Make section two section three. Make figures in section one ($40^{\circ} 15''$) read ($40^{\circ} 00' 15''$).

Respectfully,

R. I. HUBBARD, Chairman.

Mr. SPEAKER: Your special committee to whom was referred Assembly Bill No. 32—entitled "An Act to provide for fencing and beautifying the Capitol grounds"—have had the same under consideration, and now beg leave to substitute therefor Senate Bill No. 41, as more comprehensive, in this, that it includes an appropriation for much needed repairs on the Capitol building without increasing the appropriation, and, in the estimation of your committee, is more full and better guarded in its provisions than the one before the House.

Your committee would therefore recommend that Senate Bill No. 41 be accepted as a substitute for Assembly Bill No. 32, and that the same do pass.

E. R. SMITH, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Joint Resolution No. 14—relative to mail service in southeastern Nevada;

Also, Assembly Concurrent Resolution No. 18—relative to granting leave of absence to F. H. Harmon, County Clerk of Eureka County, Nevada.

Also, Assembly Concurrent Resolution No. 19—relative to joint special committee to visit the State University at Elko.

Also, Assembly Bill No. 40—An Act to amend section four hundred and sixty-eight of an Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada;

With the engrossed bills, and found them correctly enrolled, and have this day delivered the resolutions to the Secretary of State, and Bill No. 40 to the Governor, for his approval.

ALFRED HELM, Chairman.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,

CARSON CITY, February 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 47, with accompanying papers—An Act to reimburse C. N. Noteware for moneys expended in going to Washington City, in A. D. eighteen hundred and sixty-nine, in connection with State land selections—which passed the Senate this day by the following vote: Yeas, 22; nays, none.

Also, Senate Bill No. 45, with accompanying [papers]—"An Act for

the relief of John N. Thacker"—which passed the Senate this day by the following vote: Yeas, 13; nays, 8.

Also, Senate Bill No. 41, substitute for Senate Bills Nos. 11 and 12—An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it—which passed the Senate this day by the following vote: Yeas, 22; nays, none.

Also, to return to your honorable body Assembly Concurrent Resolution No. 13—relative to existing treaties with China.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

NOTICES OF BILLS.

Mr. Willis gave notice that he would, on some future day, introduce a bill for an Act entitled an Act to create the County of Verdi, and provide for its organization.

Mr. Van Sickle gave notice that he would, on some future day, introduce a bill for an Act supplementary to an Act to provide for the maintenance and supervision of public schools.

On motion of Mr. Laveaga, Assembly Bill No. 68—An Act to create the County of Buena Vista, and to provide for the organization thereof—was ordered printed.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Buckner, pursuant to previous notice, introduced Assembly Bill No. 72—An Act for the relief of J. F. Abel.

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

Senate Bill No. 47, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Claims, with instructions to report to the House the nature of the claim, services performed, and by what authority the Commission was appointed.

Mr. Carling, by leave, introduced Assembly Bill No. 73—An Act to divide the County of Churchill, and annex the portions thereof to adjacent counties, and provide for the government of the same.

Read first time; rules suspended; read second time by title, and referred to the delegations from Lander, Lyon, and Churchill Counties.

Senate Bill No. 45, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Claims.

Senate Bill No. 41—Substitute for Senate Bills numbers eleven and twelve, as per message, read first time; rules suspended; read second time by title, and referred to a special committee, consisting of one member from each county in the State, to be appointed by the Chairman.

Mr. Haynie, by leave, introduced Assembly Bill No. 74—An Act defining the rights of common carriers, as to disposition of unclaimed property.

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

Mr. Hogan, by leave, introduced Assembly Bill No. 75—An Act for the relief of the creditors of Peter Cavanaugh.

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

Mr. Nicholls, by leave, introduced Assembly Bill No. 76—An Act in relation to certain benevolent societies and associations.

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

Mr. Frank gave notice that he would, on some future day, introduce a bill for an Act for the relief of the State Treasury, not to relieve the Treasury of its funds, but protect it from the assaults from citizens of Ormsby County.

Mr. Jones, pursuant to previous notice, introduced Assembly Bill No. 77—An Act to amend an Act entitled "An Act concerning crimes and punishments"—approved November twenty-six, eighteen hundred and sixty-one.

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

GENERAL FILE AND THIRD READING OF BILLS.

Senate Bill No. 24—"An Act for the relief of Ormsby County."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, McDonnell, McGee, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Tone, Watt, and Wren—34.

NAYS—Messrs. Dow, Frank, Hubbard, Peyton, Van Sickie, and Willis—6.

ABSENT—Messrs. Atkinson, Averill, Blair, Hogan, Lowrey, Morrill, Smith, J. P., Spencer, Van Hagen, and Mr. Speaker—10.

On motion of Mr. Wren, at twelve o'clock and forty-five minutes P.M., the House adjourned over until Monday, the eighth instant.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

THIRTY-SIXTH DAY.

CARSON CITY,
MONDAY, February 8th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Ogg, E. R. Smith, and Hogan.

Leave of absence was granted to Mr. E. R. Smith for one day, and Mr. Ogg indefinitely.

Prayer by the Rev. Mr. Tevis.

Journal of thirty-third day read and approved.

The Speaker presented to the House an appeal for aid in behalf of the suffering citizens of Kansas.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 46—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,' approved March fourth, eighteen hundred and sixty-five," approved February twenty-fourth, eighteen hundred and sixty-six, and to repeal section eight of "An Act entitled an Act to restrict gaming," passed March fourth, A. D. eighteen hundred and sixty-nine—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House with the following amendments, and recommend its passage:

In the eighth line, page four, insert after the word "ill-fame," and before the word "to," the following words: "Also to confine houses of ill-fame within certain limits."

Also, beg leave to report that they have had the following bills under consideration, and report them back to the House as follows:

Assembly Bill No. 76—"An Act in relation to certain benevolent societies and associations"—and recommend its passage.

Senate Bill No. 20—An Act to amend "An Act concerning District Attorneys"—and recommend it do not pass.

Assembly Bill No. 7—An Act to amend an Act entitled "An Act to redistrict the State of Nevada"—approved March seventh, eighteen hundred and seventy-three—with recommendation that the Senate bill be substituted.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three—and recommend its passage, with an amendment, striking out "terms of Court held in Second District, Washoe County," and insert "the first Monday in January, April, and September."

Also, Assembly Bill No. 50—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend its passage.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 45—"An Act for the relief of John N. Thacker"—respectfully report that they have had the same under consideration, and find that on the seventeenth day of February, eighteen hundred and sixty-nine, the Governor of the State of Nevada offered a reward for the arrest and conviction of Edward Cage and Joseph Lindsey, in the sum of one thousand dollars each; and John N. Thacker, at that time Sheriff of Humboldt County, did make the arrest of said Cage and Lindsey, at great personal risk and expense, and has never received the said reward, or any part thereof; and as we consider the claim of said John N. Thacker just and equitable, we recommend that it do pass.

Also, Substitute for Assembly Bill No. 14—"An Act for the relief of Daniel G. and William H. Corbett."

Your committee have taken testimony in relation to said claim against the State, from which they find the accompanying vouchers were taken at par by the said Corbett brothers from men who worked upon the Capitol and boarded with them; that they were misled by an erroneous notice in the local newspaper of Carson City, from which cause they did not file said vouchers until one day too late to be allowed by the Board of Examiners and paid out of the appropriation in eighteen hundred and seventy-one; that said Board of Examiners have approved said claim, and recommend its payment by the State; that said claim is just and unpaid, and should be paid out of the State Treasury, inasmuch as said claimants have paid the amount claimed in the bill for the State, and have not been reimbursed. Your committee therefore recommend the passage of the bill.

J. R. JOHNSON, Chairman.

Mr. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 71—entitled "An Act to provide payment for the officers and soldiers of the Nevada State militia, for military service rendered at a call of the Governor in eighteen hundred and seventy-three"—beg leave to report the bill back without recommendation, and would respectfully call the attention of the House to section forty-eight of an Act entitled "An Act to provide for organizing and disciplining the militia of the State," approved March fourth, eighteen hundred and sixty-five:

"SEC. 48. Whenever any of the militia of this State shall be called into active service for the space of more than one week, they shall receive the same pay and allowance as United States troops serving in Nevada. Any general or field officer being called into active service, such call shall be deemed to include all the officers of their respective staff. In case a division, or part of a division, is called into active service, the Commander-in-Chief shall be authorized to put upon active service one of his aids-de-camp, and in case more than one division shall be called into active service, one more aid for each additional division which shall be so called into active service."

J. R. JOHNSON, Chairman.

Also, your Committee on Claims, to whom was referred Senate Bill No. 39—An Act for the relief of Matthew Rinckle—report as follows: That the Board of Prison Commissioners, in April, A. D. eighteen hundred and seventy, advertised for sealed proposals to furnish beef to the prison to A. D. eighteen hundred and seventy-one. That said Rinckle

was the lowest bidder under said proposals, and was, therefore, awarded the contract at his bid (fifteen cents per pound); that said Board contracted with said Rinckle to pay him, in warrants, at the end of each and every month for the amount delivered during the month—that said Rinckle did receive his warrants for beef so furnished up to the month of July, eighteen hundred and seventy, when the appropriation became exhausted, and no warrants could, therefore, issue. That said Rinckle's bid was based upon the then price of State warrants, which was about seventy-five cents on the dollar. That certified accounts could be sold for not above forty or fifty cents on the dollar, and it was with difficulty these accounts could be sold at any price. That in consequence of this difference in the value of the evidence of indebtedness, the Board of Commissioners, by a subsequent contract with said Rinckle, raised the price from fifteen to eighteen cents per pound. That the sum of eighteen cents per pound was less by four cents per pound than had usually been paid by private purchase.

Your committee also find that the claim under consideration is simply for the three cents per pound on the amount of meats furnished in July, August, September, October, November, and December, eighteen hundred and seventy, and in accordance with subsequent contract entered into between said Rinckle and Board of Commissioners, together with interest thereon, at the rate of ten per cent. per annum.

Your committee would, therefore, report in favor of the payment of said claim, by the passage of Senate Bill No. 39.

J. R. JOHNSON, Chairman.

Mr. SPEAKER: Your Committee on Corporations and Railroads beg leave to report that they have considered Assembly Bill No. 74—An Act defining the rights of common carriers as to disposition of unclaimed property—and recommend its passage.

J. P. SMITH, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Concurrent Resolution No. 13—relative to existing treaties with China—with the engrossed resolution, and found the same correctly enrolled, and has this day been deposited in the Secretary of State's office.

A. HELM, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Wren—Assembly Concurrent Resolution No. 20—relative to granting leave of absence to R. L. Chase, County Recorder of Eureka County.

Adopted unanimously.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER. }
CARSON CITY, February 5th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate

Concurrent Resolution No. 21—relative to granting leave of absence to P. B. Miller, County Clerk of Lincoln County—which passed the Senate this day, by the following vote: Yeas, 20; nays, 1.

Also, Assembly Bill No. 55—An Act to prohibit camels and dromedaries from running at large on or about public highways of the State of Nevada—which passed the Senate this day, by the following vote: Yeas, 20; nays, 1.

Also, to return to your honorable body Assembly Concurrent Resolution No. 11—memorializing Congress, relative to taxation on boracic acid—which was amended in Senate, and passed by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 8th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 21—relative to granting leave of absence to Andrew Fife, Sheriff of Lincoln County—which passed the Senate this day, by the following vote: Yeas, 20; nays, 1.

Also, Substitute for Assembly Bill No. 2—"An Act to authorize Sheriffs to work prisoners"—which was amended as follows: by striking out the words "substitute for Assembly Bill No. 21," in first line, and by striking out, in line two, all after the word "larceny" to the word "battery," inclusive, in line four, and passed the Senate by the following vote: Yeas, 13; nays, 7.

Also, to transmit, for your consideration, Senate Bill No. 18—An Act to legalize the issuance of certain Elko County bonds, issued as aid in the construction of the preparatory department of the State University of Nevada—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 33—An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty-two thousand dollars, for the purpose of redeeming bonds heretofore issued, and to provide for the payment of such bonds.

Respectfully,

C. N. NOTEWARE,

Secretary of the Senate.

Assembly Concurrent Resolution No. 21—relative to taxation on boracic acid—Senate amendments, to wit: strike out the words "number eleven," and insert, in lieu thereof, the words "memorializing Congress relative to duty on boracic acid."

Concurred in, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga,

Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—47.

NAYS—None.

ABSENT—Messrs. Hogan, Ogg, and Smith, E. R.—3.

NOTICES OF BILLS.

Mr. Lowrey gave notice that he would, on some future day, introduce a bill for an Act entitled an Act to amend an Act entitled "An Act relating to elections."

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Wren, by leave, introduced Assembly Bill No. 78—An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March tenth, eighteen hundred and sixty-five.

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

Mr. Dow, by leave, introduced Assembly Bill No. 79—An Act to regulate freights and fares on railroads in the State of Nevada, and prevent unjust discrimination therein.

Read first time; rules suspended; read second time by title; ordered printed, and referred to Committee of the Whole, and made special order for Wednesday, the tenth instant, at twelve o'clock M.

Mr. Allan, by leave, introduced Assembly Bill No. 80—An Act to encourage the mining, milling, smelting, or other reduction of ores in the State of Nevada.

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

On motion of Mr. McDonnell, Assembly Bill No. 33—An Act to preserve the health, life, and limbs of miners working underground within the limits of the State of Nevada—taken up, and made the special order for Monday, the fifteenth instant, at twelve o'clock M.

Mr. Alt, by leave, introduced Assembly Bill No. 81—An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes.

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

Mr. Wren, by leave, introduced Assembly Bill No. 82—An Act to amend an Act entitled "An Act concerning the Courts of justice in this State and judicial officers," approved February twenty-sixth, eighteen hundred and sixty-five.

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

Mr. Nicholls, pursuant to previous notice, introduced Assembly Bill No. 83—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled 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 twentieth, eighteen hundred and

sixty-four, approved March eighth, eighteen hundred and sixty-five, approved February twenty-seventh, eighteen hundred and sixty-six.

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

Senate Bill No. 18, as per message, read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Beck, Blair, Buckingham, Case, Carling, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, and Mr. Speaker—37.

NAYS—None.

ABSENT—Messrs. Bartlett, Bergstein, Bibbins, Buckner, Comins, Ford, Hogan, Hubbard, Nicholls, Ogg, E. R. Smith, and Wren—12.

The Speaker announced the appointment of the following special committee on Senate Bill No. 41—An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it—consisting of Messrs. Spencer, Van Sickle, Haynie, Gray, Beck, Morrill, Buckner, Watt, Gearhart, Wren, McGee, Sanford, Van Hagen, and Dow.

On motion of Mr. Wren, at twelve o'clock and thirty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House in session at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

By Mr. J. P. Smith:

Resolved, That the use of the Assembly Chamber be tendered to Mrs. Fanny Stenhouse, on Friday evening, for the purpose of delivering her lecture on the "Inner Life of the Mormons."

Adopted.

By Mr. Beck:

Resolved, That the use of the Assembly Chamber be allowed to Miss Sallie Hart, for the purpose of delivering her lecture on the subject of "Margaret Fuller," on Thursday evening, February the eleventh instant.

Adopted.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Beck, by leave, introduced Assembly Bill No. 84—An Act reap-

portioning the representation of members of the Legislature in the State of Nevada.

Read first time; rules suspended; read second time by title, and referred to special committee, consisting of one member from each county, to be appointed by the Speaker.

Senate Bill No. 33—An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty-two thousand dollars, for the purpose of redeeming bonds heretofore issued, and to provide for the payment of such bonds.

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

Substitute for Assembly Bill No. 24—An Act to authorize Sheriffs to work prisoners.

Senate amendments, to wit: Strike out the words "Substitute for Assembly Bill No. 24," in first line; also, strike out, in line two, all after the word "larceny" to the word "battery," inclusive, in line four.

Were concurred in by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—Messrs. Lowrey, McDonnell, and Van Hagen—3.

ABSENT—Messrs. Bartlett, Hogan, Ogg, and E. R. Smith—4.

Senate Concurrent Resolution No. 21—relative to granting leave of absence to P. B. Miller, County Clerk of Lincoln County.

Read, and passed unanimously.

Senate Concurrent Resolution No. 22—relative to granting leave of absence to Andrew Fife, Sheriff of Lincoln County.

Read, and passed unanimously.

Assembly Bill No. 20—"An Act to establish a standard of weights and measures."

Considered engrossed, and read a third time.

Mr. Tone moved the reference of the bill to a committee of one, with instructions to amend as follows: In seventh section, line twelve, before the words "for the first offense," insert the words "one hundred and fifty dollars;" also, in same section, line thirteen, after the words "not less than," insert the words "three hundred dollars;" also, in line fourteen, of same section, insert after the words "nor more than," the words "one thousand dollars."

Motion carried, and Mr. Tone was appointed as such committee, who reported the amendments made pursuant to instructions.

The bill was then placed upon its final passage, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Averill, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ford, Frank, Gearhart, Laveaga, McDonnell, Morrill, Penrod, Peyton, Reese, Sanford, Tone, Van Hagen, Watt, and Wren—25.

NAYS—Messrs. Alt, Andrews, Atkinson, Beck, Bergstein, Bibbins, Ellison, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Lowrey, McGee, Nicholls, Smith, J. P., Spencer, Van Sickle, Willis, and Mr. Speaker—21.

ABSENT—Messrs. Bartlett, Hogan, Ogg, and Smith, E. R.—4.

Senate Bill No. 25—"An Act for the relief of T. J. Edwards, County Clerk of Ormsby County."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Beck, Buckingham, Buckner, Carling, Comins, Dow, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, J. P., Tone, Van Hagen, Watt, Wren, and Mr. Speaker—26.

NAYS—Messrs. Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Bibbins, Case, Crandall, Ford, Frank, Hubbard, McDonnell, McGee, Morrill, Spencer, Van Sickle, and Willis—18.

ABSENT—Messrs. Bartlett, Ellison, Hogan, Lowrey, Ogg, and E. R. Smith—6.

Senate Bill No. 26—"An Act for the relief of S. T. Swift, Sheriff of Ormsby County."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Dow, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Watt, Wren, and Mr. Speaker—35.

NAYS—Messrs. Andrews, Averill, Crandall, Ellison, Ford, Frank, McDonnell, McGee, Van Sickle, and Willis—10.

ABSENT—Messrs. Bartlett, Hogan, Lowrey, Ogg, and E. R. Smith—5.

Assembly Bill No. 48—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 ninth, eighteen hundred and sixty-five.

Mr. Nicholls moved that the bill be referred to a committee of one, with the instruction to amend as follows: In section one, after the words "within this State," and before the words "all capital loaned," insert the words, "or having a general depot or terminus within this State."

Motion carried, and Mr. Nicholls was appointed as such committee, who reported the duty assigned him performed, pursuant to instructions.

Mr. Beck moved that the bill be referred to a special committee of one, with instructions to amend as follows: Strike out, in last line, the word "hereafter," and insert after the word "provided," the words "by law."

Motion carried, and Mr. Beck was appointed as such committee, who reported the amendment inserted, pursuant to instructions.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—None.

ABSENT—Messrs. Bartlett, Hogan, Lowrey, Ogg, and E. R. Smith—5.

On motion of Mr. Dow, the House resolved itself into the Committee of the Whole for the consideration of all bills on General File relative to appropriations.

Mr. Gearhart in the chair.

In due time the committee arose, and reported Senate Bill No. 45—"An Act for the relief of John N. Thacker"—back to the House without amendments, and recommended its passage, and asked leave to sit again.

Mr. Speaker in the chair.

Mr. McGee moved that the House adjourn.

Motion lost.

Mr. Dow moved that the report of the Committee of the Whole be adopted, and Senate Bill No. 45 be placed on its third reading and final passage.

Motion carried.

Mr. Speaker announced the appointment of the following members as special committee on Assembly Bill No. 84—"An Act reapportioning the representation of members of the Legislature in the State of Nevada"—consisting of Messrs. Willis, Johnson, Jones, Andrews, Beck, Carling, Case, Comins, Bartlett, McGee, Helm, Bergstein, Frank, and Nicholls.

Senate Bill No. 45—"An Act for the relief of John N. Thacker."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Blair, Buckingham, Buckner, Case, Comins, Dow, Ellison, Ford, Frank, Gearhart, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, McDonnell, Morrill, Penrod, Peyton, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, and Watt—29.

NAYS—Messrs. Alt, Andrews, Averill, Beck, Bergstein, Bibbins, Carling, Crandall, Gray, McGee, Nicholls, Reese, Van Sickle, Willis, Wren, and Mr. Speaker—16.

ABSENT—Messrs. Bartlett, Hogan, Lowrey, Ogg, and E. R. Smith—5.

Mr. Hubbard gave notice that, on to-morrow, he would move for the reconsideration of the vote by which Assembly Bill No. 20—"An Act to establish a standard of weights and measures"—was lost.

On motion of Mr. Jones, Senate Bill No. 15—"An Act to amend "An Act to regulate rafting and running timber and wood on the rivers in the State of Nevada"—was taken from the table and placed on General File.

On motion of Mr. Frank, at four o'clock and twenty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRTY-SEVENTH DAY.

CARSON CITY,
TUESDAY, February 9th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

All present.

Prayer by the Rev. Mr. Tevis.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on the State Library, to whom was referred Assembly Bill No. 70, which was introduced for the purpose of providing the State Capitol with historical and ornamental paintings, took the same under consideration, and, after such deliberation, came to the conclusion that as the passage of the bill would necessarily include the appropriation of money, and the consideration of the bill in committee [of the Whole House, your committee] recommend such consideration, and forbear to express any opinion in advance of that committee by whom it must be considered.

L. A. BUCKNER, Chairman.

MR. SPEAKER: Your Committee on Mines and Mining have had Assembly Bill No. 66—An Act to amend "An Act providing for the taxation of the net proceeds of the mines," approved February twenty-eight, eighteen hundred and seventy-one—under consideration, and recommend its passage.

E. L. BUCKINGHAM, Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER: Your special committee comprising the Washoe delegation, to whom was referred Assembly Bill No. 81, beg leave to report the same back to the House, with the recommendation that it do pass without amendment.

H. H. BECK, Chairman.

MR. McGEE, for the minority of special committee to whom was referred Senate Bill No. 10—An Act to detach a portion of the territory of Nye County from said county, and attach the same to Lincoln County—returned the bill to the House, without recommendation.

MESSAGE FROM THE ACTING GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 8th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 40—"An Act to amend section four hundred

and sixty-eight of an Act to regulate proceedings in criminal cases in the Territory of Nevada," approved November twenty-six, eighteen hundred and sixty-one.

J. W. ADAMS.

On motion of Mr. Carling, Assembly Bill No. 73—An Act to divide the County of Churchill, and annex the portions thereof to adjacent counties, and to provide for the government of the same—was ordered printed.

Mr. Hubbard, pursuant to notice, moved to reconsider the vote by which Assembly Bill No. 20—An Act to establish a standard of weights and measures—was lost.

Mr. McGee moved the indefinite postponement of the motion to reconsider.

Both motions withdrawn, for the time, by request.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 9th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 3—"An Act to encourage the construction of a railroad from some point on the Central Pacific Railroad, at or near Battle Mountain, in Lander County, State of Nevada, to the City of Austin, in said county—which passed the Senate this day, notwithstanding the objections of the Governor, by the following vote: Yeas, 17; nays, 6.

Also, Senate Bill No. 162, passed at the sixth session of the Nevada Legislature, an Act entitled "An Act regulating mortgage of personal property," which passed the Senate this day, notwithstanding the objections of the Governor, by the following vote: Yeas, 19; nays, 3.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

On motion of Mr. Wren, Senate Bill No. 3, as per message, together with the Governor's veto message relative to the same, was taken up.

The question being, "Shall the bill pass, notwithstanding the Governor's objections?"

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—38.

NAYS—Messrs. Alt, Beck, Bergstein, Buckner, Case, Dow, Frank, Hogan, Hubbard, Peyton, and Willis—11.

ABSENT—Mr. Reese—1.

Senate Bill No. 162, as per message, together with the Governor's veto

message relative to the same, was taken up and referred to the Judiciary Committee.

On motion of Mr. E. R. Smith, Assembly Bill No. 25—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto—the amendments reported by the Judiciary Committee adopted, bill considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—46.

NAYS—Messrs. Hubbard and Willis—2.

ABSENT—Messrs. Laveaga and Reese—2.

On motion of Mr. Allan of White Pine County, at one o'clock P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 8th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 36—An Act to amend "An Act relating to marriage and divorce"—which passed the Senate this day, by the following vote: Yeas, 14; nays, 9.

Also, Senate Bill No. 56—An Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada"—which passed the Senate this day, by the following vote: Yeas, 19; nays, 3.

Also, I am instructed to return to your honorable body Substitute for Assembly Bill No. 47—An Act amendatory of and supplementary to an Act relating to elections, approved March twelfth, eighteen hundred and seventy-three—which passed the Senate this day, by the following vote: Yeas, 18; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 22—An Act to amend "An Act prescribing the mode of maintaining and defining possessory actions on public lands in this State," approved March ninth,

eighteen hundred and sixty-five—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 36, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Mr. Lowrey, by leave, introduced Assembly Bill No. 85—An Act to amend an Act entitled “An Act relative to elections,” approved March twelfth, eighteen hundred and seventy-three.

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

Mr. Hubbard moved to reconsider the vote by which Assembly Bill No. 20—“An Act to establish a standard of weights and measures”—was lost.

Mr. McGee moved that the motion to reconsider be indefinitely postponed.

Motion lost.

Motion to reconsider carried, and bill placed on its final passage.

Mr. McGee moved that a special committee of one be appointed, with instructions to amend as follows: Strike out section eleven, and insert the following:

“The several County Assessors of this State shall, ex officio, perform the duties of Sealer of Weights and Measures within their respective counties. They shall report to the State Sealer on the first day of each month. They shall take and subscribe to the same oath as is required by the State Sealer, and be governed by such rules and regulations as he may establish for the faithful performance of their several duties.”

Motion to amend carried, and Mr. McGee was appointed as such committee, who reported that he had amended the bill pursuant to instructions.

Mr. McDonnell moved that a special committee of one be appointed, with instructions to insert the following amendment:

That when the words “State Sealer” occurs, be it erased, and the words “County Sealer” be inserted. “Section Thirteen. The Sheriff of each county shall be ex officio and is hereby appointed County Sealer.”

Motion lost.

Mr. Beck moved that the bill be referred to a special committee of one, with instructions to strike out all after the fifth section.

Motion lost.

Mr. Hogan moved that the bill be laid on the table.

Motion lost.

Mr. Dow moved to refer the bill to Mr. Tone.

Motion lost, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Averill, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison,

Ford, Frank, Hogan, Hubbard, Laveaga, McDonnell, Penrod, Peyton, Sanford, Smith, J. P., Tone, Van Hagen, Watt, and Wren—26.

NAYS—Messrs. Alt, Andrews, Atkinson, Bartlett, Beck, Bergstein, Bibbins, Gearhart, Gray, Haynie, Johnson, Jones, Lowrey, McGee, Morrill, Ogg, Smith, E. R., Spencer, Van Sickle, Willis, and Mr. Speaker—22.

ABSENT—Messrs. Nicholls and Reese—2.

Senate Bill No. 56, as per message, read first time; rules suspended; read second time by title, and referred to Committee on State Prison.

Senate Bill No. 22, as per message, read first time.

Mr. Peyton, by leave, introduced Assembly Bill No. 86—"An Act to perfect the title to the State Prison."

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

Mr. Hubbard moved to take up Senate Bill No. 10—An Act to detach a portion of the territory of Nye County, and to attach the same to Lincoln County.

Motion lost.

Mr. Bartlett moved to adjourn.

Motion lost.

On motion of Mr. McDonnell, Senate Bill No. 29—"An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points"—was taken up, and placed on the General File.

On motion of Mr. Hogan, the House resolved itself into the Committee of the Whole, for the consideration of the General File.

Mr. Hogan in the chair.

In due time the committee arose, and reported progress, and asked leave to sit again.

Mr. Beck in the chair.

By Mr. E. R. Smith:

Resolved, That a select committee, consisting of five, be appointed, to investigate the general management of the State Prison, and that said committee have power to administer oaths and send for persons and papers.

Adopted.

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Substitute for Assembly Bill No. 24—An Act to authorize Sheriffs to work prisoners—and find the same correctly enrolled, and has this day been delivered to the Governor for his approval.

Also, beg leave to report that they have carefully compared Assembly Bill No. 55—"An Act to prohibit camels and dromedaries from running at large on or about public highways of the State of Nevada"—find the same correctly enrolled, and has this day been delivered to the Governor for his approval.

Also, Concurrent Resolution No. 11—memorializing Congress relative to taxation on boracic acid—which was this day deposited with the Secretary of State.

A. HELM, Chairman.

On motion of Mr. Hubbard, at three o'clock and thirty minutes p. m., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRTY-EIGHTH DAY.

CARSON CITY,
WEDNESDAY, February 10th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Blair, Helm, Watt, and Alt.

Leave of absence was granted to Messrs. Blair and Helm for two days, and Mr. Alt for one day; and indefinite leave of absence was granted to Mr. Watt.

Prayer by the Rev. Mr. Tevis.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 78—An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March tenth, eighteen hundred and sixty-five—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, your Committee on Judiciary, to whom was referred Assembly Bill No. 77—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, recommending its passage.

Also, your Committee on Judiciary, to whom was referred Assembly Bill No. 82—An Act to amend an Act entitled "An Act concerning the Courts of justice of this State and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, your Committee on Judiciary, to whom was referred Assembly Bill No. 69—"An Act to prevent trespass upon private lands along the lines of railroads within this State"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do not pass.

Also, your Committee on Judiciary, to whom was referred Senate Bill No. 36—"An Act to amend an Act entitled "An Act relating to marriage and divorce"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOMAS WREN, Chairman.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred the several bills, beg leave to report as follows:

Assembly Bill No. 59—entitled "An Act to create the office of Inspector of Boilers, to define his duties, and other matters relating thereto"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that it do not pass.

Also, Senate Bill No. 40—Substitute for Assembly Bills Nos. 11 and 12—and recommend that it do pass.

Also, Assembly Bill No. 64—entitled an Act defining the duties of pawnbrokers and pledgees—which we have amended as follows:

Insert in line twelve, section one, after the word "sales," the words "or purchases."

Strike out the word "twenty," in line four, section two, and insert the words "one hundred."

Insert after the word "pledge," in line three, section six, the words "or by purchase"—and recommend its passage as amended.

A. NICHOLLS, Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER: Your special committee consisting of the delegation from Humboldt County in the Assembly, to whom was referred Assembly Bill No. 72, have carefully examined the same, and report: We find, from the records of the County Commissioners of said county, that on the sixth day of April, eighteen hundred and sixty-eight, J. F. Abel was by said Board appointed Road Supervisor of Paradise District, in said county, and that he was duly notified of such appointment by the Clerk. That on the same day a petition was presented from citizens of Paradise Township, praying for the appointment of Road Viewers for said township; that the prayer was granted, and the Viewers appointed (to wit: B. F. Riley, C. A. Nichols, and J. F. Abel) located a road, beginning at Willow Point Station, via Mitchell's Station, Camp Winfield Scott, to Chs. Adam's mill, and that afterwards the road so located was declared a public highway by the Board of County Commissioners of said county, by order duly entered on the record of their proceedings. That by virtue of the authority so conferred on J. F. Abel (the Supervisor), he did, and caused to be done, work and labor on said road to the value of one thousand one hundred and fifty dollars; no part of which he has been paid for, save and except the sum of one hundred and fifty dollars, which he collected from residents of the township aforesaid as road tax.

Your committee further report that, after the work and labor had been done, the Road Supervisor was notified by the District Attorney (by order of the Board) that his appointment was illegal, and that he must not proceed further. The illegality was alleged to consist in having laid out the Paradise Road District on the petition of the citizens of that township, when it should have been done on the petition of the citizens of the county.

The premises considered, your committee are of the opinion that the claim of Abel, against Humboldt County, is good and valid, and should be paid, and recommend the passage of the bill we have had under consideration. The road made was thirty-one miles in length.

L. A. BUCKNER,
Chairman of Committee.

MR. SPEAKER: Your special committee composed of one member from each county, to whom was referred Senate Bill No. 41—entitled “An Act to provide for the protection of State Capitol building, and for the improvement of the grounds surrounding it”—beg leave, at this time, to report the same back to the House, with the recommendation that it do pass, for the following reasons, viz: The grounds being the property of the State, it is but just and proper that the proposed improvements should be made at the expense of the general public of Nevada. While it may be asserted by some that the amount proposed to be expended is large, and that our young State is no condition at this time to bear the expense, it is the opinion of your committee that, considering the fact that the gentlemen composing the Board of Commissioners are trustworthy, efficient, and prompt business men, the money will be expended in such manner that although the Treasury may loose the money, the State will get value received; and that every good citizen, when viewing the grounds as they soon will be, will conclude that the sum thus donated was expended for the best interests of the State.

All of which is respectfully submitted.

H. H. BECK, Chairman.

MR. SPEAKER: Your special committee consisting of the Ormsby delegation, to whom was referred Assembly Bill No. 52—entitled “An Act to incorporate Carson City”—have had the same under consideration, made certain amendments, and as now amended report favorably on the same, and recommend that it do pass.

A. HELM,
J. W. HAYNIE,
S. E. JONES.

The Speaker appointed Messrs. E. R. Smith, Wren, Beck, Bergstein, and Hubbard, as committee to investigate State Prison affairs, in pursuance to resolution passed on the ninth instant.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 9th, 1875. }

To the honorable the Assembly:

I have this day approved, and deposited in the office of the Secretary

of State, Substitute Assembly Bill No. 24—"An Act to authorize Sheriffs to work prisoners."

Also, Assembly Bill No. 55—"An Act to prohibit camels and dromedaries from running at large on or about the public highways of the State of Nevada."

J. H. ADAMS,
Acting Governor.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 9th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 52—An Act to amend an Act 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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the Board of County Commissioners of the several counties of the State of Nevada relative thereto, approved April second, eighteen hundred and sixty-seven—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

MOTIONS AND RESOLUTIONS.

By Mr. Wren:

Resolved, That the use of the Assembly Chamber be granted to Miss Louisa M. Kerns, on Saturday evening, for the purpose of giving a public spiritual seance.

Resolution lost.

By Mr. Bergstein—Assembly Concurrent Resolution No. 21—relative to removal of E. Le Fevre and John Gates from the State Prison at Carson, to the insane asylum at Woodbridge, California.

Lost.

SECOND READING AND REFERENCE OF BILLS.

Senate Bill No. 22—An Act to amend an Act entitled "An Act prescribing the mode of maintaining and defining possessory actions on public lands in this State," approved March ninth, eighteen hundred and sixty-five.

Rules suspended; read second time by title, and referred to Committee on Judiciary.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Nicholls, by leave, introduced Assembly Bill No. 87—An Act to

repeal an Act entitled "An Act to prevent the practice of medicine and surgery by unqualified persons."

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

Mr. Allan of White Pine County, by leave, introduced Assembly Bill No. 88—An Act to repeal "An Act to create the office of State Mineralogist, and define the duties of such office," approved March first, eighteen hundred and sixty-nine.

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

Mr. Jones, by leave, introduced Assembly Bill No. 89—"An Act to abolish the office of County Superintendent of Public Schools."

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

On motion of Mr. Dow, the House resolved itself into the Committee of the Whole for consideration of Assembly Bill No. 79—An Act to regulate freights and fares on railroads in the State of Nevada, and prevent unjust discrimination therein.

Mr. McGee in the chair.

In due time the committee arose and reported back the bill, with the following amendments: In section two of written bill, strike out all after the words "shall be charged;" also, in same section, line twelve, strike out the word "five," and in lieu thereof, insert "six;" and recommend the reference of the bill to a special committee of five, with power to send for persons and papers, administer oaths, and take testimony, with instructions to report on Monday, the fifteenth instant.

Mr. Speaker in the chair.

On motion of Mr. Hogan, the report of the committee was adopted.

On motion of Mr. McGee, at twelve o'clock and fifty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 52—An Act to amend an Act 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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the Boards of County Commissioners of the several counties of this State relative thereto," approved April second, eighteen hundred and sixty-seven.

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

Mr. Van Hagen, by leave, introduced Assembly Joint Resolution No. 22—relative to granting pensions to the veterans of the Mexican War. Read first time; rules suspended; read second time by title, and referred to the Committee on Military and Indian Affairs.

Substitute for Senate Bill No. 14—"An Act for the relief of Daniel G. and W. H. Corbett."

Referred to the Committee of the Whole.

Mr. Beck moved that the House resolve itself into the Committee of the Whole for the consideration of the General File.

Motion lost.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to re-district the State of Nevada," approved March seventh, eighteen hundred and seventy-three.

Amendments reported by special committee adopted; bill read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Bartlett, Beck, Bergstein, Bibbins, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, Lowrey, McDonnell, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Van Hagen, Van Sickie, Willis, Wren, and Mr. Speaker—33.

NAY—Mr. McGee—1.

ABSENT—Messrs. Alt, Averill, Blair, Buckingham, Buckner, Dow, Ellison, Helm, Hogan, Laveaga, Morrill, Smith, E. R., Smith, J. P., Spencer, Tone, and Watt—16.

Senate Bill No. 20—An Act to amend an Act entitled an Act concerning District Attorneys.

Read third time.

Mr. Comins moved to lay the bill temporarily on the table.

Motion carried.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your special committee consisting of the White Pine delegation, to whom was referred Assembly Bill No. 65—entitled "An Act for the relief of F. F. Johnson and others"—beg leave to report the same back to the House, with the recommendation that it be returned to the author with permission to introduce a new bill, or amend the original.

NELSON ALLAN, Chairman.

On motion of Mr. Wren, Mr. Hogan was excused from the Committee on Counties and County Boundaries.

Senate Bill No. 39—"An Act for the relief of Matthew Rinckle"—referred to the Committee of the Whole.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Substitute Assembly Bill No. 47—An Act amendatory of and supplementary to an Act entitled an Act relating to elections, approved March twelfth, eighteen hundred and seventy-three—found the same correctly enrolled, and was this day delivered to the Governor for his approval.

J. M. GEARHART, Chairman.

Senate Bill No. 15—An Act to amend an Act to regulate rafting and running timber and wood on the rivers in the State of Nevada.

Read third time.

Mr. Buckner moved the reference of the bill to a special committee of one, with instructions to amend as follows: insert in last section, after the words "while being driven," the following: "and provided further, that if any person appointed* by such corporation to make the measurement, as provided in this Act, shall make a false or fraudulent measurement of any wood, timber, or lumber designed to be so rafted, he shall be deemed guilty of perjury, and upon conviction thereof, be punished as in other cases of perjury."

Motion carried, and Mr. Buckner was appointed as such committee, who reported the amendments inserted pursuant to instructions.

Mr. Buckner moved that a special committee of one be appointed, to amend in same section, as follows: after the word "fraudulent" and before the word "measurement," insert the words "affidavit of the."

Motion carried, and Mr. Buckner was appointed as such committee, who reported the amendment inserted pursuant to instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—42.

NAYS—None.

ABSENT—Messrs. Alt, Averill, Blair, Dow, Helm, Smith, E. R., Spencer, and Watt—8.

Senate Bill No. 10—An Act to detach a portion of the territory of Nye County from said county, and to attach the same to Lincoln County—laid on the table for two days.

The Speaker pro tem. in the chair.

Senate Bill No. 29—"An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points."

Read third time.

Mr. Carling moved to refer the bill to a special committee of one, to amend as follows: Strike out section one, and insert the following section in lieu thereof:

"Section One. Michael Lynch, James Kelley, and R. M. Daggett, their associates and assigns, are hereby granted the right of way for the construction of a railroad, with such gauge and of such material as they may determine, from the coal mines, in Lyon County, of the Virginia City Coal Company, a corporation doing business in and under the laws of the State of Nevada, by the way of and through the said Town of Dayton, in said Lyon County, to connect with the Virginia and Truckee Railroad Company, at such point or points as they may select."

Motion lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Andrews, Atkinson, Beck, Berg-

stein, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—42.

NAY—Mr. Buckner—1.

ABSENT—Messrs. Allan of White Pine, Alt, Averill, Bartlett, Blair, Dow, Helm, and Watt—8.

Senate Bill No. 36—An Act to amend an Act entitled "An Act relating to marriage and divorce."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Bergstein, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Johnson, Jones, Laveaga, Lowrey, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Spencer, Tone, Van Hagen, Willis, Wren, and Mr. Speaker—32.

NAYS—Messrs. Beck, Bibbins, Ellison, Gray, Haynie, Hogan, Hubbard, McDonnell, Reese, Smith, J. P., and Van Sickle—11.

ABSENT—Messrs. Alt, Averill, Bartlett, Blair, Dow, Helm, and Watt—7.

Senate Bill No. 40—"An Act relating to the transportation of indigent insane persons and convicts."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—43.

NAY—Mr. Atkinson—1.

ABSENT—Messrs. Alt, Averill, Blair, Dow, Helm, and Watt—6.

Senate Bill No. 41—An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it.

Referred to the Committee of the Whole.

Assembly Bill No. 42—"An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda."

Amendments reported by special committee adopted, and bill ordered engrossed.

Assembly Bill No. 32—An Act to provide for fencing and beautifying the Capitol grounds.

Returned to the author, Mr. Nicholls.

Assembly Bill No. 50—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Bartlett, Beck, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Alt, Averill, Bergstein, Blair, Dow, Helm, Hogan, Hubbard, Ogg, and Watt—10.

Assembly Bill No. 7—An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three.

Returned to the author, Mr. Penrod.

Assembly Bill No. 71—An Act to provide payment for the officers and soldiers of the Nevada State militia, for military services rendered at a call of the Governor in eighteen hundred and seventy-three.

Returned to its author, Mr. McDonnell.

Assembly Bill No. 76—An Act in relation to certain benevolent societies and associations.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Bartlett, Beck, Bergstein, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—39.

NAYS—None.

ABSENT—Messrs. Alt, Andrews, Averill, Blair, Bibbins, Dow, Helm, Hogan, Hubbard, Ogg, and Watt—11.

Assembly Bill No. 74—An Act defining the rights of common carriers as to the disposition of unclaimed property.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ellison, Frank, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Willis, and Mr. Speaker—34.

NAYS—Messrs. Atkinson, Buckner, Ford, Peyton, and Van Sickle—5.

ABSENT—Messrs. Allen of Churchill, Alt, Andrews, Averill, Blair, Dow, Helm, Hogan, Ogg, Watt, and Wren—11.

Mr. Willis, at four o'clock and fifty-five minutes P. M., moved to adjourn.

Motion lost.

Assembly Bill No. 46—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,' approved March fourth, eighteen hundred and sixty-five," ap-

proved February twenty-fourth, eighteen hundred and sixty-six, and to repeal section eight of "An Act entitled an Act to restrict gaming," passed March fourth, A. D. eighteen hundred and sixty-nine.

Amendments reported by committee adopted.

On motion of J. P. Smith, the bill was considered engrossed; the bill was then read a third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Alt, Andrews, Averill, Blair, Dow, Helm, Hogan, Ogg, Spencer, and Watt—10.

Assembly Bill No. —"An Act to provide the State Capitol with historical and ornamental paintings"—was, on motion of Mr. Wren, indefinitely postponed.

Assembly Bill No. 66—An Act to amend "An Act providing for the taxation of the net proceeds of the mines," approved February twenty-eighth, eighteen hundred and seventy-one.

Referred to Committee of the Whole.

Mr. Frank, at four o'clock and fifteen minutes P. M., moved to adjourn.

Motion lost.

Assembly Bill No. 81—An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes.

Ordered engrossed.

Assembly Bill No. 52—An Act to incorporate Carson City.

On motion of Mr. Nicholls, the bill was laid temporarily on the table.

Assembly Bill No. 78—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved March tenth, eighteen hundred and sixty-five.

On motion of Mr. Wren, the bill was considered engrossed, and placed upon its third reading and final passage.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—39.

NAYS—None.

ABSENT—Messrs. Alt, Andrews, Averill, Blair, Dow, Helm, Hogan, Ogg, Spencer, Tone, and Watt—11.

Mr. Johnson, at four o'clock and twenty-five minutes P. M., moved to adjourn.

Motion lost.

Assembly Bill No. 77—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Ordered engrossed.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act concerning the Courts of justice of this State, and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five.

Ordered engrossed.

Assembly Bill No. 69—"An Act to prevent trespass upon private lands along the lines of railroads within this State."

Ordered engrossed.

Assembly Bill No. 59—An Act to create the office of Inspector of Boilers, to define his duties, and other matters relating thereto—was, on motion of Mr. Johnson, indefinitely postponed.

Assembly Bill No. 64—An Act defining the duties of pawnbrokers and pledgees—amendments reported by committee adopted, and bill ordered engrossed.

Assembly Bill No. 72—An Act for the relief of J. F. Abel—considered engrossed, read a third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Bartlett, Beck, Buckner, Case, Carling, Comins, Ellison, Gearhart, Gray, Haynie, Jones, Laveaga, McGee, Nicholls, Reese, Sanford, Smith, E. R., Smith, J. P., Van Hagan, Wren, and Mr. Speaker—22.

NAYS—Messrs. Allan of White Pine, Atkinson, Bibbins, Buckingham, Crandall, Ford, Frank, Hubbard, Johnson, Lowrey, McDonnell, Morrill, Penrod, Peyton, Van Sickle, and Willis—16.

ABSENT—Messrs. Alt, Andrews, Averill, Bergstein, Blair, Dow, Helm, Hogan, Ogg, Spencer, Tone, and Watt—12.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 10th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 63—An Act to create a Current Expense Fund for Eureka County—which passed the Senate this day, by the following vote: Yeas, 19; nays, 1.

Also, Senate Bill No. 64—An Act to authorize the County Commissioners of Eureka County to issue certain bonds, and to provide for the payment of the same—which passed the Senate this day, by the following vote: Yeas, 17; nays, 2.

Also, to return to your honorable body Assembly Concurrent Resolution No. 20—granting leave of absence to R. L. Chase, Recorder of Eureka County—which passed the Senate this day, by the following vote: Yeas, 21; nays, 1.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Senate Bill No. 63, as per message; read first time; rules suspended; read second time by title, and referred to the Eureka County delegation.

Senate Bill No. 64, as per message; read first time; rules suspended; read second time by title, and referred to Eureka County delegation.

On motion of Mr. McGee, at four o'clock and forty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

THIRTY-NINTH DAY.

CARSON CITY,
THURSDAY, February 11th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Blair, Helm, Watt, and Andrews.

Leave of absence granted to Mr. Andrews for one day.

Prayer by the Rev. Mr. Tevis.

Journal of yesterday read and approved.

The Speaker announced the appointment of Messrs. Wren, Helm, Spencer, Smith, J. P., and Gearhart, as special committee on Assembly Bill No. 75—"An Act to regulate freights and fares on railroads in the State of Nevada, and prevent unjust discrimination."

Mr. Frank presented petitions and remonstrance from the citizens of Pine Valley, in Elko County, against segregating Pine Valley from Elko County and attaching it to Eureka County.

On motion of Mr. Frank, they were laid on the table until Senate Bill No. 261, of last session of the Legislature, was taken up.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copy with the original of the following bills:

Assembly Bill No. 69—An Act to prevent trespass upon private lands along the lines of railroads within this State.

Assembly Bill No. 81—An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act concerning the Courts of justice of this State and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five.

And beg leave to report the same properly engrossed.

NELSON ALLAN, Chairman.

MR. SPEAKER: Your Committee on State Institutions have had under consideration Assembly Bill No. 88—An Act to repeal an Act entitled "An Act to create the office of State Mineralogist, and define the duties of such office," approved March first, eighteen hundred and sixty-nine—and beg leave to report it back to the House, and recommend that it do not pass.

R. V. TONE, Chairman.

MR. SPEAKER: Your Standing Committee on Mines and Mining beg leave to report that they have considered Assembly Bill No. 80—"An Act to encourage the mining and milling, smelting, or other reduction of ores, in the State of Nevada"—have come to a favorable conclusion thereon, and recommend its passage.

E. L. BUCKINGHAM, Chairman.

MR. SPEAKER: Your Standing Committee on Claims, to whom was referred Senate Bill No. 47 (with accompanying papers)—An Act to reimburse C. N. Noteware for expenses incurred in going to Washington in A. D. eighteen hundred and sixty-nine—have had the same under consideration, and beg leave to submit the following:

The resolution itself, under which Mr. Noteware proceeded to Washington, shows that he did so at the special request of the Board of Regents of this State.

The affidavit of S. H. Day, of the State Land Office, shows that the necessity for some one to represent the State at Washington, in connection with State land selections, actually existed; that Mr. Noteware did represent the State as requested, and accomplished great good thereby.

Mr. Noteware testified that he proceeded to Washington solely upon the request of the Board of Regents, and upon the business indicated; that he actually and necessarily expended in and about such business, the sum of five hundred dollars; that no part of his claim is for services rendered by him, but solely for expenses incurred.

In view of the foregoing, your committee report the bill back (with accompanying affidavits and papers), and recommend that it do pass.

Also, Senate Bill No. 32—"An Act for the relief of B. H. Meder"—beg leave to report they have had the same under consideration, believe it a just claim, and ought to be paid; therefore recommend the same do pass, and would respectfully refer the House to the accompanying documents and testimony relating thereto.

J. R. JOHNSON, Chairman.

MR. SPEAKER: Your Committee on State Prison, to whom was referred Senate Bill No. 56—An Act entitled an Act to amend "An Act to provide for the government of the State Prison of Nevada"—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, with the recommendation that it do pass.

W. D. GRAY, Chairman.

MR. SPEAKER: Your Committee on Judiciary beg leave to report that they have considered Assembly Concurrent Resolution No. 15—relative to Constitutional Convention—and report the same back to the House,

with a substitute resolution, and recommend the passage of the substitute.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 85—An Act to amend an Act entitled "An Act relating to elections," approved March twelfth, eighteen hundred and seventy-three—have had the same under consideration, and beg leave to report it back to the House, and recommend its passage.

S. E. JONES, Chairman.

Mr. SPEAKER: Your special committee on Assembly Bill No. 83—An Act to amend the charter of the City of Austin—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend that it do pass.

A. NICHOLLS, Chairman.

COMMUNICATION FROM THE SECRETARY OF STATE.

CARSON CITY, February 11th, 1875.

To the honorable the Assembly:

GENTLEMEN: I have the honor to notify your honorable body that an Act entitled "An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county, and to authorize said county to issue its bonds for two hundred thousand dollars, in aid of the same"—has been deposited in my office by the Secretary of the Senate, that said Act is indorsed as having passed both Houses of the Legislature by a constitutional majority, notwithstanding the objections of the Governor, but that said Act is not signed by the Clerk of your honorable body.

Respectfully,

J. D. MINOR,
Secretary of State.

MOTIONS AND RESOLUTIONS.

By Mr. E. R. Smith—Assembly Concurrent Resolution No. 23—relative to the examination of State Prison affairs—read, and passed unanimously.

By Mr. Nicholls:

Resolved, That the Secretary of State be and is hereby requested to return Senate Bill No. 3—entitled "An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county, and to authorize said county to issue its bonds for two hundred thousand dollars, in aid of the same"—to this House, for the signature of the Clerk.

Adopted.

Speaker pro tem. in the chair.

Mr. Johnson moved that the House resolve itself into the Committee of the Whole, for the consideration of the General File.

Motion lost.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 10th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 261—"An Act to define and establish the boundary lines of Eureka County"—passed at the sixth session of the Nevada Legislature, with the objections of the Governor thereto, which passed the Senate this day, notwithstanding the objections of the Governor, by the following vote: Yeas, 17; nays, 6.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Mr. Wren moved that Senate Bill No. 261, as per message, be taken up, and made the special order for next Monday, the fifteenth instant, at twelve o'clock M.

Motion carried.

NOTICES OF BILLS.

Mr. Haynie gave notice that he would, on some future day, introduce a bill for an Act to provide for the organization and discipline of a State militia, and to repeal all laws in conflict therewith.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Tone, by leave, introduced Assembly Bill No. 90—An Act to relocate the county seat of Esmeralda County.

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

Mr. Alt, by leave, introduced Assembly Bill No. 91—An Act 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 Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

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

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act concerning the Courts of justice of this State and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five.

Read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Averill, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Ellison, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Spencer, Tone, Van Hagen, Van Sickle, Willis, and Wren—37.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Andrews, Atkinson, Blair, Carling, Dow, Ford, Helm, Johnson, Smith, E. R., Smith, J. P., Watt, and Mr. Speaker—13.

Assembly Bill No. 69—"An Act to prevent trespass upon private lands along the lines of railroads within this State."

Read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Beck, Penrod, and Peyton—4.

NAYS—Messrs. Allan of White Pine, Averill, Bartlett, Bergstein, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Willis, Wren, and Mr. Speaker—37.

ABSENT—Messrs. Alt, Andrews, Atkinson, Blair, Carling, Helm, Tone, Van Hagen, and Watt—9.

REPORT OF COMMITTEE ON ENGROSSMENT.

MR. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copy with the original of Assembly Bill No. 42—entitled "An Act to better define and establish the boundary line between the Counties of Nye, Churchill, and Esmeralda"—and found the same correctly engrossed.

Respectfully,

NELSON ALLAN, Chairman.

Assembly Bill No. 81—An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes."

Read third time, and laid on the table temporarily.

Senate Bill No. 47—"An Act to reimburse C. N. Noteware for money expended in going to Washington City, in A. D. eighteen hundred and sixty-nine, in connection with State land selections"

Referred to Committee of the Whole.

On motion of Mr. Haynie, Assembly Bill No. 52—"An Act to incorporate Carson City"—was taken up, amendments reported by committee adopted, and bill ordered engrossed.

Senate Bill No. 32—"An Act for the relief of B. H. Meder."

Referred to Committee of the Whole.

Assembly Bill No. 42—"An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda."

Read third time.

Mr. McGee moved the reference of the bill to a committee of one, to amend as follows: In section one, sixth line, strike out the word "seconds," and, in lieu thereof, insert the word "minute."

Motion lost, and, on motion of Mr. Comins, the bill was laid on the table.

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: Mr. Gearhart, of the Committee on Enrollment, begs leave to report that they have carefully compared Assembly Concurrent Resolution No. 20—granting leave of absence to R. L. Chase, County Recorder of Eureka County—and found the same correctly enrolled.

On motion of Mr. Nicholls, at twelve o'clock and forty-five minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House in session at two o'clock P. M.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 88—An Act to repeal an Act entitled "An Act to create the office of State Mineralogist, and defining the duties of such office," approved March first, eighteen hundred and sixty-nine.

Laid on the table until next Tuesday, the sixteenth instant.

Assembly Bill No. 89—"An Act to encourage the mining, milling, and smelting, and other reduction of ores, in the State of Nevada."

Ordered engrossed, and made the special order for February sixteenth, at twelve o'clock M.

Senate Bill No. 56—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, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Buckingham, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Willis, and Wren—40.

NAY—Mr. Bibbins—1.

ABSENT—Messrs. Allan of White Pine, Andrews, Blair, Buckner, Carl-
ing, Helm, Tone, Watt, and Mr. Speaker—9.

Assembly Bill No. 85—An Act to amend an Act entitled "An Act relating to elections," approved March twelfth, eighteen hundred and seventy-three.

Ordered engrossed.

Assembly Bill No. 83—An Act to amend an Act entitled "An Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled 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 twentieth, eighteen hundred and sixty-four, approved March eighth, eighteen hundred and sixty-five, approved February twenty-seventh, eighteen hundred and sixty-six."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Willis, and Wren—43.

NAYS—None.

ABSENT—Messrs. Andrews, Blair, Buckner, Helm, Tone, Watt, and Mr. Speaker—7.

Substitute for Assembly Concurrent Resolution No. 15—relative to Constitutional Convention.

Adopted, and ordered engrossed.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 11th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Senate Bill No. 9—An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three—which was amended in the Assembly February tenth, and to inform your honorable body that the Senate do not concur in the amendments.

Also, Senate Bill No. 15—An Act to amend "An Act to regulate rafting and running timber and wood on the rivers in the State of Nevada"—which was amended in the Assembly February tenth, and to inform your honorable body that the Senate do not concur in said amendments, and to request your honorable body to recede from said amendments on said bills.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Senate Bill No. 9, as per message, was taken up, on motion of Mr. Wren.

The House refused to recede from its amendments.

Mr. Hogan moved the appointment of two members, as Committee on Conference, on part of the House, on Senate Bill No. 9.

Mr. Bibbins moved to amend by adding the words, "consisting of Washoe County members."

Motion passed as amended.

The Speaker pro tem, appointed Messrs. Hogan and Alt as such committee.

Senate Bill No. 15, as per message, was taken up.

Mr. Nicholls moved that the House recede from its amendments.

Motion carried.

On motion of Mr. Bibbins, Assembly Bill No. 62—An Act to enable individuals, or unincorporated companies, to carry on mining and prospecting in the State of Nevada—referred to the Committee on Judiciary.

On motion of Mr. Gearhart, the House resolved itself into the Committee of the Whole for the consideration of bills referred to it.

Mr. Gearhart in the chair.

In due time the committee arose and reported back Substitute for Senate Bill No. 14—"An Act for the relief of Daniel G. and W. H. Corbett"—without amendments, and recommended that it be laid on the table for one day.

Also, Senate Bill No. 39—"An Act for the relief of Matthew Rinckle"—without recommendation.

Also, Senate Bill No. 41—"An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it"—with the recommendation that it be made the special order for next Tuesday, the sixteenth instant.

The Speaker pro tem. in the chair.

On motion of Mr. Wren, the report of the Committee of the Whole was adopted.

On motion of Mr. Frank, at four o'clock and fifty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FORTIETH DAY.

CARSON CITY,

FRIDAY, February 12th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. McDonnell, Blair, Helm, and Watt.

Leave of absence was granted to Mr. McDonnell for one day.

Prayer by the Rev. Mr. Tevis.

Mr. Allen of Churchill County, moved that the reading of the Journal of yesterday be dispensed with.

Motion lost.

Journal of yesterday read and approved.

Mr. Hogan presented a petition from the citizens of Ormsby County,

against the passage of Assembly Bill No. 52—"An Act to incorporate the City of Carson."

Petition laid on the table, to be taken up with Assembly Bill No. 52.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 31—entitled "An Act to reduce the rate of State taxation"—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend that it do pass.

Also, Senate Bill No. 17—entitled an Act to fix the compensation of the Clerk of the Supreme Court—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend that it be referred to Judiciary Committee.

A. NICHOLLS, Chairman.

MR. SPEAKER: Your Committee on Corporations and Railroads, to whom was referred Assembly Bill No. 49—entitled "An Act to regulate fares and freights on railroads in the State of Nevada"—beg leave to report that, after a thorough examination, they have come to an unfavorable conclusion thereon, and report the same back to the House, with the recommendation that the bill be indefinitely postponed.

The result of your committee's deliberations was not reached without great consideration and examination, and while we would earnestly desire to remedy all of the existing evils in railroad management, we are certain that the bill under consideration is wholly inadequate for any useful purpose.

Your committee can but recognize that the people of the State of Nevada labor under manifold disadvantages, in the respect of transcontinental transportation of freights; that while situated so much nearer eastern markets they are compelled to pay higher freights than the people of San Francisco, and that in these respects an unjust discrimination is constantly being made against them. That an evil exists is certain, but the question of the remedy is involved in doubt and perplexing. It is very certain this Legislature is not authorized to fix the rates of freights upon a railroad wholly without the State, even though the freight may be intended to pass into or through the State. Hence, for unjust charges made by companies beyond the limits of the State, our only appeal is to Congress, in which body the regulation of commerce between States has been by the Constitution of the United States confided.

Whether the Legislature is empowered to regulate the rates of fare and freights upon railroads passing through the State, but forming part of a continuous continental line, is a question of more serious import, and more difficult of determination. An effort to do so has been made in some of the States east of the Missouri River, and has not resulted in any such advantage to the people as was claimed or expected. Troublesome and expensive litigation has been, as yet, the only fruit of this claimed reform.

The issue between the States and the railroad companies has been fought in several different Courts, with varying results, but always at great expense, and finally has now reached the Supreme Court of the United States, where it awaits a final, and it is to be hoped a satisfac-

tory, determination. From the lights before us, and judging from the investigation we have been enabled to make, we are inclined to believe that the Supreme Court will eventually decide that the whole matter is one peculiarly intended for Congressional action, and that State Legislatures are not authorized to settle it. In this view we may be wrong, but it is certain that any legislation on our part would immediately involve the State in expense, and the people in great trouble and annoyance; and for this reason, we deem it both wise and prudent that at the present time nothing should be done, further than the passage of proper resolutions instructing our Senators and Representative in Congress to see that the evils spoken of are remedied, if it be finally decided that the power to remedy rests in Congress.

Under the provisions of section fifty-one of the general railroad laws of the State, companies organized within its limits are authorized to charge not more than ten cents per mile for each passenger, and twenty cents per mile for each ton of freight transported. From all that we have been able to learn, there does not seem to be any complaint that any of the companies organized under the laws of this State have either violated the above provisions, or have sought in any way to oppress, discriminate against, or injure anybody.

It has been shown us by positive proof that the Virginia and Truckee Railroad Company—the road most extensively operated within the State—has in no instance charged up to the full rates allowed by law, but in a great majority of cases has fixed and maintained its rates far below those authorized, and that its profits, notwithstanding its large business, do not yield an income beyond what ought to be made upon the amount actually invested. We hear of no complaint against this company or its management, from any source, and unless some apparent wrong on its part appears, we deem it unadvisable to make a change in the law, the only effect of which would be to disturb that company's business without resulting in any benefit to the people.

Again, your committee consider that a great and permanent injury would accrue to the State by the passage at this time of a law fixing any lower standard of rates for fares and freights than that of the existing statute.

Nevada wants railroads; we need them everywhere in this State. Mining regions, rich beyond compare, now lie dormant and undeveloped, because of their great distance from railroad facilities, which if nearer at hand would render the putting up of machinery an easy and comparatively cheap undertaking; the southern and eastern parts of the State experience this want in a marked degree, and their people are before every Legislature asking to be permitted to aid in the construction of railroads, whereby they feel certain that the development of the great value of their mines may be assisted. Already a narrow gauge railroad is far advanced from Palisade towards Eureka, and at this session an Act has passed both Houses to aid in the construction of a railroad, from Battle Mountain to Austin, and the citizens of Humboldt are asking to be allowed to aid in the construction of a road to the Oregon line. These facts tend to show that the people of this State are alive to the importance of railway communication, and feel that the construction of railroads is necessary to the proper development of the great wealth of the State.

The building of railroads requires capital in large quantities, which must be invested without any expectation of its quick return; those who build a railroad are by the very circumstances compelled to risk

largely upon the value and permanence of the country through which it is run. They are compelled, in a State like Nevada, to take great chances upon the mineral wealth of the section which they propose to penetrate, because when that source fails their property is valueless, and their investment a failure. And viewing all these things, the necessity which exists for railroads, and for capital with which to build them, your committee deem it prudent that this and future Legislatures should encourage the building of railroads in the State, and hold out inducements to capitalists to engage in such enterprises by doing two things:

First—Fixing a uniform and definite standard of rates for fares and freights, which, while not being oppressive to the people, will give to capitalists a prospect of reaping a fair and reasonable profit. Such a standard, your committee consider, was fixed by the law of eighteen hundred and sixty-four-five, and that ten years working under it has demonstrated that it accomplishes both the objects desired, and is satisfactory to the people who use the roads, and to those who build them.

Second—Maintaining such standard without alteration until the necessity therefor becomes evident. Nothing can work more mischief than frequent changes in the standard of rates for fares and freights. The State, in duty bound, ought to deal fairly, not only with its own people, but also with those who have come from abroad to invest their money in aiding its material prosperity; and having once held out an inducement, upon which those from abroad have acted, a change to their disadvantage ought not to be made without great and pressing necessity; and, finally, upon this point, we feel that to fix any lower or other rates for fares and freights than that of the present law, would paralyze every railroad enterprise now being either carried on, or thought of, in the eastern part of the State—a result which, certainly, would not be hailed by the people with gratification.

Your committee has, at some length, called attention to the general proposition in the bill under consideration, but it may be further said that the attempt to classify freights, as undertaken by this bill, is not only likely to prove futile, but is open to so many self-evident objections that we deem it unwise that this State should venture, at this time, upon that almost untried experiment. To the bill itself, and to its mode of classification, numerous objections appear on its face; as, for instance, hay is put in the same class with coal and stone; gunpowder in the same class with dry goods and fancy articles, and furniture with machinery. These are things which, of course, could be changed, and we only point them out as showing the difficulty of classifying freights, and why it is of advantage to have one uniform and fixed rate of charges per mile for all freight, so far as legal enactment is concerned, leaving the question of classification to regulate itself through the instrumentality of the wants and requirements of the business of transportation and the interests involved.

J. P. SMITH, Chairman.

MR. SPEAKER: Your committee to whom was referred Assembly Bills Nos. 5 and 44, beg leave to report a substitute for both bills, and recommend its passage.

J. C. DOW,
H. H. BECK,
THOS. WREN.

Mr. McGee moved the adoption of the substitute.
Motion carried.

Mr. SPEAKER: The majority of your special committee to which was referred Assembly Bill No. 73—entitled “An Act to divide the County of Churchill and annex the portions thereof to adjacent counties, and to provide for the government of the same”—report that they have had the same under consideration, and have directed our Chairman to report the same back to the House, and recommend that it do pass.

A. NICHOLLS, Chairman.

Mr. Allen of Churchill County, moved that he be granted one day in which to make out a minority report.

Motion carried.

Mr. SPEAKER: Your Committee on Engrossment have carefully compared the engrossed copies with the originals of the following bills:

Substitute for Assembly Concurrent Resolution No. 15—relative to Constitutional Convention.

Assembly Bill No. 64—“An Act defining the duties of pawnbrokers and pledgees.”

Assembly Bill No. 83—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to amend 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 twentieth, eighteen hundred and sixty-four, approved February twenty-seventh, eighteen hundred and sixty-six.

Assembly Bill No. 85—An Act to amend an Act entitled “An Act relating to elections,” approved March twelfth, eighteen hundred and seventy-three.

And beg leave to report the same correctly engrossed.

Respectfully,

NELSON ALLAN, Chairman.

Mr. SPEAKER: Your Committee on Engrossment have carefully examined the engrossed copy with the originals of the following bills:

Assembly Bill No. 25—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto.

Assembly Bill No. 77—An Act to amend “An Act to concerning crimes and punishments,” approved November twenty-sixth, eighteen hundred and sixty-one.

And beg leave to report the same as properly engrossed.

Respectfully,

NELSON ALLAN, Chairman.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER.

CARSON CITY, February 11th, 1875. }

To the honorable the Assembly:

I am instructed to inform your honorable body that the Senate has this day appointed Messrs. Lockwood and Cohn a committee of conference, to act with a like committee on the part of the Assembly, with reference to the disagreement of the two Houses in regard to Assembly amendments to Senate Bill No. 9.

Also, to transmit, for your consideration, Senate Bill No. 46—"An Act to grant to certain persons the right of way to construct a railroad track from the north end of Carson street, and to intersect at Carson street and Fifth street, and thence to Warm Springs, within the County of Ormsby, and State of Nevada"—which passed the Senate this day, by the following vote: Yeas, 14; nays, 5.

Also, Senate Bill No. 60—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 ninth, eighteen hundred and sixty-five—which passed the Senate this day, by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 54—An Act to amend an Act entitled "An Act to create the County of Elko, and to provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 67—An Act to amend an Act entitled "An Act concerning unlawful stock," approved April tenth, eighteen hundred and sixty-two—which passed the Senate this day, by the following vote: Yeas, 16; nays, 3.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

REPORT OF CONFERENCE COMMITTEE.

MR. SPEAKER: Your committee of conference to whom was referred Senate Bill No. 9, would respectfully report that they have met a like committee from the Senate, and, having failed to agree, would recommend that a committee of free conference be immediately appointed from the Assembly, and notice sent to the Senate, with a request that they appoint a like committee to meet them.

Respectfully,

For the Senate:

LOCKWOOD,
COHN.

For the Assembly:

GEORGE ALT,
H. H. HOGAN.

Report adopted, and the Speaker appointed Messrs. Hogan, Dow, and Frank, as such committee of free conference, on the part of the House.

INTRODUCTION AND FIRST READING OF BILLS.*

Mr. Wren, by leave, introduced Assembly Bill No. 93—"An Act to provide for founding public libraries in this State."

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

Mr. Averill, by leave, introduced Assembly Bill No. 94—"An Act to encourage the formation of libraries in the public schools of this State."

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

Senate Bill No. 67, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Agriculture.

Senate Bill No. 60, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 54, as per message, read first time; rules suspended; read second time by title, and referred to the Elko delegation.

Senate Bill No. 46, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Corporations and Railroads.

On motion of Mr. J. P. Smith, at twelve o'clock and thirty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Frank, Senate message was taken up.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 12th, 1875. }

To the honorable the Assembly:

I am instructed to inform your honorable body that the Senate have appointed a committee of free conference on Senate Bill No. 9, consisting of Messrs. Lockwood and McClinton, to act with a like committee appointed by your honorable body.

Also, I am instructed to herewith return to your honorable body Assembly Bill No. 51—"An Act to amend an Act entitled "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 eighth, eighteen hundred and sixty-nine—which passed the Senate this day: Yeas, 17; nays, 3.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

MESSAGE FROM THE ACTING GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 CARSON CITY, February 12th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Substitute for Assembly Bill No. 47—"An Act amendatory of and supplementary to an Act entitled an Act relating to elections," approved March twelfth, eighteen hundred and seventy-three.

J. W. ADAMS.

GENERAL FILE AND THIRD READING OF BILLS.

Senate Substitute for Senate Bill No. 14—An Act for the relief of D. G. and W. H. Corbett.

Mr. Johnson moved that the bill be laid on the table.

Motion lost.

Mr. Johnson moved a call of the House.

Motion lost.

Mr. Ford presented to the House a letter from Senator Mills of White Pine County, touching the claims of the Corbett brothers, C. N. Note-ware, and others, against the State of Nevada.

Mr. Bergstein in the chair.

Messrs. Dow, Tone, and Spencer moved the previous question.

Motion carried.

The previous question being the third reading and final passage of Senate Substitute for Senate Bill No. 44; bill read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Buckner, Case, Dow, Ellison, Gearhart, Gray, Haynie, Johnson, Jones, McGee, Morrill, Ogg, Penrod, Sanford, Tone, Van Hagen, Willis, and Mr. Speaker—19.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Bibbins, Buckingham, Carling, Comins, Crandall, Ford, Hogan, Hubbard, Lowrey, Nicholls, Reese, Smith, J. P., Spencer, Van Sickle, and Wren—21.

ABSENT—Messrs. Bartlett, Beck, Blair, Frank, Helm, Laveaga, McDonnell, Peyton, Smith, E. R., and Watt—10.

Mr. Wren gave notice that, on to-morrow, he would move the reconsideration of the vote by which the bill was lost.

REPORT OF COMMITTEE OF FREE CONFERENCE.

To the honorable the Senate and Assembly:

Your committee of free conference on Senate Bill No. 9, beg leave to report that they have made and attached to the bill the following amendments, to wit: Strike out after the word "October," in line fourteen, section one, to and including the word "December," in line three, page two, and insert, in lieu thereof, the following: "In the second

district, in the County of Washoe, on the first Monday of January, April, and September. In the County of Ormsby, on the first Monday of February, June, and November; provided, that the first term to be held in Ormsby County, shall commence on the first Monday of March, A. D. eighteen hundred and seventy-five. In the County of Douglas, on the first Monday of May and December." In line five, last page, strike out all after the word "October," to and including the word "November," in line seven, and insert, in lieu thereof, the following: "In the eighth district, on the first Monday of June and December;" and recommend that said amendments be adopted.

A. J. LOCKWOOD,
J. G. McCLINTON,

Of the Senate.

J. C. DOW,
F. J. FRANK,
H. H. HOGAN,

Of the Assembly.

Report received, and amendments of free conference adopted.

Roll called, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Buckner, Case, Carling, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Hogan, Hubbard, Johnson, Jones, Lowrey, McGee, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, J. P., Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—35.

NAYS—None.

ABSENT—Messrs. Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Comins, Frank, Helm, Laveaga, McDonnell, Peyton, Smith, E. R., Spencer, and Watt—15.

REPORT OF COMMITTEE.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 57, report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend its passage.

THOS. WREN, Chairman.

On motion of Mr. Dow, Assembly Bill No. 57, as per report of Judiciary Committee, was taken up, considered engrossed, and placed upon its third reading and final passage.

Bill read third time.

Mr. Wren moved that the bill be referred to a special [committee] of one, to strike out the repealing clause.

Motion carried, and Mr. Wren was appointed as such committee, who reported the duty assigned him performed.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Hogan,

Hubbard, Johnson, Jones, Lowrey, McGee, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickie, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Beck, Blair, Buckingham, Frank, Helm, Laveaga, McDonnell, Peyton, Smith, E. R., and Watt—10.

Mr. Wren moved that when the House adjourned, it adjourn until next Monday, the fifteenth instant.

Motion carried.

On motion of Mr. Wren, at three o'clock and thirty minutes p. m., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

FORTY-THIRD DAY.

CARSON CITY,
MONDAY, February 15th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock a. m.

The Speaker in the chair.

Roll called.

Absent—Messrs. E. R. Smith and Ogg.

Prayer by the Rev. Mr. Woods.

Leave of absence was granted to Mr. Ogg for one day.

Journal of the fortieth day read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: The majority of your Committee on Education, to whom was referred Assembly Bill No. 89—"An Act to abolish the office of County Superintendent of Public Schools"—beg leave to submit the following report: That, in their opinion, in the present state of educational matters said office is an unnecessary one, being purely a sinecure—the officer receiving pay without rendering any service therefor—we therefore recommend the passage of the bill.

WALES AVERILL,
L. MORRILL,
H. BERGSTAIN.

MR. SPEAKER: The minority of your Committee on Education, to whom

was referred Assembly Bill No. 89—entitled “An Act to abolish the office of County Superintendent of Public Schools”—have had the same under consideration, and 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.

J. C. DOW,
J. B. CASE.

Mr. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 94—“An Act to encourage the formation of libraries in the public schools of this State”—beg leave to report it back to the House, and recommend its passage as amended in the fifth and fifteenth lines of section one.

WALES AVERILL, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. SPEAKER: Your special committee on Assembly Bill No. 73, beg leave to make the following minority report, as follows, to wit:

Prior to eighteen hundred and sixty-four, Churchill County was, for judicial and revenue purposes, attached to Lyon County.

In eighteen hundred and sixty-four, by Act of the Territorial Legislature, the County of Churchill was duly organized, officers appointed, etc. By the Act organizing the county, it was required to pay to Lyon County a pro rata share of the indebtedness of the two counties, which share amounted to the sum of two thousand five hundred dollars or thereabouts, and a further sum of one thousand four hundred dollars, for a transcript of records.

The report of the State Controller shows that on December thirty-first, eighteen hundred and seventy-four, the total indebtedness of Churchill County was six thousand one hundred and sixty-five dollars and forty-seven cents; that there was in the County Treasury, to be applied to the payment of the same, two thousand one hundred and forty-two dollars and eighty cents, leaving a balance of indebtedness of four thousand and twenty-two dollars and forty-seven cents; that there was in the County Treasury December thirty-first, eighteen hundred and seventy-four, the sum of eight thousand seven hundred and twenty dollars and ninety-nine cents, showing a surplus of two thousand five hundred and fifty-five dollars and fifty-two cents over and above all liabilities. By the provisions of this bill, Lyon County assumes the indebtedness of Churchill County; and now, that the due indebtedness of Lyon County exceeds that of Churchill, the citizens of Churchill County would pay four thousand and fifty-five dollars and fifty-two cents more than the present liabilities of Churchill County amount to. The indebtedness of Lyon County, as per report of Controller for the year eighteen hundred and seventy-four, amounts to the sum of nine thousand eight hundred and sixty-five dollars and seventy-seven cents, over and above the money in the County Treasury, School Fund excepted.

The taxable property of the two counties amounts to one million seven hundred and forty-five thousand and nine dollars, the taxable property of Churchill County being nearly one quarter of the total. Thus, by the provisions of this bill, the people of Churchill pay into the Treasury of Lyon County the sum of two thousand five hundred and fifty-five dollars and fifty-two cents; the sum in the Treasury, in excess of liabilities, will be required to pay and liquidate the indebted-

ness of Lyon County, two thousand four hundred and forty-six dollars and sixty cents more; thus paying to Lyon County the sum of five thousand and twenty-one dollars and fifty-two cents for the privilege of being destroyed; thus, in the opinion of your committee, taking from the citizens of Churchill County, against their will and earnest protest, the said sum of five thousand and twenty-one dollars and fifty-two cents, and returning no consideration for the same.

We think the experience of the ten years Churchill County has been organized, and during which time she has successfully managed her own affairs, demonstrates clearly her ability and competency to do so in the future. While almost every county in the State, possessing much larger amounts of taxable property, is heavily in debt, and some almost bankrupt, Churchill, in a financial point, with one exception, stands at the head of the list; and in the future, as her agricultural and her mineral resources are developed, her taxable property will increase, her rate of taxation will be reduced, and no county in the State will exhibit a higher degree of prosperity.

By the provisions of the bill, Lyon County exercises jurisdiction for revenue purposes, and all other, except judicial, over a portion of the county containing nine tenths of the population and wealth of the county, thus compelling those having public business to transact to travel to Dayton, a distance from fifty to one hundred and twenty miles, with no public conveyance, over an almost barren waste, and for fifty miles of the distance but one house at which accommodations for man or beast can be obtained, thus requiring a great expense of time and money from each one compelled to visit Dayton for the transaction of public business.

For judicial purposes, for the next four years, the entire county is annexed to Lander County, unless a vacancy, by death or resignation, should occur. Churchill presents the spectacle of being governed by two counties—the Sheriff of Lander serving judicial process, and the Sheriff of Lyon those pertaining to revenue; one citizen going to Austin, one hundred and twenty miles, to serve on a jury or appear as a witness; another one hundred and fifty miles, in going to Dayton, to pay his taxes.

In the County Treasury of Churchill, as per report of Controller, there was in the School Fund the sum of one thousand three hundred and thirty-six dollars, the same having been levied and collected for school purposes alone, and as certainly held in trust for the education of the children as that it was in the Treasury; and yet this bill robs the children of Churchill County of the means provided for their education, and compels the Treasurer of Churchill to hand it over, with other moneys, to the Treasurer of Lyon County, for the use and benefit of the children of Lyon County. But if the money was apportioned by the authorities of Lyon County to the several school districts of the two counties, we would get back less than two hundred dollars of the one thousand three hundred and thirty-six dollars and eighty cents.

In conclusion: the people of Churchill County have demonstrated their ability to maintain a county government; their convenience and interest demand a continuance of the county organization; they respectfully petition your honorable bodies not to destroy them; not to burden them with additional debt; not to subject them to the great hardship and unnecessary expense of traveling, without public conveyance, to Dayton or to Austin, to transact their public business. No reason is offered to support, excuse, or justify the act which is threat-

ened, the indignity which is sought to be put upon the people of Churchill; and while no reason is offered or can be suggested to support the bill, and the most satisfactory reasons are at hand against it, we respectfully recommend that the bill do not pass.

L. ALLEN,
J. M. SANFORD,
GEORGE WATT.

Mr. Carling, in behalf of majority of special committee, asked for one day's further time in which to make a report, which, on motion of Mr. Wren, was granted.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 51—"An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, and repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—with the engrossed copy, and found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

Mr. SPEAKER: Your Committee on Engrossment have compared Assembly Bill No. 57—entitled "An Act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State."

Also, Assembly Bill No. 80—"An Act to encourage the mining, milling, smelting, or other reduction of ores, in the State of Nevada."

And beg leave to report the same as properly engrossed.

N. ALLAN, Chairman.

Mr. SPEAKER: The joint resolution granting pensions to survivors of the Mexican War, having been referred to your Committee on Military and Indian Affairs, they beg leave to report that the resolution do pass, and that the Secretary of State be requested to transmit copies of the same to our members of the Senate and Congress at Washington.

H. H. PEYTON, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Allan of White Pine:

Resolved, That the use of the Assembly Chamber be tendered to Mrs. Helen Marble, for the purpose of giving a musical entertainment, on Tuesday evening, February sixteenth.

Lost.

On motion of Mr. Hogan, Assembly Bill No. 81 was taken from the table and placed on General File.

By Mr. Beck:

Resolved, That the Judiciary Committee be instructed to ascertain what legislation is necessary to provide a means whereby claimants against the State may prosecute their claims in the Courts instead of bringing them before the Legislature, and report by bill or otherwise.

Adopted.

Mr. Wren, pursuant to previous notice, moved the reconsideration of the vote by which Senate Bill No. 14—"An Act for the relief of D. G. and W. H. Corbett"—was lost.

Mr. Wren moved to lay the motion on the table temporarily.

Motion to lay on the table carried.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,

CARSON CITY, February 12th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 61—An Act amendatory of 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,' approved March ninth, eighteen hundred and sixty-five," approved March second, eighteen hundred and sixty-seven—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 53, substitute for Senate Bill No. 27—"An Act making appropriations for deficiencies in the seventh, eighth, ninth, and tenth fiscal years"—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 57—An Act to pay Edward Lubin six hundred and eighty-five dollars—which passed the Senate this day, by the following vote: Yeas, 17; nays, 3.

Also, Senate Bill No. 51—"An Act relative to the Surplus General Fund of Storey County"—which passed the Senate this day, by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 42—An Act to repeal an Act entitled an Act to amend "An Act entitled 'An Act to redistrict the State of Nevada,' approved February twenty-seventh, eighteen hundred and sixty-nine," approved March seventh, eighteen hundred and seventy-three—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

I am also instructed to return to your honorable body Assembly Bill No. 78—An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March tenth, eighteen hundred and sixty-five—which passed the Senate this day, with the following amendment: In line ten, section one, after "their" and before the word "respectively," insert the word "office:" Yeas, 18; nays, 2.

Also, Assembly Bill No. 41—An Act more fully defining the manner of collecting the taxes on movable personal property by the Assessor—which was amended as follows: Section three, line nine, strike out after the word "previous" the word "week," and insert the word "month;" amend section four, in line three, by striking out before the word "statement" the word "weekly," and insert the word "monthly;" section six,

line nine, strike out before the word "statement" the word "weekly," and insert the word "monthly;" also, strike out section eight—which passed the Senate this day, as amended, by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

NOTICES OF BILLS.

Mr. Lowrey gave notice that he would, on some future day, introduce a bill for an Act to amend "An Act entitled an Act to incorporate the Town of Gold Hill," approved February twenty-first, eighteen hundred and seventy-three.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Atkinson, pursuant to previous notice, introduced Assembly Bill No. 95—An Act to license traveling agents or drummers doing business within the State.

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

Mr. Morrill, by leave, introduced Assembly Bill No. 96—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 twenty-sixth, eighteen hundred and sixty-one.

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

Senate Bill No. 61, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 57, as per message, read and rejected.

Special order, Assembly Bill No. 33—An Act to preserve the health, life, and limbs of miners working underground within the limits of the State of Nevada—was, on motion of Mr. McDonnell, taken up.

Mr. Wren moved that all other special orders of the day be made the special order for the sixteenth instant, at twelve o'clock M.

Motion carried.

Assembly Bill No. 33.

Read third time.

Mr. Hubbard moved the reference of the bill to a special committee of one, to strike out section three.

Mr. Bibbins moved as an amendment, to strike out the enacting clause in lieu of striking out section three.

On motion of Mr. McDonnell, the bill was laid on the table temporarily.

Senate Bill No. 51, as per message, read first time; rules suspended; read second time by title, and referred to Storey County delegation.

On motion of Mr. Van Hagen, Senate Bill No. 10—An Act to detach a certain portion of Nye County and attach the same to Lincoln County—was taken up.

Mr. McGee moved its indefinite postponement.

Mr. McGee presented a petition from citizens of Little Spring Valley against their portion of Nye County being segregated from said county.

Mr. Bergstein presented a petition from citizens of the southeastern portion of Nye County in favor of the annexation of said portion of Nye County to Lincoln County.

Motion to indefinitely postpone lost.

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

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ford, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Lowrey, Morrill, Smith, J. P., Tone, Van Hagen, Wren, and Mr. Speaker—26.

NAYS—Messrs. Allen of Churchill, Atkinson, Averill, Beck, Dow, Ellison, Frank, Hogan, Hubbard, Johnson, McDonnell, McGee, Penrod, Peyton, Reese, Sanford, Van Sickle, and Willis—18.

ABSENT—Messrs. Buckner, Nicholls, Ogg, Smith, E. R., Spencer, and Watt—6.

On motion of Mr. Comins, at one o'clock and fifteen minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker in the chair.

Roll called.

ABSENT—Messrs. Andrews, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Ford, Gearhart, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Nicholls, Peyton, Smith, E. R., Tone, and Watt.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 42, as per message, read first time; rules suspended; read second time by title, and referred to Judiciary Committee.

The House concurred in Senate amendments to Assembly Bill No. 78, as per message, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Case, Carling, Comins, Dow, Ellison, Ford, Frank, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McGee, Morrill, Nicholls, Penrod, Reese, Sanford, Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Bibbins, Buckingham, Crandall, Gearhart, Ogg, Peyton, McDonnell, Buckner, E. R. Smith, and Tone—10.

The House concurred in Senate amendments to Assembly Bill No. 41, as per message, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Carling, Comins,

Crandall, Ford, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—39.

NAYS—None.

ABSENT—Messrs. Bibbins, Buckingham, Buckner, Case, Dow, Ellison, Frank, Gearhart, Ogg, Peyton, and Tone—11.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 15th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 24—relative to granting leave of absence to John S. Shoemaker, Clerk of Washoe County—which passed the Senate this day, by the following vote: Yeas, 21; nays, 1.

Also, Senate Concurrent Resolution No. 23—relative to granting leave of absence to M. P. Freeman, Treasurer of Elko County, Nevada—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Concurrent Resolution No. 23, as per message, read and adopted.

Senate Concurrent Resolution No. 24, as per message, read, and, on motion of Mr. Beck, the resolution was placed at the foot of the General File.

Mr. Alt gave notice that, on to-morrow, he would move to reconsider the vote by which Senate Bill No. 10 passed the Assembly.

GENERAL FILE.

Senate Bill No. 39—An Act for the relief of Matthew Rinckle.
Read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Beck, Blair, Buckingham, Buckner, Case, Ellison, Gearhart, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Penrod, Sanford, Van Hagen, Watt, Willis, and Wren—20.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Carling, Comins, Crandall, Dow, Ford, Gray, Hubbard, McDonnell, Morrill, Nicholls, Reese, E. R. Smith, Smith, J. P., Spencer, Van Sickle, and Mr. Speaker—23.

ABSENT—Messrs. Bibbins, Frank, Lowrey, McGee, Ogg, Peyton, and Tone—7.

Mr. Dow gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the bill was lost.

Mr. Wren moved to reconsider the vote by which Senate Bill No. 14—"An Act for the relief of D. G. and W. H. Corbett"—was lost.

Motion carried; bill placed upon its final passage, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Buckner, Case, Carling, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, McGee, Penrod, Peyton, Sanford, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—25.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Buckingham, Comins, Crandall, Ford, Hogan, Lowrey, McDonnell, Morrill, Nicholls, Reese, Smith, E. R., Smith, J. P., Spencer, and Van Sickle—23.

ABSENT—Messrs. Bibbins and Ogg—2.

Assembly Bill No. 42—An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda.

Mr. McGee moved the reference of the bill to a committee of one, with instructions to strike out in section one, line six, the word "seconds," and in lieu thereof insert the word "minutes."

Motion lost.

Mr. McGee moved the indefinite postponement of the bill.

Motion lost.

Mr. McGee moved that the bill be laid on the table until to-morrow.

Motion carried.

Senate Bill No. 31—"An Act to reduce the rate of State taxation."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—None.

ABSENT—Messrs. Allan of White Pine, Bartlett, Bibbins, Ellison, Ford, Hubbard, Laveaga, Ogg, and Tone—9.

Assembly Bill No. 85—An Act to amend "An Act relative to elections"—approved March twelfth, eighteen hundred and seventy-three.

Read third time, and on motion of Mr. Wren the bill was laid on the table for one day.

Assembly Bill No. 64—"An Act defining the duties of pawnbrokers and pledgees."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, McDonnell, McGee, Nicholls, Penrod, Peyton, Reese, Sanford, Smith, E. R., Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—41.

NAYS—None.

ABSENT—Messrs. Buckingham, Carling, Frank, Lowrey, Morrill, Ogg, Smith, J. P., Spencer, and Mr. Speaker—9.

On motion of Mr. Dow, at three o'clock and forty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

FORTY-FOURTH DAY.

CARSON CITY,
TUESDAY, February 16th, 1875. }

The House met pursuant to adjournment, at eleven o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Ogg, Reese, and E. R. Smith.

Prayer by the Rev. Mr. Woods.

Leave of absence was granted to Mr. Reese for one day.

Journal of yesterday read, and corrected so as to read that the resolution relative to granting the use of the Assembly Chamber to Mrs. Helen Marble, was introduced by Mr. Allan of White Pine County.

Journal was then approved as corrected.

REPORT OF STANDING COMMITTEE.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 17—An Act to fix the compensation of the Clerk of the Supreme Court—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, your Committee on Judiciary, to whom was referred Senate Bill No. 16—"An Act to provide for the publication and distribution of Nevada Reports"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with the following amendments, and recommend its passage as amended:

In section two, twentieth line, strike out the words "one thousand," and insert "seven hundred."

Amend section four by adding: "Said contract to be approved by at least two of the Judges of the Supreme Court."

In section six, fourteenth line, strike out the word "five," and insert the word "four;" also, in section six, nineteenth line, strike out the word "sheep," and insert the word "calf."

Also, strike out Senate amendment to section seven.

Also, in section eight, fourth line, after the word "contract," and before the word "and," insert the following words: "said price not to exceed three dollars per volume." Also, in section eight, fourteenth line, strike out the words "and approved by;" and in the sixteenth line, section eight, insert the following: "and approved by the Justices of the Supreme Court, or a majority thereof."

Also, your Committee on Judiciary, to whom was referred Senate Bill No. 52—An Act to amend an Act 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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the Boards of County Commissioners of the several counties of this State relative thereto," approved April second, eighteen hundred and sixty-seven—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOS. WREN, Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER: Your joint special committee appointed "to visit the State University at Elko, to investigate its condition and the feasibility of its location," beg leave to report that they have performed that duty, and find a college building completed, capable of accommodating at least one hundred students, with a small preparatory school in operation under the charge of Professor D. R. Sessions.

The site of the building is well chosen; and whilst its surroundings are yet in a wild and uncultivated state, they are capable of being rendered ornamental and productive, at moderate cost.

Of the twenty acres of land granted for the use of the University, some fifteen acres, lying immediately in front of the building, possesses facilities for being readily and cheaply irrigated, and thus be made productive, whilst the remaining five acres, situate upon the elevations selected for the site of the College buildings, afford ample space for the purposes intended.

Partly owing to the uncertainty of the future of this institution, perhaps, the number being taught is small, yet they are well advanced in their studies, and show able and faithful teaching. During the few months the school has been in existence, it is evident its Principal has given it his best endeavors to make it a success, and is deserving of special commendation at our hands.

In reference to the location of the University, we are not prepared to say it was the best that could have been made; but we recognize the fact that the Legislature of the State, at its last session, saw fit to locate it at Elko, and coupled its location with certain conditions. Those conditions have been strictly complied with on the part of the citizens of Elko, and we are unable to harmonize its removal with good faith on the part of the State.

That portion of our State is comparatively new and undeveloped, and it is reasonable to expect that, with the vast mineral resources within its reach, its population will ere long be largely increased, and its educational wants proportionably enhanced. With this view, we are inclined to regard a continuous and steadily advancing institution of this char-

acter a wise provision for the future, and deserving of the fostering care of the State. Hence, we would recommend that a sufficient provision be made to continue the institution in an economical manner, to provide necessary apparatus, and to improve the College grounds.

Your committee are also of the opinion it would be well to increase the number of Regents to five, giving two to the vicinity of the University, to have immediate supervision of the same, the others, forming a quorum, would at all times be within easy reach of the Capital to transact business.

WILLIAM THOMPSON,
Of the Senate.

A. J. BLAIR,
ALFRED HELM,
Of the Assembly.

MR. SPEAKER: The minority of joint committee appointed to investigate the new prison near Reno, would respectfully submit the following figures, as showing the value of work done, together with cost of land, necessary buildings erected to accommodate workmen, shops and offices, as well as material on hand, to wit:

Estimate of G. Haist, foundation wall.....	\$29,520 25
Cost of land (two hundred and six acres).....	3,318 75
Expenses of Prison Commissioners during several visits.....	441 00
Surveying land.....	130 00
Three months salary of Superintendent.....	1,000 00
Cleaning land of brush and stone.....	1,620 00
Cost of grading roads to quarries, four miles long.....	3,900 00
Making three miles of water ditch.....	400 00
Boarding house, forty by sixty feet.....	850 00
Cost of blacksmith shop, two forges.....	500 00
Cost of tool house, twelve by twenty feet.....	100 00
Cost of office, drafting-room, and bed-room.....	400 00
Cost of barn, thirty-two by fifty feet.....	450 00
Cost of permanent lime house, sixteen by thirty-two feet....	500 00
Cost of grading one half mile railroad track.....	500 00
Two thousand perch quarried stone, at fifty cents per perch.	1,000 00
Seven thousand yards screened sand, at ten cents per yard..	700 00
Fifteen thousand feet of lumber, at eighteen dollars per thousand.....	278 00
Fifty tons of lime.....	895 00
Fifteen barrels cement.....	94 50
Thirty tons of mixed mortar.....	500 00
Value of tools on hand as per keeper's inventory (schedule marked C.).....	1,773 60
Two horses, harnesses, and trucks.....	800 00
Extra expenses, timbering trench, on account of quicksand, and excavating.....	1,000 00
Total	\$50,771 10

From the foregoing showing, it is the opinion of the undersigned, that those having charge of the construction of the new prison have not wasted the State's money, and that she has received value for all the money expended. I, therefore, dissent from the majority report, in so far as they assert that the total value of improvements and material on hand is only worth thirty-five thousand dollars.

Respectfully submitted.

W. L. ROSS.

Speaker pro tem. in the chair.

MAJORITY REPORT.

To the honorable the Senate and Assembly:

Your joint special committee appointed to proceed to the new State Prison grounds at Reno, and report as to the eligibility and suitableness of the lands selected, expense of the different parts of the work, and as to the amount of the funds necessary to complete the building, do respectfully report as follows:

Your committee proceeded to Reno, in obedience to such instructions, and personally examined the grounds selected and the work done, and heard testimony in relation to the value and character of the work performed.

To aid us in the performance of the duty assigned us, we employed the services of Mr. G. Haist, an eminent civil engineer of Virginia City, and Mr. J. K. Winchell, of Reno, to make estimates as to the value of the work already done, and that yet to be done, whose reports are herewith submitted, and marked Exhibits "A" and "B."

On the north bank of the Truckee River, about one mile below the Town of Reno, near the Central Pacific Railroad, we find the State has purchased two hundred and six acres of land for the State Prison site. The Truckee River flows along the southern boundary of this land, affording a valuable water-power, which can be easily and cheaply utilized for any manufacturing establishments the State may hereafter see proper to erect. The site we deem a convenient and healthy one. From the Controller's report, we ascertain that the State paid for the grounds the sum of three thousand three hundred and eighteen dollars and seventy-five cents.

A foundation wall is now completed, inclosing an area of five and one half acres of ground. This wall is nine feet high, seven feet thick, and one thousand nine hundred and four feet in length, composed of granite, concrete, and rubble stone, the whole constructed in a good workmanlike manner. Mr. Haist estimates the value of this work at twenty-nine thousand five hundred and twenty dollars and twenty-five cents, as shown by "Exhibit A" before referred to.

In addition to the work above mentioned, we find that the grounds have been cleared of sagebrush and stone, at a cost of one thousand six hundred and twenty dollars. There are also situated upon the grounds a blacksmith shop, boarding house, tool house, lime house, office building, and barn, three miles of water ditch, two horses, and one truck, besides some surplus material belonging to the State.

Your committee are of the opinion that with an appropriation of one hundred thousand dollars, in addition to the amount now remaining in the Treasury of the fund previously appropriated, the prison walls could

be completed, and so much of the cell building as to enable the prisoners to be moved thither, and their labor used in completing the work.

Your committee have no means of ascertaining the amount that will be required to complete the work, other than that obtained from the estimates made by the architects employed for that purpose. Mr. Haist's estimate, which is herewith submitted, marked "Exhibit A," places the amount at three hundred and forty-five thousand one hundred and forty-three dollars and sixty-seven cents, and that of Mr. J. K. Winchell, architect at Reno, employed by your committee, at three hundred and four thousand three hundred and fifty-two dollars and ninety-five cents, which is also submitted, and marked "Exhibit B."

We find by the report of the State Controller that the sum of fifty thousand seven hundred and eleven dollars and eighty-seven cents has been expended in and about the work, up to the first day of January, eighteen hundred and seventy-five. Your committee are of the opinion that thirty-five thousand dollars properly expended, would have covered all the necessary expenses incurred for labor performed and material furnished to January first, eighteen hundred and seventy-five.

Should your honorable body deem it expedient to continue the work (and as to the propriety thereof, your committee are not asked to express an opinion), we recommend that a competent architect, who is willing to give bonds for the faithful performance of his duties, be employed when work is resumed. We find an architect employed by the State at a salary of three hundred dollars per month. We deem this a useless expenditure at the present time; and further, recommend that all work in the future be let to the lowest responsible bidder, and that the work so contracted be done under the immediate supervision and direction of such architect, the Prison Commissioners retaining general supervision, and to whom the architect shall be responsible.

Your committee further recommend that the law of eighteen hundred and seventy-three, creating a Board of Prison Commissioners, be so amended as to increase said Board, adding two members, and more clearly defining the duties and powers of said Board.

Respectfully submitted.

C. S. VARIAN,
For Senate.

J. P. SMITH,
A. SPENCER,
L. MORRILL,
For Assembly.

REPORT OF COMMITTEE ON ENGROSSMENT.

MR. SPEAKER: Your Committee on Engrossment have examined Assembly Bill No. 52—entitled an Act to incorporate Carson City—and return the same properly engrossed.

N. ALLAN, Chairman.

Mr. Nicholls moved the adoption of the majority report of the Joint Special Committee on State Prison.

Mr. Buckner moved, as a substitute motion, that the majority and minority reports of the joint special committee be laid on the table for one day.

Motion to lay on the table carried.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: The majority of your special committee on Assembly Bill No. 73, having, through the courtesy of the Assembly, been allowed to withdraw the former report of the majority of the committee, beg leave, as such majority, to make further report, as follows:

We have carefully examined the provisions of the bill as committed to our charge, and fully concur in the same. It has long been apparent that the population of Churchill County, which does not exceed two hundred, ought not to be burdened with the forms and expense of a county organization and government. Experience has taught that but a pretense to a county organization can at best be maintained. Duties that are apportioned by law to several different officers, are in this county frequently performed by only one person, who is thus left without the scrutiny from other officials which the law supposes always to be present as a safeguard to the rights of the people. Practically speaking, Churchill County has never been organized. The administration of her affairs has commonly been of such character as to call forth from the friends of good government only adverse criticism.

An isolated and sparse community, with an official return for the general election of eighteen hundred and seventy-four of only fifty-one votes, ought, as we think, to be attached to adjacent counties, for the purpose, if nothing more, of extending to them the benefits of that good government which it is the duty of the State [to secure to all her citizens. As an illustration of the necessity for the passage of this bill, let it be noticed that from the report of the State] Controller it appears that there is an accumulation in the School Fund in the Treasury of Churchill County of no less than thirteen hundred and thirty-six dollars. This fund should be so secured that the children residing in the present County of Churchill may have extended to them the benefits of our State system of public schools. Our legislation can extend to no object of more vital importance to the present and future welfare of the commonwealth than the regular and certain establishment in every locality of schools for the training of the rising generation.

The bill proposes to attach different portions of the county to the Counties of Lyon and Lander. The inconvenience of retaining for the present the jurisdiction over the entire territory of the county of the Fifth District Court, cannot be avoided. The Constitution prevents any change in the several Judicial Districts during the incumbency of the regularly elected Judges. But the evil of this case, if it really be such, is only of temporary duration. The Courts which are most convenient to litigants may be sought, irrespective of the county, and this subject only to the objection and motion, if he makes it, of the defendant, for the removal of the cause to the proper county. The amount of litigation thus far arising in Churchill County is but nominal, but when causes arise the expense of sending a long distance for counsel, which is always necessary, unless the District Attorney might be induced to take both sides of the case, is onerous in the extreme upon litigants.

The bill proposes a very equitable disposition of the county property and funds of Churchill. The County of Lyon assumes the payment of nearly four thousand dollars upon the salary of the Judge of the Fifth District, in consideration of the revenues annually to be collected from the newly-acquired territory. Lyon County also assumes practically the entire expense of governing the present County of Churchill.

The future expense of the county government will be reduced, as far as the present County of Churchill is concerned, by just so much as the present county government annually costs, and, at the same time, the people of Churchill will transact their public business just as cheaply.

The real market of the County of Churchill is at Dayton and Virginia City, and their taxes are, therefore, as conveniently paid at Dayton as at Stillwater.

The comparative rate of taxation, for the County of Lyon, can be materially reduced, in view of the annexation of a territory that will contribute a substantial revenue to the county government which is already well organized.

The debt of Lyon County, if taken in round numbers at ten thousand dollars (although at present it is really less than that amount), is no material objection to the annexation of the portion of Churchill which the bill contemplates.

The people of Churchill, presumably have annually paid their taxes at rates comparable with those of the other counties in this State, and certainly nothing more than this need be apprehended by them in the future, whatever may be the action of the Legislature upon this bill. Your committee wish to state that they have been largely influenced in this matter by a general consideration that the legislation of this State has heretofore inclined to the organization of counties with too slight a population. The limited number of inhabitants in the State rather suffers, if taken in the aggregate, with many single counties in other States.

We are of the opinion, that whenever the convenience of the people will at all admit of it, there should be a consolidation of comparatively large areas of territory in each county, and that the county seats should be located in the largest centers of population.

As population and property increase adequate legislation will always be available, but until such wants occur the organization of new counties should be indulged very sparingly. The original organization of Churchill County by statute was a mistake, which time has only proved but not rectified. Believing that the interests of the people of the present Counties of Lyon, Churchill, and Lander, as well as the prevalence of good government, will be conserved by the passage of this bill, we favor and recommend its passage.

We propose herewith an amendment to section three of the bill, in belief that it will aid somewhat in the correct interpretation and effect of the bill, and recommend that the amendment be adopted.

H. J. CARLING,
W. NICHOLLS,
L. MORRILL,
W. C. DOVEY.

Mr. Allen of Churchill County, on behalf of the minority of committee on Assembly Bill No. 73, asked for one day further time to reply to majority report of same committee.

Mr. Speaker in the chair.

The special order, viz: Senate Bill No. 261 of the last session of the Nevada Legislature, together with the Governor's veto message relative to the same, was, on motion of Mr. Wren, taken up.

Messrs. Wren, Gearhart, and Tone moved the previous question.

Motion carried.

The question being, "Shall the bill pass, notwithstanding the Governor's objections?" roll called, and bill passed by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—36.

NAYS—Messrs. Allen of Churchill, Alt, Buckner, Case, Dow, Ellison, Ford, Frank, Hubbard, Penrod, Peyton, Sanford, and Willis—13.

ABSENT—Mr. Ogg—1.

On motion of Mr. Nicholls, at one o'clock P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker pro tem. in the chair.

Roll called.

Quorum present.

Mr. McGee moved, at two o'clock and ten minutes P. M., the postponement until half-past two o'clock P. M., of the special order, viz: Assembly Bill No. 80—An Act to encourage the mining, milling, smelting, or other reduction of ores, in the State of Nevada.

Motion lost.

Mr. Allan of White Pine moved that the bill be placed upon its third reading and final passage.

Carried.

Read third time.

Mr. Ford moved the reference of the bill to a committee of one, to amend as follows: In section eleven, after the word "actions," in line eight of printed bill, insert the words "and also the compensation of the Commissioners, which shall be fixed by the Court or Judge."

Motion carried, and the Chair appointed Mr. Ford as such committee, who reported the bill amended pursuant to instructions.

Messrs. Tone, Dovey, and Buckingham moved the previous question.

Motion carried.

The previous question being the final passage of Assembly Bill No. 80, roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dow, Ford, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—39.

NAYS—Messrs. Buckner, Case, Ellison, Hogan, Hubbard, Penrod, and Willis—7.

ABSENT—Messrs. Frank, Johnson, Ogg, and Spencer—4.

Mr. McGee moved the reconsideration of the vote by which Senate Bill No. 10—"An Act to detach a portion of Nye County from said county, and to attach the same to Lincoln County."

Mr. Bergstein raised the point of order that Mr. McGee, having voted with the minority, could not move for a reconsideration of the vote.

The Speaker pro tem. ruled the point of order not well taken.

Messrs. Van Hagen, Bergstein, and Blair called for the ayes and nays. Roll called, and the motion to reconsider lost by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Beck, Ellison, Frank, Haynie, Helm, Hogan, Hubbard, McDonnell, McGee, Penrod, Smith, E. R., Sanford, Tone, Van Sickle, and Willis—17.

NAYS—Messrs. Allan of White Pine, Andrews, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Dow, Ford, Gearhart, Gray, Jones, Laveaga, Lowrey, Morrill, Nicholls, Peyton, Reese, Smith, J. P., Van Hagen, Watt, and Wren—27.

ABSENT—Messrs. Atkinson, Buckner, Johnson, Ogg, Spencer, and Mr. Speaker—6.

Senate Bill No. 41—An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it.

Mr. Dow moved, pursuant to notice, to reconsider the vote by which Senate Bill No. 39—An Act for the relief of Mathew Rinckle—was lost. The Speaker pro tem. ruled the motion out of order.

Senate Bill No. 41 read third time.

Mr. Hogan raised the point that the proper question before the House was Mr. Dow's motion to reconsider.

The Speaker pro tem. ruled the point not well taken.

Mr. Hogan appealed from the decision of the Chair.

The House sustained the Chair.

Mr. Bibbins moved that the bill be laid on the table until next Saturday, the twentieth instant, at twelve o'clock M.

Motion carried.

By Mr. Frank:

Resolved, That the report of special committee on State University be adopted, ordered printed, and be referred to the Committee on Education, and that committee be instructed to report as soon as possible, by bill, making an appropriation and increasing the number of Regents of the State University.

Adopted.

On motion of Mr. McGee, Assembly Bill No. 42—An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda—[was taken from the table.]

Mr. McGee moved the reference of the bill to a committee of one, with instructions to amend as follows: In section one, fifth and sixth lines, strike out the words "fifteen seconds," and insert in lieu thereof the words "seven minutes."

Motion carried, and Mr. McGee appointed as such committee, who reported the bill amended pursuant to instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews,

Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, McDonnell, McGee, Morrill, Nicholls, Penrod, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Wren, Willis, and Mr. Speaker—44.

NAYS—None.

ABSENT—Messrs. Johnson, Lowrey, Ogg, Peyton, Reese, and Spencer—6.

On motion of Mr. Dow, the vote by which Senate Bill No. 39—An Act for the relief of Matthew Rinckle—was lost, was reconsidered.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Averill, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, McGee, Morrill, Nicholls, Penrod, Peyton, Sanford, Smith, J. P., Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—34.

NAYS—Messrs. Allan of White Pine, Andrews, Bibbins, Ford, McDonnell, and Van Sickle—6.

ABSENT—Messrs. Alt, Atkinson, Bartlett, Comins, Johnson, Lowrey, Ogg, Reese, Smith, E. R., and Spencer—10.

By Mr. Hogan:

Resolved, That Rule One, of the Standing Rules of the House, be so changed as to read as follows: "The House shall meet each day at ten o'clock A. M., unless the House shall adjourn to some other hour."

Laid over for one day.

Mr. Allen of Churchill moved that the further time of one day, which was asked for during the morning session for the minority of special committee on Assembly Bill No. 73, to reply to the report of majority of said committee, be granted.

Mr. McGee made the point of order that Mr. Dovey was not speaking to the subject under consideration.

The Chair decided the point well taken.

Motion withdrawn.

Mr. Allen of Churchill moved that majority and minority reports of the special committee on Assembly Bill No. 73, be ordered printed.

Carried.

Mr. Van Sickle gave notice that, on to-morrow, he would move for the reconsideration of the vote by which Senate Bill No. 261, of last session, passed the House, notwithstanding the objections of the Governor.

Assembly Joint Resolution No. 22—relative to granting pensions to the veterans of the Mexican War—was, on motion of Mr. Van Hagen, taken up.

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

AYES—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Averill, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, McGee, Nicholls, Penrod, Peyton,

Sanford, Smith, J. P., Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—37.

NAYS—Messrs. Ellison, Morrill, and Van Sickle—3.

ABSENT—Messrs. Atkinson, Bartlett, Buckingham, Carling, Dow, Johnson, Ogg, Reese, Smith, E. R., and Spencer—10.

Mr. Peyton moved to adjourn.

Motion lost.

On motion of Mr. Frank, Assembly Bill No. 66 was referred to its author.

On motion of Mr. Hogan, at four o'clock and fifteen minutes P. M., the House adjourned.

Approved:

H. H. BECK,
Speaker pro tem. of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

FORTY-FIFTH DAY.

CARSON CITY,
WEDNESDAY, February 17th, 1875. }

The House met, pursuant to adjournment, at eleven o'clock A. M.

The Speaker pro tem. in the chair.

Roll called.

Absent—Mr. Hubbard and Mr. Speaker.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Engrossment have carefully examined Assembly Bill No. 33—entitled "An Act to preserve the health, life, and limbs of miners working underground within the limits of the State of Nevada."

Also, Assembly Joint Resolution No. 22—relative to granting pensions to the veterans of the Mexican War—and beg leave to report the same correctly engrossed.

NELSON ALLAN, Chairman.

MR. SPEAKER: Your Committee on Claims have had under consideration Assembly Bill No. 75—"An Act for the relief of the creditors of

Peter Cavanaugh"—would respectfully report it back to the House, and recommend that it be referred to the Committee of the Whole.

J. R. JOHNSON, Chairman.

Mr. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 93—"An Act to provide for founding free public libraries in this State"—beg leave to report that they have had the same under consideration, and refer it back to the House, and recommend that it do not pass.

WALES AVERILL, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 78—"An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March tenth, eighteen hundred and sixty-five—with the engrossed bill, found the same correctly enrolled, and has this day been delivered to the Governor, for approval.

A. HELM, Chairman.

Mr. SPEAKER: A majority of your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 90—"An Act to remove the county seat of Esmeralda County"—beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend its passage.

Respectfully,

P. LAVEAGA,
A. SPENCER,
H. BERGSTEIN.

REPORTS OF SPECIAL COMMITTEES.

To the honorable the Assembly of the State of Nevada:

Your committee to whom was referred Senate Bill No. 33, have had the same under consideration, and beg leave to report: The opinion of the committee is, that the passage of said bill would meet with the approbation of, and promote the best interests of our constituents, for the following reasons, to wit: The County Commissioners heretofore issued bonds to the amount of fifty thousand dollars, to pay for the erection of a Court House and Jail. These bonds have been negotiated and sold, and the money expended. The bonds draw interest at the rate of eighteen per cent. per annum, payable semi-annually, in gold coin, which is paid in the scrip of the county at eighty and eighty-five cents on the dollar. This scrip is not paid for ten or twelve months, and draws interest from the time of presentation for payment, at the rate of ten per cent. per annum, until paid, and, consequently, the bonds are at compound interest. We recommend that the bill be amended by striking out section nine, and then be passed.

L. A. BUCKNER, Chairman.

Mr. SPEAKER: Your special committee consisting of the Storey County delegation, beg leave to report that they have had under con-

sideration Senate Bill No. 51—"An Act relative to the Surplus General Fund of Storey County"—and report the same back to the House, with the recommendation that it do pass.

J. F. McDONNELL, Chairman.

Mr. SPEAKER: Your special committee consisting of the Elko County delegation, to whom was referred Senate Bill No. 54—An Act to amend an Act to create the County of Elko, and to provide for the organization thereof, approved March fifth, eighteen hundred and sixty-nine—have had the same under consideration, and recommend its passage with the following amendment: In section one, sixth line, strike out the words "one thousand eight hundred" and insert "two thousand."

H. H. PEYTON, Chairman.

Mr. SPEAKER: Your committee on Senate Bill No. 33 make the following minority report upon the same:

Amend "An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty-two thousand dollars for the purpose of redeeming bonds heretofore issued, and to provide for the payment of such bonds," as follows:

In section one, line two (printed bill), strike out "fifty-two," and insert in lieu thereof "twenty-five." In section nine (printed bill), add to the section: "*Provided*, that should said County of Humboldt, at any time before the bonds herein provided for shall have been fully paid, be divided, the taxable property in the territory set off from said county shall thereafter be released from the tax provided for in section six of this Act." In the title of Act, amend by striking out "fifty-two," and insert in lieu thereof "twenty-five."

P. LAVEAGA.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 15th, 1875. }

To the honorable the Assembly:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 51—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 ninth, eighteen hundred and sixty-nine.

J. W. ADAMS.

MOTIONS AND RESOLUTIONS.

By Mr. McDonnell:

Resolved, That, in the opinion of the House, the State Treasury is in danger of being greatly diminished of its golden contents by a voluminous flood of unnecessary relief bills; further,

Resolved, That each member of this House form himself into a committee of one, for the purpose of protecting the Treasury against the designs of such relief bills.

Adopted.

Mr. Allan of White Pine County, moved the reconsideration of the vote by which Senate Bill No. 261, of the last session of the Nevada Legislature, passed the House, notwithstanding the objections of the Governor.

Mr. Wren moved the indefinite postponement of the motion.
Motion to indefinitely postpone carried.

REPORT OF COMMITTEE ON ENROLLMENT.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 41—"An Act more fully defining the manner of collecting the taxes on movable personal property by the Assessor"—with the engrossed bill, found the same correctly enrolled, and has this day been delivered to the Governor for his approval.

A. HELM, Chairman.

By Mr. Haynie:

Resolved, That the Committees on Engrossment and Enrollment be, and hereby are, authorized to employ at their discretion such assistance for the Engrossing and Enrolling Clerks, respectively, as may in their judgment be deemed necessary. All writing done under this resolution to be paid for at the rate of fifteen cents per folio, as provided in section three of "An Act fixing the number of employes of the Senate and Assembly, to define their duties, and establish their pay, approved March seventh, eighteen hundred and seventy-three."

Adopted.

On motion of Mr. Buckner, the reports of joint special committee on State Prison were taken from the table.

Mr. Blair moved to take from the table Assembly Bill No. 58—"An Act to amend an Act entitled 'An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law''"—approved March fourth, eighteen hundred and seventy-one.

Considered engrossed; placed upon its third reading and final passage.

Mr. Comins moved, as a substitute motion, that the bill be taken from the table and placed on General File.

Substitute motion carried.

On motion of Mr. Hogan, the resolution introduced by him yesterday, amending Rule One of the Standing Rules of the Assembly, was adopted.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 12th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 15—"An Act to prohibit domestic animals from injury on railroad tracks"—which was indefinitely postponed by the Senate, on the eleventh instant, by the following vote: Yeas, 13; nays, 6.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 15th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 48—An Act to repeal an Act entitled "An Act to authorize the County Commissioners of Storey to issue bonds for school purposes in the Virginia and Gold Hill School Districts, and to provide for the payment of the same," approved March seventh, eighteen hundred and seventy-three.

Also, Senate Bill No. 9—An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three—which was reconsidered in the Senate, and passed this day, by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 59—An Act for the protection of sheep, goats, and calves—which passed the Senate this day, by the following vote: Yeas, 22; nays, none.

Also, I am instructed to return to your honorable body Assembly Bill No. 36—An Act to amend an Act entitled "An Act to regulate and make effectual the powers of the Governor, Justices of the Supreme Court, and Attorney General, to remit fines and forfeitures, and grant pardons after convictions," approved February eighteenth, eighteen hundred and sixty-seven—which was amended in Senate, as follows: "Section Five. No notice shall be required of an application for restoration to citizenship, to take effect at the expiration of a term of imprisonment, or for the commutation of the death penalty." And passed the Senate this day, as amended, by the following vote: Yeas, 23; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 16th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 26—relative to granting leave of absence to William T. Hanford, County Clerk of White Pine County—which was adopted by the Senate this day, by the following vote: Yeas, 20; nays, 1.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

NOTICES OF BILLS.

Mr. E. R. Smith gives notice that he will, on some future day, ask leave to introduce a bill for an Act for the collection of taxes on certificates of mining stock for State, county, and city purposes.

Mr. Ford gave notice that he would, on some future day, introduce a bill for an Act to amend an Act entitled "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 sixth, one thousand eight hundred and sixty-nine," approved March first, one thousand eight hundred and seventy-one.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 16th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 83—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled 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 twentieth, eighteen hundred and sixty-four, approved March eighth, eighteen hundred and sixty-five, approved February twenty-seventh, eighteen hundred and sixty-six—which passed the Senate this day: Yeas, 21; nays, none.

Also, Assembly Bill No. 46—An Act to amend an Act entitled an Act to incorporate the City of Virginia, etc.—which was amended in Senate as to clerical errors, and passed this day: Yeas, 18; nays, none.

Also, Assembly Joint Resolution No. 16—relative to tunnel through White Pine Mountain—which passed the Senate this day, by the following vote: Yeas, 22; nays, none.

Also, Assembly Bill No. 50—An Act to amend an Act entitled an Act concerning crimes and punishments, approved November twenty sixth, eighteen hundred and sixty-one—which was amended as follows: On first page, after enacting clause, insert the words "section one." Amend section one by striking out all after the word "be," in line twelve, to the word "imprisoned," in line fourteen, and by striking out [in line fourteen] the words "County Jail," and inserting in lieu thereof the words "State Prison." In line fifteen, strike out the words "six months," and insert in lieu thereof the words "ten years nor less than one year." In line twenty-six, strike out the words "by fine," and insert the words "be fined;" and passed by the following vote: Yeas, 22; nays, none.

Also, to transmit, for the consideration of your honorable body, Senate Bill No. 19—"An Act to detach a portion of Nye County, and to attach the same to White Pine County"—which passed the Senate this day by the following vote: Yeas, 21; nays, 1.

Also, Senate Joint Resolution No. 25—memorializing Congress relative to the establishment of a mail route, and for the establishment of Post Offices along the road known as the Pritchard's Freight Road—which passed the Senate this day: Yeas, 23; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Lowrey, by leave, introduced Assembly Bill No. 97—An Act to

amend "An Act to incorporate the Town of Gold Hill," approved February twenty-first, eighteen hundred and seventy-three.

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

Mr. Gearhart, by leave, introduced Assembly Bill No. 98—An Act for the relief of F. F. Johnson and others.

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

Mr. Atkinson, by leave, introduced Assembly Bill No. 99—An Act to amend sections five and seven of an Act of the Legislature of the State of Nevada entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," approved March eighth, eighteen hundred and sixty-five.

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

Mr. Alt, by leave, introduced Assembly Bill No. 100—An Act in aid of the construction of the State Prison.

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

Mr. Haynie, by leave, introduced Assembly Bill No. 101—An Act for the payment of the claim of Ormsby County.

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

Mr. Morrill, by leave, introduced Assembly Bill No. 102—An Act to amend an Act entitled "An Act in relation to the State Library," approved February fourteenth, eighteen hundred and sixty-five.

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

Mr. Blair, by leave, introduced Assembly Bill No. 103—An Act to provide Fire Wardens in unincorporated cities, towns, and villages.

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

Mr. Nicholls, by leave, introduced Assembly Bill No. 104—An Act making appropriations for the support of the civil government of the State of Nevada for the eleventh and twelfth fiscal years.

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

Mr. Hogan, by leave, introduced Assembly Bill No. 105—An Act to authorize the Controller of State to sell and convey certain lands belonging to the State of Nevada.

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

Senate Bill No. 48, as per message, read first time; rules suspended; read second time by title, and referred to the Storey County delegation.

Senate Bill No. 19, as per message, read first time; rules suspended, read second time by title, and referred to the delegations from White Pine and Nye Counties.

Senate Joint Resolution No. 25, as per message, read first time.

Senate Concurrent Resolution No. 26, as per message, read and adopted.

Senate Bill No. 58, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Agriculture.

Assembly Bill No. 46, as per Senate message.

Senate amendments concurred in by the House unanimously.

Assembly Bill No. 36, as per message.

Senate amendments concurred in by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—45.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Alt, Frank, Hubbard, and Mr. Speaker—5.

Assembly Bill No. 50, as per Senate message.

On motion of Mr. Wren, the bill was laid on the table for one day.

Senate Bill No. 9, as per message.

Senate amendments concurred in by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Bartlett, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—42.

NAYS—None.

ABSENT—Messrs. Allan of White Pine, Averill, Bergstein, Ford, Frank, Hubbard, McGee, and Mr. Speaker—8.

On motion of Mr. Helm, at twelve o'clock and forty-five minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

MAJORITY REPORT OF COMMITTEE ON COUNTIES AND COUNTY BOUNDARIES.

MR. SPEAKER: A majority of your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 68—entitled "An Act to create the County of Buena Vista, and to provide for the organization thereof"—have carefully considered the same, and respectfully report a substitute bill, and recommend its passage.

The County of Humboldt contains an area of one thousand six hundred square miles, with a population of three thousand five hundred, and taxable property assessed in the year eighteen hundred and seventy-four at two million three hundred and twenty-seven thousand five hundred and seventy-five dollars and eighty-six cents.

In addition to one hundred and fifty miles of roadway of the Central

Pacific Railroad lying within its limits, it possesses large and constantly increasing mining, milling, grazing, and agricultural interests, amply sufficient to warrant two county organizations.

We find the number of votes cast at the last general election, eight hundred and seventy-six. From evidence before the committee, we find that the proposed new county would have taxable property to the amount of one million one hundred thousand dollars, and Humboldt County about one million two hundred and twenty-seven thousand dollars.

From the evidence, we find that about seven eighths of the people of the southern part of Humboldt County favor a new county, and about the same proportion in the northern portion oppose it.

From the evidence before us we find that the new County of Buena Vista will have a population of one thousand five hundred, leaving Humboldt County a population of two thousand.

By reason of the large extent of territory embraced within the limits of Humboldt County, as at present organized, a large number of its citizens reside at remote distances from the present county seat, and extraordinary expense is entailed upon a very large number of its citizens in the transaction of their business requiring an attendance at the county seat, as well as upon the county in conducting judicial proceedings, and other public affairs.

A majority of your committee are entirely satisfied that the best interests of the people of Humboldt County will be subserved by the proposed division, and that the convenience and advantage resulting to many of its citizens by such division will much more than compensate for the increased expense incident to an additional county organization.

Your committee have taken pains to ascertain the wishes of the citizens residing in that portion of Humboldt County proposed to be set off, believing as they do that the wishes of those people in relation to the proposed division ought to mainly govern in this matter. A majority of your committee are satisfied that the people of that portion of Humboldt County are almost unanimously in favor of division. A majority of your committee are satisfied that there is sufficient territory, property, and population, within the limits of the proposed County of Buena Vista, for a county organization, as proposed in the substitute for the original bill, and that it is not advisable to include within the limits of Buena Vista County any portion of Churchill County.

For these reasons your committee recommend the passage of the substitute bill herewith reported.

PABLO LAVEAGA,
H. J. CARLING,
A. SPENCER.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 77—An Act to amend an Act entitled "An Act concerning crimes and punishments"—approved November twenty-six, eighteen hundred and sixty one.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Beck, Blair, Bibbins, Case, Comins, Dow, Ellison,

Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Lowrey, McDonnell, McGee, Morrill, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, and Wren—37.

NAYS—None.

ABSENT—Messrs. Averill, Bergstein, Buckingham, Buckner, Carling, Crandall, Frank, Hubbard, Laveaga, Nicholls, Peyton, Van Hagen, and Mr. Speaker—13.

Indefinite leave of absence was granted to Mr. McGee.

Substitute to Assembly Joint Resolution No. 15—relative to Constitutional Convention.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Beck, Blair, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, and Wren—39.

NAYS—Messrs. Bartlett, Bibbins, Hogan, and Van Hagen—4.

ABSENT—Messrs. Averill, Bergstein, Buckingham, Dow, Hubbard, Nicholls, and Mr. Speaker—7.

Assembly Bill No. 77—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Mr. Hogan moved to refer the bill to a committee of one, to amend as follows: In section six, line five, after the word "exceed" and before the word "per," strike out the word "ten" and insert the word "twelve." Strike out, in same section, after the words "semi-annually," in sixth line, and the words to the word "and," in the eleventh line.

Motion carried, and Mr. Hogan was appointed as such committee, who reported the bill amended pursuant to instructions.

The bill having been read a third time, was passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Beck, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Watt, Willis, and Wren—43.

NAYS—None.

ABSENT—Messrs. Averill, Bartlett, Bergstein, Buckingham, Hubbard, Van Sickle, and Mr. Speaker—7.

Assembly Bill No. 85—An Act to amend an Act entitled "An Act relating to elections," approved March twelfth, eighteen hundred and seventy-three.

Laid on the table for one day.

Senate Bill No. 17—"An Act to fix the compensation of the Clerk of the Supreme Court."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson,

Andrews, Averill, Bergstein, Blair, Buckingham, Crandall, Dow, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Watt, and Wren—37.

NAYS—Messrs. Beck, Bibbins, Carling, Comins, Ellison, Frank, and Willis—7.

ABSENT—Messrs. Bartlett, Buckner, Case, Hubbard, Van Sickle, and Mr. Speaker—6.

Senate Bill No. 16—"An Act to provide for the publication and distribution of the Nevada Reports."

Amendments reported by committee, with the exception of the one relating to the binding of the Reports, [adopted, and the] bill read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, and Wren—45.

NAYS—None.

ABSENT—Messrs. Hogan, Hubbard, McGee, Tone, and Mr. Speaker—5.

Senate Bill No. 52—An Act to amend an Act 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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and providing for the levying and collecting of revenue for county purposes, and further prescribing the powers and duties of the Board of County Commissioners of the several counties of this State relative thereto," approved April second, eighteen hundred and sixty-seven.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Andrews, Atkinson, Averill, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Willis, Watt, and Wren—40.

NAY—Mr. Comins—1.

ABSENT—Messrs. Allan of White Pine, Alt, Bartlett, Blair, Frank, Hogan, Hubbard, Tone, and Mr. Speaker—9.

Assembly Bill No. 52—"An Act to incorporate Carson City."

Pending the consideration of which, Messrs. Dow, Wren, and Johnson moved a call of the House.

Motion carried.

Roll called.

Absent—Messrs. Tone, Frank, Hogan, Buckner, Hubbard, and Mr. Speaker.

Mr. Speaker and Mr. Hubbard were excused, on account of sickness.

Mr. Dow moved that further proceedings under the call be dispensed with.

Lost.

Messrs. Tone, Frank, Hogan, and Buckner, appearing at the bar of the House, accompanied by the Sergeant-at-Arms, were admitted within the bar and excused.

On motion of Mr. Wren, further proceedings under the call were dispensed with.

Assembly Bill No. 52—"An Act to incorporate Carson City."

Read third time.

Mr. Helm moved the reference of the bill to a committee of one, to amend section one, by adding the following:

"Nor shall any contract for supplies of water or gas, or other supplies for the city, or any other contract whatever made by or on behalf of the city, be of any validity for any period exceeding one year."

Motion carried, and Mr. Helm was appointed as such committee, who reported the amendment inserted pursuant to instructions.

A petition from the citizens of Carson, against the passage of the bill, was read.

Mr. Helm presented a counter petition from citizens of Carson, in favor of the passage of the bill.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, McGee, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R., Smith J. P., Spencer, Tone, Watt, Willis, and Wren—42.

NAYS—Messrs. Buckner, Ellison, Penrod, and Van Sickle—4.

ABSENT—Messrs. Andrews, Crandall, Van Hagen, and Mr. Speaker—4.

On motion of Mr. Tone, at four o'clock P. M., the House adjourned.

Approved:

H. H. BECK,

Speaker pro tem. of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FORTY-SIXTH DAY.

CARSON CITY,

THURSDAY, February 18th, 1875. }

The House met at ten o'clock A. M.
Speaker pro tem. in the chair.

Roll called.

Absent—Messrs. McGee and E. R. Smith.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

PRESENTATION OF PETITION.

Mr. Lowrey presented a petition from the citizens of American Flat, praying for the passage of Assembly Bill No. 97—An Act to amend the incorporate Act of Gold Hill, approved in eighteen hundred and seventy-three.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: As one of the Committee on Counties and County Boundaries, I cannot agree with the majority in recommending the passage of the substitute for Assembly Bill No. 68.

The facts set forth in their report are, in the main, correct, but they have entirely ignored all mention of the county debt, which is a matter of some importance in connection with the division of a county. The debt of Humboldt County, according to the last statement of the Controller, is sixty-six thousand five hundred and seventy-five dollars and sixty-six cents, of which sum, fifty thousand dollars was incurred in building a Court House; and it will be observed, that by the provisions of the bill now before the House, the value of said Court House is to be appraised by Commissioners, the appraised value to be deducted from the county debt, of which the new County of Buena Vista assumes its proportion.

I must also differ with them in the opinion that the present location of the county seat is a great inconvenience and expense to the people in the southern portion of the county. It is a well known fact that a large portion of the people in the southern portion of Humboldt County live either on or near the line of the Central Pacific Railroad, and it consumes less time and money to proceed by said road to Winnemucca—the present county seat of Humboldt County—than to go to Mill City by rail, and then by stage to Unionville, the proposed county seat of Buena Vista County.

Owing to the importance of the bill, I would respectfully recommend that it be referred to a committee of the whole House, so that its merits and demerits may be fully discussed.

H. BERGSTEIN.

MR. SPEAKER: Your Committee on Education have had under consideration Assembly Bill No. 9—“An Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same”—beg leave to report it back to the House, and recommend its passage as amended.

WALES AVERILL, Chairman.

MR. SPEAKER: Your Committee on State Institutions, to whom was referred Assembly Bill No. 105—entitled “An Act to authorize the Controller of State to sell and convey certain lands belonging to the State of Nevada”—beg leave to report that they have had said bill under consideration, and recommend that it do pass.

RICHARD V. TONE, Chairman.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Joint Memorial Resolution No. 16—relative to tunnel through White Pine Mountain—found the same correctly enrolled, and have deposited the same in the Secretary of State's office.

ALFRED HELM, Chairman.

Mr. SPEAKER: We, your Committee on Ways and Means, to which was referred Senate Bill No. 53—entitled an Act making appropriations for deficiencies in the seventh, eighth, ninth, and tenth fiscal years; also, Senate Bill No. 60—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 ninth, eighteen hundred and sixty-five; also, Senate Bill No. 61—entitled an Act amendatory of 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, approved March ninth, eighteen hundred and sixty-five, approved March second, eighteen hundred and sixty-seven—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that they do severally pass.

A. NICHOLLS, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. SPEAKER: Your special committee consisting of the Storey County delegation, to whom Senate Bill No. 48 and Assembly Bill No. 97 were referred, have considered the same, and report them back to the House as follows: Senate Bill No. 48—An Act to repeal an Act entitled "An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill Districts, and to provide for the payment of the same," approved March seventh, eighteen hundred and seventy-three—they have come to a favorable conclusion thereon, and recommend its passage.

Also, Assembly Bill No. 97—An Act to amend An Act entitled "An Act to incorporate the Town of Gold Hill," approved February twenty-one, eighteen hundred and seventy-three—have come to an unfavorable conclusion thereon, and recommend it do not pass.

W. AVERILL, Chairman.

Mr. SPEAKER: Your special committee to whom was referred Senate Bill No. 64, beg leave to report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend that it do pass.

Also, to whom was referred Senate Bill No. 63, and beg leave to report that they have had the same under consideration, and report the same to the House, and recommend its passage.

THOMAS WREN,
M. B. BARTLETT.

Mr. SPEAKER: Your special committee composed of the delegations from Nye and White Pine Counties, to whom was referred Senate Bill No. 19—entitled "An Act to detach a portion of the territory of Nye

County from said county, and to attach the same to White Pine County"—beg leave to report that they have considered the same, and recommend its passage, for the following reasons:

First—The people residing on the territory proposed to be annexed to White Pine County, are located by the most direct saddle trails from one hundred and twenty-five to two hundred and fifty miles from the county seat of Nye County, and from one hundred and sixty to two hundred and eighty miles by the main traveled wagon road.

Second—Three fourths of these people are residing from six and within forty miles of Hamilton, the county seat of White Pine County.

Third—The settlers upon the proposed territory have no business relations, other than those pertaining to county affairs, at Belmont, the county seat of Nye County, while Hamilton, the county seat of White Pine County, is their principal market, source of supplies, and general business center.

Fourth—Three fourths of the people interested have signed the petitions which accompany this bill in favor of the proposed annexation to White Pine County, and your committee believe that they are now, and have been since the year eighteen hundred and sixty-nine, nearly unanimously in favor of the proposed transfer.

All of which is respectfully submitted.

H. A. COMINS, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Blair:

Resolved, That the Controller of State be and he is hereby authorized and required to draw his warrant in favor of A. Helm and A. J. Blair, for seventy dollars each, for money paid out by them as expenses to and from Elko as a special committee from the Assembly to visit and report on State University, the same to be paid out of the Legislative Fund.

Adopted.

By Mr. Bergstein:

Resolved, That we will, on to-morrow, Friday, February nineteenth, at one o'clock P. M., proceed in a body to visit the State Orphans' Home.

Adopted.

On motion of Mr. Buckner, the minority report of select committee on Senate Bill No. 33—relative to the issue of bonds of Humboldt—was withdrawn.

By Mr. Peyton:

Resolved, That the Chief Clerk be and is hereby authorized to procure a suitable book for the purpose of copying the report of the special committee appointed to visit the insane at Woodbridge, and other lengthy documents.

Adopted.

By Mr. J. P. Smith:

Resolved, That the Sergeant-at-Arms of the Assembly be and is hereby

authorized to draw his warrant on the State Controller for the sum of eight hundred and fifty dollars, the same to be paid out of the Legislative Fund, to pay the expenses of the joint special committee appointed to examine the new State Prison site at Reno.

BILL OF ITEMS.

Bill of G. Haist, civil engineer, for making estimates.....	\$300 00
Bill of J. K. Winchell, architect, for making estimates.....	100 00
Bill of expenses of joint special committee, two trips to Reno, five members and one clerk.....	300 00
Expenses of Sergeant-at-Arms, one trip to Virginia City, two trips to Reno, subpoenaing fifteen witnesses, stationery, etc..	150 00
Total.....	\$850 00

Resolution laid on the table.

By Mr. Dow:

Resolved, That Assembly Bill No. 9 be placed at the head of the General File.

Adopted.

By Mr. Gearhart:

Resolved, That the Sergeant-at-Arms be instructed to procure, for the use of the Journal Clerk, one student lamp.

Adopted.

Mr. Bartlett introduced Assembly Concurrent Resolution No. 24—relative to granting leave of absence to D. W. Le Van, County Commissioner of Eureka County.

Passed.

On motion of Mr. Buckner, the majority and minority reports of special committee on Assembly Bill No. 68—An Act to create the County of Buena Vista, and to provide for its organization—were ordered printed.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,

CARSON CITY, February 17th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 29—"An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points"—which passed the Senate this day, notwithstanding the objections of the Governor, by the following vote: Yeas, 21; nays, one.

Respectfully,

C. N. NOTEWARE,

Secretary of the Senate.

Mr. Ellison gave notice that he would, on some future day, introduce a bill for an Act asking that Nye County be annexed to the State of California, for protection against adjoining counties of Nevada.

Senate Joint Resolution No. 25—relative to memorializing Congress in relation to the establishment of a mail route, and for the establishment of Post Offices, along the road known as the Pritchard Freight Road.

Read second time.

Mr. Comins moved the rejection of the resolution.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Watt, by leave, introduced Assembly Bill No. 106—An Act to amend an Act to encourage the destruction of noxious animals.

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

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 9—"An Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same."

Amendments reported by the committee adopted, and bill made the special order for the nineteenth instant, at twelve o'clock M.

Senate Bill No. 33—An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty-two thousand dollars, for the purpose of redeeming bonds heretofore issued, and to provide for the payment of such bonds.

Mr. Speaker in the chair.

The majority report, striking out section nine of the bill, was adopted.

Bill read third time, and laid on the table for one day.

Senate Bill No. 54—An Act to amend an Act entitled "An Act to create the County of Elko, and to provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine.

Amendments reported by the committee adopted.

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

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Bartlett, Beck, Bergstein, Blair, Bibbins, Case, Carling, Crandall, Ellison, Frank, Gearhart, Gray, Haynie, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—39.

NAY—Mr. Ford—1.

ABSENT—Messrs. Allan of White Pine, Averill, Buckingham, Comins, Dow, Helm, Hubbard, McGee, Smith, E. R., and Van Sickle—10.

Senate Bill No. 51—"An Act relative to the surplus General Fund of Storey County."

Read third time, and passed by the following vote:

YEAS—Messrs. Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein,

Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Allan of White Pine, Alt, Dow, Frank, Hubbard, and McGee—7.

Assembly Bill No. 85, referred to Mr. Lowrey for amendment.

On motion of Mr. McDonnell, Assembly Bill No. 33—"An Act for the protection of miners"—was referred to the Committee on Mines and Mining.

Assembly Bill No. 50—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-six, eighteen hundred and sixty-one—laid on the table for one day.

On motion of Mr. Wren, the rules were suspended, and all Assembly bills not engrossed were placed on the top of the General File.

Assembly Bill No. 73—"An Act to divide the County of Churchill and annex the portions thereof to adjacent counties, and to provide for the government of the same"—was considered engrossed, and read a third time.

Speaker pro tem. in the chair.

Mr. Carling moved the reference of the bill to a select committee of one, to insert the following: Amend section three, by adding the following words: "All such books, records, papers, files, and documents, belonging to the County of Churchill, and to the officers thereof, shall, when deposited in the custody of the like officers, in each case, of the County of Lyon, be of the same validity, and shall impart the same notice, as if they had remained in the present County of Churchill."

Motion carried, and Mr. Carling appointed as such committee, who reported the bill amended pursuant to instructions.

Pending the consideration of the bill, the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Beck, the vote by which the resolution relative to the payment of the expenses of the special committee on Reno State Prison was laid on the table, was reconsidered, and resolution referred to the Committee on Contingent Expenses.

Speaker pro tem. in the chair.

Assembly Bill No. 73, which was under consideration at the time the House adjourned, was taken up.

Mr. Allen of Churchill County presented a petition from citizens and taxpayers of said county, against the passage of the bill.

Mr. Bergstein made the point of order that the election of William

Sharon to the office of United States Senator had no reference to the matter under discussion.

The Chair ruled the point well taken, but would permit the discussion to take a wide range, if there was not further objections made.

Messrs. Dow, Peyton, and Allan of White Pine County, moved the previous question.

Motion carried.

The previous question being on the final passage of the bill, roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Carling, Crandall, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Smith, E. R., Smith, J. P., Spencer, Wren, and Mr. Speaker—27.

NAYS—Messrs. Alt, Atkinson, Beck, Buckner, Case, Comins, Dow, Ellison, Frank, Hogan, Hubbard, McDonnell, Penrod, Peyton, Reese, Sanford, Van Hagen, Van Sickle, Watt, and Willis—20.

ABSENT—Messrs. McGee, Ford, and Tone—3.

On motion of Mr. Wren, at four o'clock and fifteen minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FORTY-SEVENTH DAY.

CARSON CITY,

FRIDAY, February 19th, 1875. }

The House met, pursuant to adjournment, at ten o'clock A. M.

Roll called.

Absent—Mr. McGee.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read.

Mr. Van Hagen asked to have the Journal corrected, so as to read that the Speaker pro tem. ordered the bill read by title, but the motion to adjourn prevented its reading.

Request not granted.

The Journal was then approved.

Mr. Van Hagen moved to take up Assembly Bill No. 73—"An Act to divide the County of Churchill and annex the portions thereof to adja-

cent counties, and to provide for the government of the same"—for the purpose of having its title read.

The Chair ruled the motion out of order.

Mr. Van Hagen appealed from the decision of the Chair.

Mr. Nicholls moved the indefinite postponement of the whole subject matter.

Messrs. Van Hagen, McDonnell, and Hubbard called for the yeas and nays.

Messrs. Nicholls, Wren, and E. R. Smith moved the previous question.

Carried.

Mr. Hogan raised the point of order that the previous question was not in order.

The Chair ruled the point not well taken.

Roll called, and the motion to indefinitely postpone carried by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Averill, Bartlett, Beck, Blair, Bibbins, Buckingham, Carling, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Smith, E. R., Smith, J. P., Spencer, and Mr. Speaker—27.

NAYS—Messrs. Allen of Churchill, Alt, Atkinson, Buckner, Case, Comins, Dow, Ellison, Frank, Hubbard, McDonnell, Penrod, Peyton, Reese, Sanford, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—21.

ABSENT—Messrs. Bergstein and McGee—2.

Mr. Hogan gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the motion for the previous question was carried.

SPECIAL ORDER.

Assembly Bill No. 9—"An Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same."

Considered engrossed.

Pending the reading of the bill, it was referred back to the Committee on Education, with instructions that it be engrossed.

REPORT OF STANDING COMMITTEE.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 28—"An Act to supply the Town of Winnemucca with water"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, recommending that it be referred to the Humboldt County delegation.

THOS. WREN, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 17th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary

of State, Assembly Bill No. 78—"An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved March tenth, eighteen hundred and sixty-five."

J. W. ADAMS.

MOTIONS AND RESOLUTIONS.

By Mr. Bartlett:

Assembly Concurrent Resolution No. 25—relative to granting leave of absence to George W. Merrill, District Attorney of Eureka County. Adopted.

Speaker pro tem. in the chair.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 18th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 74—"An Act defining the rights of common carriers as to distribution of unclaimed property"—which was amended in and passed the Senate this day by the following vote: Yeas, 19; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 23—"An Act to amend "An Act to regulate proceedings in criminal cases in Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one—which passed the Senate this day by the following vote: Yeas, 18; nays, none.

Also, memorial to Congress—relating to the United States Mint at Carson City, Nevada—which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Also, to return to your honorable body, Assembly Bill No. 64—"An Act defining the duties of pawnbrokers and pledgees"—which was amended in Senate, and passed by the following vote: Yeas, 17; nays, 1.

Also, Substitute Assembly Concurrent Resolution No. 15—relative to Constitutional Convention—was adopted by the Senate this day, by the following vote: Yeas, 17; nays, 3.

I am also instructed to inform your honorable body that the Senate concur in Assembly amendments to Senate Bill No. 16.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

By Mr. Blair:

Resolved, That when this House adjourns on the twentieth instant, it adjourns until Tuesday, the twenty-third, in honor of the anniversary of the birth of Washington.

Adopted.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was

referred the resolution offered by Mr. J. P. Smith, to provide for the payment of the expenses of the special committee appointed to examine the new State Prison site at Reno, report that they have had the same under consideration, and having come to a favorable conclusion thereon, recommend that it do pass.

J. W. HAYNIE, Chairman.

Adopted.

Assembly Bill No. 74, as per Senate message, laid on the table for one day.

Memorial to Congress, as per message; read first time; rules suspended; read second time by title; rules further suspended, and read third time.

Mr. Dow moved the reference of the memorial to a committee of one, with instructions to strike out the word "commonwealth," and in lieu thereof insert the word "State."

Motion carried, and Mr. Dow appointed as such committee, who reported the memorial amended pursuant to instructions.

Report adopted.

Roll called, and memorial passed by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Bartlett, Beck, Blair, Bibbins, Buckner, Case, Comins, Crandall, Dow, Ellison, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Alt, Averill, Bergstein, Buckingham, Carling, Ford, Frank, McGee, and Morrill—10.

Senate Bill No. 23, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Assembly Bill No. 64, as per message.

House concurred in first Senate amendment, but refused to concur in the other amendments.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 19th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Concurrent Resolution No. 24—relative to granting leave of absence to D. W. Le Van, County Commissioner of Eureka County—which was rejected by the Senate this day, by the following vote: Yeas, 10; nays, 11.

Also, to return to your honorable body Senate Bill No. 54—An Act to amend an Act entitled an Act to create the County of Elko, and to provide for the organization thereof, approved March fifth, eighteen hundred and sixty-nine—which was amended in the Assembly, and to in-

form your honorable body that the Senate refuses to concur in said amendments, and to ask you to recede from the same.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

The House refused to recede from its amendments to Senate Bill No. 54, as per message.

On motion of Mr. Dovey, at twelve o'clock and thirty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Beck, the House took a recess until three o'clock P. M., for the purpose of visiting the Orphans' Home in a body.

THE HOUSE IN SESSION AT THREE O'CLOCK P. M.

Roll called.

Quorum present.

By Mr. Dow:

Resolved, That it is the sense of this House that all bills or resolutions which have been amended in either House and transmitted to the other for its concurrence, shall have correct copies of such amendments in the communications transmitting the same.

Laid over for one day.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Dovey, by leave, introduced Assembly Bill No. 107—An Act for the relief of C. L. Phippeny, of Humboldt County, and Willett Gates, of Lyon County.

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

Mr. Allan of White Pine County, by leave, introduced Assembly Bill No. 108—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, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine, approved March fourth, eighteen hundred and seventy-one.

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

Mr. Gearhart, by leave, introduced Assembly Bill No. 109—An Act to authorize the closing of barber shops in the State of Nevada at certain hours.

Read first time, and bill, on motion of Mr. Hubbard, was rejected.

Mr. Atkinson, by leave, introduced Assembly Bill No. 110—An Act requiring stock and money brokers to give bonds.

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

Mr. Allan of White Pine County, by leave, introduced Assembly Bill No. 111—An Act to repeal an Act entitled "An Act for the payment of the salaries of the District Attorneys of the several counties of this State," approved March fifth, eighteen hundred and seventy-three.

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

Mr. Hogan, by leave, introduced Assembly Bill No. 112—An Act requiring incorporated companies to keep an office within this State.

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

Mr. Morrill, by leave, introduced Assembly Bill No. 113—An Act amendatory of an Act entitled "An Act concerning the fees of Justices of the Peace," approved March eleventh, eighteen hundred and sixty-seven.

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

PROTEST OF MR. ALLEN OF CHURCHILL COUNTY.

I, L. Allen, member of the Assembly from the County of Churchill, State of Nevada, in the seventh session of the Legislature, do hereby protest against the action of the House, in not having the title of Assembly Bill No. 73 read in the House on passage of said bill, thereby not completing the passage of said bill No. 73, in not giving the House the opportunity of amending the title of said bill.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 92—An Act to create a State Board of Equalization, to define its powers and duties, and to fix the compensation of its members.

Mr. Speaker in the chair.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Buckner, Case, Carling, Crandall, Dow, Ellison, Frank, Gearhart, Haynie, Helm, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—Messrs. Bibbins, Comins, Ford, Gray, and Morrill—5.

ABSENT—Messrs. Buckingham, Hogan, Johnson, and McGee—4.

Assembly Bill No. 94—An Act to encourage the formation of libraries in the public schools of this State.

Amendments reported by committee adopted.

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

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Haynie, Helm, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—Messrs. Gray and Nicholls—2.

ABSENT—Messrs. Allan of White Pine, Buckingham, Frank, Hogan, Johnson, McGee, and Spencer—7.

Assembly Bill No. 89—An Act to abolish the [office of] County Superintendent of Public Schools.

Amended, and indefinitely postponed.

Mr. McDonnell, by leave, introduced Assembly Bill No. 114—An Act relating to the sureties on the bail bond of James Hobon, late of the County of Storey, State of Nevada.

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

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared the following Assembly bills:

Assembly Bill No. 83—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled 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 March eighth, eighteen hundred and sixty-five, approved February twenty-seventh, eighteen hundred and sixty-six.

Also, Assembly Bill No. 36—An Act to amend an Act entitled "An Act to regulate and make effectual the powers of the Governor, Justices of the Supreme Court, and Attorney General, to remit fines and forfeitures, commute punishments, and grant pardons after convictions," approved February eighth, eighteen hundred and sixty-seven.

Also, Assembly Bill No. 46—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,' approved March fourth, eighteen hundred and sixty-five," approved February twenty-fourth, eighteen hundred and sixty-six; and to repeal section eight of an Act entitled "An Act to restrict gaming," passed March fourth, A. D. eighteen hundred and sixty-nine—with the engrossed bills, found them correctly enrolled, and were this day delivered to the Governor, for his approval.

Also, Substitute Assembly Concurrent Resolution No. 15—relative to Constitutional Convention—found the same correctly enrolled, and has this day been deposited in the office of the Secretary of State.

ALFRED HELM, Chairman.

Assembly Concurrent Resolution No. 24—relative to granting leave of absence to John Shoemaker, Clerk of Washoe County.

Read and passed.

Mr. Willis moved to adjourn.

Motion lost.

Assembly Bill No. 88—An Act to repeal an Act entitled "An Act to create the office of State Mineralogist, and define the duties of such office," approved March first, eighteen hundred and sixty-nine—was, on motion of Mr. Beck, indefinitely postponed.

Assembly Bill No. 75—An Act for the relief of the creditors of Peter Cavanaugh.

Mr. Beck moved that the bill be indefinitely postponed.

Mr. Hogan moved to lay the bill on the table.

Motion to lay on the table lost.

The question recurring on Mr. Beck's motion, the bill was indefinitely postponed.

On motion of Mr. Tone, at five o'clock p. m., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the Assembly.

Attest: A. WHITFORD,

Clerk of the Assembly.

FORTY-EIGHTH DAY.

CARSON CITY,

SATURDAY, February 20th, 1875. }

The House met at ten o'clock a. m., pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Andrews, Buckingham, McGee, and Hogan.

Leave of absence was granted to Messrs. Andrews, Buckingham, and Hogan, for one day.

Prayer by the Rev. Mr. Woods.

Journal of yesterday read and approved.

PETITIONS.

Mr. Lowrey presented a petition from citizens of Nevada, in favor of the amendment of the law requiring active firemen to perform jury duty.

The petition, on motion of Mr. Lowrey, was referred to a select committee of five.

Mr. Tone presented a petition from citizens of Esmeralda County, relative to the removal of the county seat of said county.

On motion of Mr. Wren, the petition was laid on the table.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Claims have had under consideration Assembly Bill No. 101—"An Act for the payment of the claim of Ormsby County"—and beg leave to make the following report: That we have requested our Chairman to report the same back to the House, and recommend that it go before the Committee of the Whole, and would respectfully refer them to the accompanying report of the State Board of Examiners.

J. R. JOHNSON, Chairman.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 103—"An Act to provide Fire Wardens in unincorporated cities, towns, and villages"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, to which was referred Senate Bill No. 23—"An Act to amend "An Act to regulate proceedings in criminal cases in Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one—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.

THOS. WREN, Chairman.

REPORT OF SPECIAL COMMITTEE.

Report of joint special committee appointed to visit the insane of the State of Nevada, at Woodbridge, California.

On motion of Mr. Bergstein, the reading of the list of names of the insane, their condition, treatment, and diagnosis, was dispensed with.

On motion of Mr. Hubbard, the report of the committee was adopted and ordered printed.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 18th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 41—"An Act more fully defining the manner of collecting the taxes on movable personal property."

J. W. ADAMS.

MOTIONS AND RESOLUTIONS.

By Mr. Wren:

Resolved, That the State Controller be and is hereby authorized to

draw his warrant in favor of Messrs. Bergstein and Hogan, each in the sum of one hundred dollars, for expenses incurred while acting on special committee to investigate the condition of our insane at Woodbridge, California, and our deaf and dumb at Oakland, California, the same to be paid out of the Legislative Fund.

Adopted.

By Mr. Nicholls—Assembly Concurrent Resolution No. 25—relative to granting leave of absence to State and county officers.

Read and adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 19th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 74—"An Act authorizing the Lieutenant Governor to employ a clerk in the State Library and Adjutant General's office"—which passed the Senate this day, by the following vote: Yeas, 14; nays, 8.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

NOTICES OF BILLS.

Mr. McDonnell gives notice that he will, on some future day, ask leave to introduce a bill for an Act to annex the Counties of Lyon, Ormsby, and Washoe to Storey County.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 74, as per message, read first time; rules suspended; read second time by title, and referred to Committee on State Library.

Mr. Buckner, by leave, introduced Assembly Bill No. 116—An Act to amend "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto."

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

On motion of Mr. Wren, the Clerk was instructed not to transmit Assembly Bill No. 92—relative to creating a State Board of Equalization, etc.—to the Senate.

On motion of Mr. Wren, the rules were suspended temporarily, and the vote by which the bill passed the House was reconsidered.

On motion of Mr. Beck, the House resolved itself into a Committee of the Whole for the consideration of Assembly Bill No. 92—relative to creating a State Board of Equalization.

Mr. Van Hagen in the chair.

In due time the committee arose and reported back Assembly Bill No. 92 without amendments, with the recommendation that it do pass.

Mr. Speaker in the chair.

Report adopted, bill read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Haynie, Hubbard, Johnson, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—Messrs. Bibbins, Ford, Gray, and Jones—4.

ABSENT—Messrs. Andrews, Helm, Hogan, Lowrey, McGee, and Reese—6.

Mr. Buckingham gave notice that, on the day to which the House adjourns, he will move for the reconsideration of the vote by which the bill passed.

On motion of Mr. Crandall, Assembly Bill No. 31 was taken from the table and placed on the General File.

Mr. Haynie, by leave, introduced Assembly Bill No. 115—An Act to provide for organizing and disciplining the militia of the State.

Read first time; rules suspended; read second time by title, and referred to Committee on Military and Indian Affairs, and ordered printed, after committee report amendments.

GENERAL FILE.

Assembly Bill No. 58—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relating to attorneys and counselors at law,'" approved March fourth, eighteen hundred and seventy-one.

Made the special order for the twenty-third instant, at eleven o'clock A. M.

Assembly Bill No. 90—An Act to relocate the county seat of Esmeralda County.

Ordered engrossed.

Assembly Bill No. 93—"An Act to provide for founding free public libraries in this State."

Indefinitely postponed.

Senate Bill No. 41—An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—44.

NAYS—None.

ABSENT—Messrs. Andrews, Buckingham, Hogan, McGee, Spencer, and Van Hagen—6.

Assembly Bill No. 74—"An Act defining the rights of common carriers as to disposition of unclaimed property."

Taken from the table, and Senate amendments concurred in by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAY—Mr. Hubbard—1.

ABSENT—Messrs. Allan of White Pine, Andrews, Carling, Dow, Hogan, McGee, Spencer, and Van Hagen—8.

Mr. Ford moved that Senate Bill No. 19 be now taken up.

Motion lost.

Mr. Laveaga moved that the House do now go into the Committee of the Whole for the consideration of Substitute for Assembly Bill No. 68—"An Act to create the County of Buena Vista."

Mr. Bergstein in the chair.

In due time the committee arose and reported back Assembly Bill No. 68, with the following amendments: On page three, line twelve, strike out the word "two," and insert the word "one;" same page, line twenty-one, strike out the word "two," and insert the word "one." Also, in section thirteen, line three, fill blanks by inserting the word "tenth" and the word "September," and recommend that the bill be made the special order for next Tuesday, the twenty-third instant, at twelve o'clock M.

Mr. Beck in the chair.

Report of the Committee of the Whole House adopted.

On motion of Mr. Frank, at twelve o'clock and forty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker pro tem. in the chair.

Roll called.

Quorum present.

The Speaker in the chair.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Comins, by leave, introduced Assembly Bill No. 117—An Act to amend an Act entitled 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 sixth, eighteen hundred and sixty-nine, approved March first, eighteen hundred and seventy-one.

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

Mr. Nicholls moved that Assembly Bill No. 92—"An Act relative to the creation of a State Board of Equalization"—be ordered printed.

Mr. Beck raised the point that the bill is no longer the property of the House, and, therefore, the motion to print is out of order.

Point of order well taken.

Mr. Haynie arose to a question of privilege.

Mr. Dow arose to a question of privilege.

On motion of Mr. Wren, Assembly Bill No. 29—"An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points"—together with the Governor's veto message relative to the same, was taken up.

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?"

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—Messrs. Buckner and Penrod—2.

ABSENT—Messrs. Andrews, McGee, and Hogan—3.

On motion of Mr. Beck, the House resolved itself into the Committee of the Whole for the consideration of bills referred thereto.

Mr. Bergstein in the chair.

In due time the committee arose and reported back Senate Bill No. 47—"An Act to reimburse C. N. Noteware for moneys expended in going to Washington City, in A. D. eighteen hundred and sixty nine, in connection with land selections;" also, Senate Bill No. 32—"An Act for the relief of B. H. Meder"—and recommend their passage.

Also, Assembly Bill No. 100—"An Act in aid of the construction of the State Prison"—with the following amendments, with the recommendation that it be made the special order for the twenty-third instant, at two o'clock P. M.

Also, Assembly Bill No. 101—"An Act for the relief of Ormsby County"—amended, and recommended its passage as amended.

Report of committee adopted.

Mr. Hubbard, by leave, introduced Assembly Resolution No. 26—relative to amending the Constitution.

On motion of Mr. Wren, at three o'clock and thirty minutes P. M., the House adjourned until Tuesday, twenty-third instant, at ten o'clock A. M.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FIFTY-FIRST DAY.

CARSON CITY,

TUESDAY, February 23d, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Carling, McGee, and Tone.

Indefinite leave of absence was granted to Mr. Jones.

Prayer by the Rev. Mr. Kelley.

Journal of the forty-eighth day read and approved.

Mr. Bergstein arose to a question of privilege.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 106—entitled an Act to amend “An Act to provide for the destruction of noxious animals within this State”—have had the same under consideration, and report it back, with the recommendation that it do pass.

Also, Senate Bill No. 59—entitled “An Act for the protection of sheep, goats, and calves”—and would recommend its passage.

H. VAN SICKLE, Chairman.

Mr. SPEAKER: Your Committee on Engrossment have carefully examined Assembly Bill No. 9—entitled an Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same.

Also, Assembly Bill No. 90—An Act entitled “An Act to relocate the county seat of Esmeralda County.”

And beg leave to report the same properly engrossed.

NELSON ALLAN, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Dow:

Assembly Concurrent Resolution No. 27—relative to calling an extra session of the Legislature.

Made the special order for two o'clock and thirty minutes P. M.

By Mr. Beck:

Resolved, That a committee of three be appointed to visit the Orphans' Home, and ascertain what legislation is necessary in behalf of that institution.

Adopted.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER.

CARSON CITY, February 19th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate

Bill No. 86, Substitute for Senate Bill No. 65—"An Act for the reappointment of Senators and Assemblymen in the several counties of this State"—which passed the Senate this day by the following vote: Yeas, 14; nays, 5.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 20th, 1875. }

To the honorable the Assembly:

I am instructed to inform your honorable body that the following named Senators have been appointed as a conference committee, to act with a like committee to be appointed by your honorable body, to consider the disagreement on Senate amendments to Assembly Bill No. 64, to wit: Messrs. Walter and Cohn.

Also, to return to your honorable body Assembly Bill No. 52—"An Act to incorporate Carson City"—which passed the Senate this day by the following vote: Yeas, 18; nays, 2.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 20th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 64—"An Act defining the duties of pawnbrokers and pledgees"—and to inform your honorable body that the Senate refuses to recede from Senate amendments, and to ask you to appoint a committee of conference with reference to the disagreement.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

SECOND READING AND REFERENCE OF BILLS.

Assembly Concurrent Resolution No. 26—relative to amending section one, Article Eight, of the Constitution of the State of Nevada.

Read second time, and referred to the Judiciary Committee.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS.

Mr. Watt, by leave, introduced Assembly Bill No. 118—An Act to pay Edward Luban the sum of six hundred and eighty dollars.

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

Mr. Allan of White Pine County, by leave, introduced Assembly Bill No. 119—An Act concerning roads and highways.

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

Mr. Hubbard, by leave, introduced Assembly Bill No. 120—An Act to amend section one of an Act entitled "An Act providing for the location and taxation of borax and soda mines," approved March seventh, eighteen hundred and seventy-three.

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

Senate Bill No. 86, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

The Speaker appointed the following special committees:

Committee on petition relative to exempting active firemen from jury duty—Messrs. Lowrey, Haynie, McDonnell, Bartlett, and Bibbins.

Committee on Orphans' Home—Messrs. Beck, Andrews, and Van Hagen.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 105—"An Act to authorize the Controller of State to sell and convey certain lands belonging to the State of Nevada."

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Buckner, Comins, Crandall, Ellison, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—34.

NAYS—Messrs. Bibbins, Ford, and Peyton—3.

ABSENT—Messrs. Allan of White Pine, Atkinson, Averill, Buckingham, Case, Carling, Dow, Frank, Jones, Lowrey, McGee, Spencer, and Willis—13.

Assembly Bill No. 97—"An Act to amend the incorporate Act of Gold Hill."

On motion of Mr. Crandall, the bill was indefinitely postponed.

SPECIAL ORDER.

Assembly Bill No. 58—An Act to amend an Act entitled an Act to amend an Act entitled "An Act relative to attorneys and counselors at law," approved March fourth, eighteen hundred and seventy-one.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—37.

NAYS—Messrs. Buckner, Case, and Smith, E. R.—3.

ABSENT—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Buckingham, Carling, Comins, Johnson, Jones, McGee, and Spencer—10.

Assembly Bill No. 49—An Act to regulate fares and freights on the railroads in the State of Nevada.

Placed at the foot of the file.

Assembly Bill No. 103—"An Act to provide Fire Wardens in unincorporated cities and towns."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Averill, Beck, Bergstein, Blair, Bibbins, Case, Comins, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—38.

NAYS—None.

ABSENT—Messrs. Allan of White Pine, Atkinson, Bartlett, Buckingham, Buckner, Carling, Dow, Ellison, Ford, Johnson, Jones, and McGee—12.

Assembly Bill No. 31—"An Act to establish an asylum for the insane of the State of Nevada."

Laid on the table for one day.

Assembly Bill No. 101—"An Act for the payment of the claim of Ormsby County."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Bartlett, Beck, Bergstein, Blair, Buckner, Case, Comins, Ellison, Gearhart, Gray, Haynie, Helm, Johnson, Lowrey, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, and Wren—29.

NAYS—Messrs. Alt, Andrews, Averill, Bibbins, McDonnell, Van Sickle, Willis, and Mr. Speaker—8.

ABSENT—Messrs. Atkinson, Buckingham, Carling, Crandall, Dow, Ford, Frank, Hogan, Hubbard, Jones, Laveaga, and McGee—12.

Assembly Bill No. 50—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Amendments of Senate concurred in, by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Averill, Bergstein, Blair, Bibbins, Case, Comins, Crandall, Dow, Ellison, Gearhart, Haynie, Helm, Hogan, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—37.

NAYS—Messrs. Beck, Ford, and Hubbard—3.

ABSENT—Messrs. Allen of Churchill, Atkinson, Bartlett, Buckingham, Buckner, Carling, Frank, Gray, Jones, and McGee—10.

Senate Bill No. 60—An Act to amend an Act entitled "An Act to pro-

vide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Watt, Willis, Wren, and Mr. Speaker—38.

NAYS—None.

ABSENT—Messrs. Atkinson, Bibbins, Buckingham, Buckner, Case, Carling, Ford, Jones, McGee, Nicholls, Van Hagen, and Van Sickle—12.

Senate Bill No. 53—"An Act making appropriations for deficiencies in the seventh, eighth, ninth, and tenth fiscal years."

Referred to the Committee of the Whole.

Speaker pro tem. in the chair.

Senate Bill No. 61—An Act amendatory of 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,' approved March ninth, eighteen hundred and sixty-five," approved March second, eighteen hundred and sixty-seven.

Read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Comins, Crandall, Ellison, Gearhart, Gray, Helm, Hogan, Laveaga, Nicholls, Reese, E. R. Smith, J. P. Smith, Watt, and Wren—25.

NAYS—Messrs. Averill, Ford, Frank, Haynie, Hubbard, Johnson, Lowrey, McDonnell, Morrill, Ogg, Penrod, Peyton, Sanford, Spencer, Tone, Van Hagen, Van Sickle, and Willis—18.

ABSENT—Messrs. Atkinson, Buckingham, Carling, Dow, Jones, McGee, and Mr. Speaker—7.

On motion of Mr. Laveaga, special order, viz: Assembly Bill No. 68—"An Act to create the County of Buena Vista, and to provide for the organization thereof"—was made the special order for February twenty-fourth, at twelve o'clock M.

Senate Bill No. 63—"An Act to create a Current Expense Fund for Eureka County."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—44.

NAYS—None.

ABSENT—Messrs. Atkinson, Carling, Ellison, Jones, McGee, and Tone—6.

Senate Bill No. 64—"An Act to authorize the County Commissioners of Eureka County to issue certain bonds, and to provide for the payment of the same."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—42.

NAYS—None.

ABSENT—Messrs. Atkinson, Blair, Carling, Comins, Dow, Ellison, Jones, and McGee—8.

Senate Bill No. 48—An Act to repeal an Act entitled "An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes, in the Virginia and Gold Hill School Districts, and to provide for the payment of the same," approved March seventh, eighteen hundred and seventy three.

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

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—42.

NAYS—None.

ABSENT—Messrs. Allan of White Pine, Atkinson, Carling, Comins, Dow, Ellison, Jones, and McGee—8.

Senate Bill No. 19—"An Act to detach a portion of the territory from Nye County and to attach the same to White Pine County."

Read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Laveaga, Lowrey, Morrill, Nicholls, Ogg, E. R. Smith, J. P. Smith, Tone, Van Hagen, Wren, and Mr. Speaker—29.

NAYS—Messrs. Allen of Churchill, Averill, Beck, Ellison, Hogan, Hubbard, McDonnell, Penrod, Peyton, Sanford, Van Sickle, Watt, and Willis—13.

ABSENT—Messrs. Alt, Atkinson, Carling, Dow, Jones, McGee, Reese, and Spencer—8.

On motion of Mr. Hogan, at twelve o'clock and thirty-five minutes p. m., the House took a recess until two o'clock p. m.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Special order, viz: Assembly Bill No. 100—"An Act in aid of the construction of the State Prison"—made special order for two o'clock P. M., twenty-fourth instant.

GENERAL FILE.

Senate Bill No. 33—"An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty-two thousand dollars, for the purpose of redeeming bonds heretofore issued, and to provide for the payment of such bonds."

Laid on the table for one day.

Senate Bill No. 23—"An Act to amend "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—44.

NAYS—None.

ABSENT—Messrs. Atkinson, Bartlett, Gray, Jones, McGee, and Van Hagen—6.

Senate Bill No. 47—"An Act to reimburse C. N. Noteware, for money expended in going to Washington, District of Columbia, in A. D. eighteen hundred and sixty-nine, in connection with State land selections."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Averill, Blair, Buckingham, Buckner, Comins, Dow, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—31.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Beck, Bergstein, Bibbins, Case, Carling, Crandall, Ellison, Ford, Reese, Smith, E. R., Spencer, and Mr. Speaker—15.

ABSENT—Messrs. Atkinson, Bartlett, McGee, and Jones—4.

Mr. Allan of White Pine County gave notice that, on to morrow, he would move for the reconsideration of the vote by which Senate Bill No. 61 was lost.

Special order, viz: Assembly Concurrent Resolution No. 27—relative to extra session of the Legislature—was taken up, on motion of Mr. Dow.

Mr. Hogan moved the following amendment to the resolution: "*Pro-*

vided, that each member shall stay without charge to the State, and pay for the privilege, by paying into the School Fund at the rate of ten dollars per day for such honor."

Mr. Nicholls moved the indefinite postponement of the whole subject matter.

Pending which, Messrs. Dow, Beck, and Bibbins called for the yeas and nays.

Mr. Hogan raised the point of order, that the motion to amend was a privilege motion, and took precedence of the motion to indefinitely postpone.

The Chair declared the point of order well taken.

Roll called, motion to amend lost, and the resolution was indefinitely postponed, by the following vote:

YEAS—Messrs. Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Gray, Haynie, Helm, Hogan, Laveaga, Lowery, Nicholls, Ogg, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—33.

NAYS—Messrs. Allen of Churchill, Allan of White Pine, Dow, Ellison, Ford, Frank, Gearhart, Hubbard, Johnson, McDonnell, Morrill, Penrod, Peyton, and Tone—14.

ABSENT—Messrs. Atkinson, Jones, and McGee—3.

Senate Bill No. 32—"An Act for the relief of B. H. Meder."

Pending the reading of which, Messrs. Bartlett, Blair, and Tone moved a call of the House.

Motion carried.

Leave of absence was granted to Mr. Atkinson for one day.

Pending the roll call, Mr. Dow moved that further proceedings under the call of the House be dispensed with.

Motion carried.

Speaker pro tem. in the chair.

Senate Bill No. 32—"An Act for the relief of B. H. Meder."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Dow, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Van Hagen, Watt, Willis, Wren, and Mr. Speaker—38.

NAYS—Messrs. Alt, Averill, Crandall, Reese, and Van Sickle—5.

ABSENT—Messrs. Atkinson, Ellison, Jones, McGee, Spencer, Tone, and Frank—7.

Assembly Bill No. 90—"An Act for the removal of the county seat of Esmeralda County."

Referred to the Esmeralda County delegation.

Senate Bill No. 59—"An Act for the protection of sheep and goats"—was, on motion of Mr. Willis, indefinitely postponed.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 19th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 85—"An Act to prohibit gambling"—which passed the Senate this day by the following vote: Yeas, 16; nays, 5.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 23d, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 69—"An Act making appropriations for the eleventh and twelfth fiscal years"—which passed the Senate this day by the following vote: Yeas, 22; nays, 1.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

On motion of Mr. Wren, at four o'clock p. m., the House adjourned.

Approved:

W. C. DOVEY,
Speaker of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

FIFTY-SECOND DAY.

CARSON CITY,
WEDNESDAY, February 24th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Andrews, Jones, McGee, and Reese.

Prayer by the Rev. Mr. Kelley.

Journal of yesterday read and approved.

Leave of absence was granted to Mr. Reese for one day.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Mines and Mining report that they have had under consideration a second time Assembly Bill No. 33—"An Act to preserve the health, life, and limbs of miners within the limits of the State of Nevada"—and report the same back to the House, without any recommendation.

E. L. BUCKINGHAM, Chairman.

MR. SPEAKER: Your Committee on Railroads and Corporations, to which was referred Assembly Bill No. 99—An Act to amend sections five and seven of an Act of the Legislature relative to the construction and maintenance of toll roads and bridges—report that they have had the same under consideration, and have come to a favorable conclusion, and have directed their Chairman to report the same to the House, with a recommendation that it do pass.

J. P. SMITH, Chairman.

MR. SPEAKER: Your Committee on State Prison, to whom Assembly Bill No. 86—entitled "An Act to perfect the title to the State Prison"—was referred, have carefully considered the same, and respectfully beg leave to report as follows: We find by the report of the joint special committee appointed to examine and report upon the work at the new State Prison, at Reno, two estimates by competent civil engineers are presented, of the cost of completing the work, one of which places the cost at three hundred and forty-five thousand one hundred and forty-three dollars and sixty-seven cents, and the other at three hundred and four thousand three hundred and fifty-two dollars and ninety-five cents.

With these estimates before us, we are of the opinion that not less than four hundred thousand dollars will be required to fully complete the work contemplated by the present plans; and more than this amount would be necessary if the water power of the Truckee should ever be utilized for manufacturing purposes. In view of the enormous cost of the completion of the new building at Reno, your committee would recommend the following: That the title to the State Prison site at the Warm Springs, Ormsby County, be perfected, and that the removal of the State Prison be abandoned, and the present buildings be enlarged to a sufficient capacity to meet the increasing wants of the State. In the opinion of your committee the expense of enlarging the buildings now being used as a prison, sufficient to accommodate the wants of the State for many years, can be accomplished at a very small outlay of money, as the prison labor can be used in making such improvements; the stone for all necessary additions to the building being easily and cheaply procurable from the quarry situated within the walls of the present inclosure.

Your committee would further recommend the use of the Reno prison site, purchased by authority of the last Legislature, for erecting thereon

an insane asylum; and in view of the fact that the State Orphans' Home was constructed and furnished at an expense not exceeding twenty thousand dollars, we are of the opinion that an asylum for the care of the insane of the State can be erected, and made complete in all respects, for a sum not to exceed fifty thousand dollars, and of sufficient capacity to comfortably accommodate all the people of that unfortunate class.

We are further of the opinion, that the present State Prison can be enlarged to a sufficient capacity to accommodate three hundred prisoners, at a cash expense not exceeding the amount of fifty thousand dollars, giving the State both a prison and insane asylum at a cost of one hundred thousand dollars. Deducting this amount from what we believe would be the cost of the new prison, we are able to make a saving, in the near future, of three hundred thousand dollars, besides giving the State as commodious and complete a building for its insane as needed.

We are also of the opinion, that the present site of the prison, in Ormsby County, would not prove a desirable or favorable one, either in its situation or surroundings, for the care and protection of the insane, but that in many respects the location at Reno would be far preferable; and from the fact that your committee are unable to agree, we beg leave to report the bill back to the House, without recommendation.

W. D. GRAY,
A. J. BLAIR,
L. ALLEN,
M. B. BARTLETT,
H. A. COMINS.

On motion of Mr. Dow, Assembly Bill No. 86 was referred to the Committee on State Prison, with instructions to report on the twenty-fifth instant on the title of the State to the property in question.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 52—"An Act to incorporate Carson City;"

Also, Assembly Bill No. 74—"An Act defining the rights of common carriers as to disposition of unclaimed property;"

With the engrossed bills, found them correctly enrolled, and they have this day been delivered to the Governor, for his approval.

A. HELM, Chairman.

MR. SPEAKER: Your Committee on Claims have had under consideration Assembly Bill No. 107—"An Act for the relief of C. L. Phippeny, of Humboldt County, and Willett Gates, of Lyon County"—beg leave to report the following: After carefully examining the bill, and evidence relating thereto, we find that said Willett Gates and C. L. Phippeny paid into the State Treasury the amount set forth in the bill, for lands which the State could not acquire or give a title to; therefore we would respectfully refer the bill back to the House, and recommend that the said parties be reimbursed.

J. R. JOHNSON, Chairman.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 67—entitled an Act to amend "An Act concerning un-

lawful stock"—report the bill back, with the recommendation that it do not pass.

H. VAN SICKLE, Chairman.

Mr. SPEAKER: Your special committee consisting of the Storey County delegation, to whom was referred Assembly Bill No. 114, beg leave to report that they have considered it, and have come to a favorable conclusion thereon, and recommend its passage.

WALES AVERILL, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 113—"An Act amendatory of an Act entitled 'An Act concerning the fees of Justices of the Peace,'" approved March eleventh, eighteen hundred and sixty-seven—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do not pass.

Also, Senate Bill No. 162—"An Act regulating the mortgage of personal property"—vetoed by the Governor, March twelfth, eighteen hundred and seventy-three, report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass, notwithstanding the Governor's objections.

Also, Assembly Concurrent Resolution No. 26—relative to amending section one, Article Eight, of the Constitution of the State of Nevada—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do not pass.

Also, Senate Bill No. 42—An Act to repeal an Act entitled an Act to amend an Act entitled "An Act to redistrict the State of Nevada," [approved February twenty-seventh, eighteen hundred and sixty-nine,] approved March seventh, eighteen hundred and seventy-three—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOMAS WREN, Chairman.

Mr. SPEAKER: We, your Committee on Ways and Means, to which was referred the several bills, recommend as follows:

Assembly Bill No. 108—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 ninth, eighteen hundred and sixty-five," approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine, approved March fourth, eighteen hundred and seventy-one—which we have amended by inserting the enacting clause, and recommend that it pass as amended.

Assembly Bill No. 111—entitled an Act to repeal an Act entitled "An Act for the payment of the salaries of the District Attorneys of the several counties of this State"—we herewith report a substitute, and recommend the passage of the substitute.

Assembly Bill No. 112—entitled an Act requiring incorporate com-

panies to keep one office within this State—we report the same back to the House, and recommend that it do not pass.

A. NICHOLLS, Chairman.

Substitute adopted.

MR. SPEAKER: Your special committee to whom was referred Assembly Bill No. 85—An Act to amend an Act entitled “An Act relating to elections,” approved March twelfth, eighteen hundred and seventy-three—for amendments, beg leave to submit the following: After the words “section eighteen,” and before the words “every person found,” insert the following; “no ticket or ballot shall on the day of election be given or delivered to, or received by any person except the Inspector; nor fold any ticket or unfold any ballot which he intends to use in voting; or exhibit to another in any manner by which the contents thereof may be known; or request another person to exhibit or disclose the contents of any ticket or ballot within one hundred feet of the polling place; *provided*, that in case any elector voting an open ticket, the Inspector, or Judge acting as Inspector, may fold the same before placing it in the ballot box.” Also, in section two, insert the following amendment before the words “and every person:” “every person not entitled to vote who fraudulently attempts to vote, or who, being entitled to vote, attempts to vote more than once at any election, or who procures, aids, assists, counsels, or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote, shall be guilty of a misdemeanor, punishable by a fine not exceeding two hundred dollars, or by imprisonment in the County Jail not exceeding sixty days, or by both such fine and imprisonment.” Also, amend section three as follows: Insert before the words “this Act shall apply,” the following: “The Governor is hereby authorized and directed, at least thirty days previous to any general election and fifteen days previous to any special election, to issue a proclamation offering a reward of one hundred dollars for the arrest and conviction of any person violating any of the provisions of this Act, when the crime is a misdemeanor; and a reward of two hundred dollars for the arrest and conviction of any person guilty of felony, as herein provided; and such reward to be paid until the total amount hereafter expended for the purpose reaches the sum of ten thousand dollars, payable out of any moneys in the State Treasury not otherwise appropriated. And all moneys collected under the provisions of this Act shall revert to the General School Fund of the several counties where such case was brought.”

JAMES LOWREY.

MR. SPEAKER: Your special committee on reapportionment, composed of one member from each county, to whom was referred Assembly Bill No. 84—entitled “An Act reapportioning the representation of members of the Legislature in the State of Nevada”—beg leave to report the same back to the House with a recommendation that it do pass with amendments, so as to make the representation from the several counties as follows:

Storey County—Four Senators and twelve Assemblymen.
 White Pine County—One Senator and two Assemblymen.
 Ormsby County—One Senator and two Assemblymen.
 Lyon County—One Senator and two Assemblymen.
 Humboldt County—One Senator and two Assemblymen.

Lander County—One Senator and two Assemblymen.
 Lincoln County—One Senator and three Assemblymen.
 Eureka County—One Senator and three Assemblymen.
 Esmeralda County—One Senator and one Assemblyman.
 Nye County—One Senator and two Assemblymen.
 Elko County—Two Senators and two Assemblymen.
 Douglas County—One Senator and one Assemblyman.
 Washoe County—One Senator and two Assemblymen.
 Churchill and Washoe Counties jointly—One Senator.
 Churchill County—One Assemblyman.
 Total—Eighteen Senators and thirty-seven Assemblymen.

All of which is respectfully submitted.

H. H. BECK,
 S. E. JONES,
 L. ALLEN,
 A. NICHOLLS,
 J. B. CASE,
 N. G. ANDREWS,
 J. R. JOHNSON,
 H. BERGSTEIN,
 F. J. FRANK,
 M. B. BARTLETT.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
 CARSON CITY, February 20th, 1875. }

To the honorable the Assembly:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Assembly Bill No. 36—"An Act to amend an Act entitled an Act to regulate and make effectual the power of the Governor, Justices of the Supreme Court, and Attorney General, to remit fines and forfeitures, commute punishments, and grant pardons after convictions, approved February eighth, eighteen hundred and sixty-seven.

Assembly Bill No. 46—"An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto, approved March fourth, eighteen hundred and sixty-five, approved February twenty-fourth, eighteen hundred and sixty-six, and to repeal section eight of an Act entitled an Act to restrict gaming, passed March fourth, eighteen hundred and sixty-nine."

Assembly Bill No. 83—"An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled 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 twentieth, eighteen hundred and sixty-four, approved March eighth, eighteen hundred and sixty-five, approved February twenty-seventh, eighteen hundred and sixty-six."

J. W. ADAMS.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 23d, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Concurrent Resolution No. 28—relative to granting leave of absence to Geo. W. Merrill—which was amended by inserting after the word "Resolved" the words "by the Assembly, the Senate concurring," and passed the Senate by the following vote: Yeas, 17; nays, 6.

J. K. EVERETT,
Assistant Secretary of the Senate.

NOTICES OF BILLS.

Mr. Ellison gave notice that he would, on some future day, introduce a bill for an Act changing the name of White Pine County to Sharon County.

Mr. Hubbard gave notice that he would, on some future day, introduce a bill entitled an Act for the consolidation of the Counties of Nye and Esmeralda.

On motion of Mr. Allan of White Pine County, the vote by which Senate Bill No. 61—An Act amendatory of 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, approved March ninth, eighteen hundred and sixty-five, approved March second, eighteen hundred and sixty-seven—was lost, was reconsidered.

On motion of Mr. Allan of White Pine County, the Clerk was instructed to request the Senate to return to the Assembly Senate Bill No. 61.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Hubbard, by leave, introduced Assembly Bill No. 121—An Act to prevent persons from using abusive, insulting, or approbrious language to others.

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

Mr. Wren, by leave, introduced Assembly Bill No. 122—An Act concerning the fees of attorneys in certain cases.

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

Senate Bill No. 69—An Act relating to making appropriations for the eleventh and twelfth fiscal years.

Read first time.

Mr. Wren moved the suspension of the rules, the bill be [read] second time by title, and referred to the Committee of the Whole.

Pending the consideration of which, the special order, viz: Assembly Bills Nos. 68 and 100, was postponed until two o'clock P. M.

Rules suspended, and Senate Bill No. 69 read second time by title, and referred to the Committee of the Whole.

On motion of Mr. Tone, at twelve o'clock and fifteen minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock and five minutes P. M.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 68—"An Act to create the County of Buena Vista, and provide for the organization thereof"—was, on motion of Mr. Laveaga, considered engrossed; bill read third time.

Mr. Laveaga moved the reference of the bill to a committee of one, with instructions to amend section thirteen as follows: Strike out the word "September," and in lieu thereof insert the word "April."

Motion carried, and Mr. Laveaga was appointed as such committee, who reported the bill amended pursuant to instructions.

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

YEAS—Messrs. Atkinson, Averill, Beck, Carling, Comins, Dow, Frank, Gearhart, Haynie, Nicholls, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, and Wren—16.

NAYS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bergstein, Bibbins, Buckner, Case, Crandall, Ellison, Ford, Helm, Hogan, Laveaga, Lowrey, McDonnell, Morrill, Ogg, Penrod, Peyton, Sanford, Van Sickle, and Willis—23.

ABSENT—Messrs. Bartlett, Blair, Buckingham, Gray, Hubbard, Johnson, Jones, McGee, Watt, Reese, and Mr. Speaker—11.

Mr. Laveaga gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the bill was lost.

Assembly Bill No. 100 was, on motion of Mr. Hogan, laid on the table.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 85—"An Act to prohibit gaming."

Read first time.

Mr. McDonnell moved that the rules be suspended; bill read second time by title, and referred to the Committee on Public Morals.

Mr. Blair moved, as an amendment, that the bill be referred to the Committee on Judiciary.

Mr. Hubbard moved to amend the amendment, by substituting the Committee of the Whole for the Judiciary Committee.

Mr. Peyton moved to indefinitely postpone the bill.

Motion to indefinitely postpone ruled out of order.

Mr. Comins moved that the bill be rejected.

Pending the consideration of the motion to reject, Mr. Wren requested to have the words used in the debate by Mr. McDonnell taken down by the Clerk.

Upon which Mr. McDonnell, of Storey, stated as follows:

I have heard it currently reported, in Storey County, that the sum of ten thousand dollars was used for the purpose of defeating the gambling bill; that the sum of fifteen hundred dollars was paid to the Chairman of the Judiciary Committee; that five hundred dollars was paid to each of the members of Storey County; and the balance was used among the

eastern members of the House, for the purpose of indefinitely postponing Hubbard's gambling bill.

Mr. Hubbard, by leave, read the following dispatch:

VIRGINIA, Nev., February 24th, 1875.

To the Honorable JAMES LOWREY:

We signed Pidge's remonstrance against gambling bill under a misapprehension of the facts. Virginia almost unanimously in favor of Davenport's bill.

M. LAWRENCE,

Alderman Third Ward.

S. A. MILLER,

Alderman Fourth Ward.

Messrs. Wren, Hogan, Blair, and Averill called the previous question. Motion carried.

The previous question being the rejection of the bill, upon which the yeas and nays were called for by Messrs. Averill, McDonnell, and Willis. Roll called, and bill rejected by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Helm, Hogan, Hubbard, Jones, Laveaga, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Van Hagen, and Wren—31.

NAYS—Messrs. Averill, Beck, Buckner, Case, Carling, Ford, Haynie, Johnson, Lowrey, McDonnell, Morrill, Spencer, Tone, Van Sickle, and Willis—15.

ABSENT—Messrs. McGee, Nicholls, Watt, and Mr. Speaker—4.

Mr. Hubbard gave notice that he would, on to-morrow, move for a reconsideration of the vote by which the bill was rejected.

By Mr. Frank:

Resolved, That no member shall occupy the floor more than ten minutes at one time, and only once upon the same subject, unless by unanimous consent of the House.

Laid over, under the rules, for one day.

Mr. Wren moved that when the House adjourns it adjourn until seven o'clock P. M., to-day.

On motion of Mr. Buckingham, the House took a recess until seven o'clock P. M.

EVENING SESSION.

The House in session at seven o'clock P. M.

The Speaker pro tem. in the chair.

Roll called.

Quorum present.

On motion of Mr. Van Hagen, the House resolved itself into the Committee of the Whole for the consideration of the appropriation bill.

Mr. Van Hagen in the chair.

In due time the committee arose and reported back to the House Senate Bill No. 69—"An Act making appropriations for the support of the civil government of the State of Nevada for the eleventh and twelfth fiscal years"—with the following amendments: In line one hundred and sixteen, section one, strike out the word "twelve" and insert the word "twenty," and recommend its passage as amended.

Also, Senate Bill No. 27—An Act making appropriations for deficiencies in seventh, eighth, ninth, and tenth fiscal years—without amendments, with the recommendation that it do pass.

The Speaker pro tem. in the chair.

Report of the Committee of the Whole adopted.

Senate Bill No. 69, as per report of the Committee of the Whole, read third time.

On motion of Mr. Alt, at eight o'clock and forty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FIFTY-THIRD DAY.

CARSON CITY,

THURSDAY, February 25th, 1875. }

The House was called to order by Mr. Hogan, at ten o'clock A. M.

The Speaker and Speaker pro tem. being absent, Mr. Frank nominated Mr. Hogan as Chairman.

Motion carried.

Roll called.

Absent—Mr. Speaker and Mr. Beck.

Prayer by the Rev. Mr. Kelley.

The Speaker in the chair.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Claims have had under consideration Assembly Bill No. 118—An Act to pay Edward Luban the sum of

six hundred and eighty dollars—beg leave to report the bill back to the House, and recommend that it go before the Committee of the Whole, and would respectfully call the attention of the House to the accompanying documents.

J. R. JOHNSON, Chairman.

MR. SPEAKER: Your committee to whom was referred Senate Bill No. 74, have examined the same, and recommend its passage without amendment.

L. A. BUCKNER, Chairman.

MR. SPEAKER: Your committee to whom was rereferred Assembly Bill No. 86—entitled "An Act to perfect the title to the State Prison"—have had the same under consideration, and respectfully submit the following report:

Prior to March first, eighteen hundred and sixty-four, one Abram Curry owned the possessory right to and occupied the premises upon which the prison buildings are now situated, and on that day, in consideration of eighty thousand dollars, conveyed the same to "the people of Nevada." Subsequently, and in December, eighteen hundred and sixty-five, Curry conveyed the same premises to the State of Nevada. Immediately after the conveyance, in March, eighteen hundred and sixty-four, the Territorial authorities entered into possession of the prison and premises, since which time the possession of the Territory and State has been uninterrupted.

At the several dates before mentioned, Curry claimed and occupied other lands adjacent to the prison property, and in the same Government subdivision; and one Alvah Mitchell, an employé of Curry's, although not an actual settler or in any manner connected with the possessory right or title, filed his claim in the Land Office at Carson, to preempt the same. This application coming to the notice of the then State authorities, a protest was filed against the issuance of patent to Mitchell, and Mitchell's application was denied. Subsequently, and on the thirtieth day of December, eighteen hundred and sixty-five, an arrangement was consummated between the parties interested, whereby the State withdrew its objection to Mitchell's preemption, and Mitchell agreed in writing to convey the prison premises to the State of Nevada in fee simple absolute, free from all incumbrances, upon receipt of patent by him and the demand of the Governor, which agreement was filed for record and recorded in the Recorder's office for Ormsby County, on the second day of January, eighteen hundred and sixty-six.

Subsequent to this arrangement, and on the thirteenth day of May, eighteen hundred and sixty-seven, whilst the State was in the actual possession of the premises, and, as we have reason to believe, at a time when the purchaser had both actual and constructive knowledge of the State's possession, claim, and equitable title, one B. L. King bought, at judicial sale, for one hundred dollars, the right of Mitchell in and to the land for which he had previously received the patent.

On the second of September, A. D. eighteen hundred and sixty-seven, for the sum of one thousand (\$1,000) dollars, King conveyed his interest in the entire premises to A. D. Treadway, Treadway having actual and constructive notice of the State's possession, claim, and equitable title. On the thirty-first day of December, eighteen hundred and seventy, Treadway brought a personal action in ejectment against one James S. Slingerland, in which he recovered, as against said Slingerland, a judg-

ment for the possession. To this suit the State was not a party, nor was the equitable title and right of the State answered in said action or in any manner determined or affected.

Your committee have heard many suggestions tending to prove the fraudulent character of Mitchell's preëmption and Treadway's claim of title; that Mitchell was but an instrument used by Curry in an attempt to defeat the sale which he had made to the State; that both Mitchell and Treadway were put forward by Curry to acquire and hold the dry legal title, he being at all times the beneficiary and real party in interest.

But the facts before stated, about which there is no controversy, and upon which Treadway himself relies, are deemed sufficient to support the conclusions which we have reached. Upon these facts, it is the unanimous opinion of your committee that the State of Nevada has an absolute and indefeasible right to occupy, possess, and enjoy the State Prison premises as against Mr. Treadway and all the world, and that it has a complete equitable title thereto, which will become a perfect legal title by Mitchell's deed; that Treadway has no equitable interest in the premises, and no legal interest which is of any value to the State; that the State is entitled to a deed for the prison and premises without the payment of any sum of money, and can compel such deed by process of law; that King, having actual knowledge of the State's possession, both actual and constructive knowledge of the equity raised and vested in the State by Mitchell's recorded agreement to convey, bought subject to such right and equity, and took nothing by his deed except Mitchell's interest after his agreement with the State had been fully performed. And that Treadway, for the same facts and reasons, stands in King's shoes; took what King took, and nothing more. King and Treadway buying with notice, got no better title and acquired no better rights than Mitchell had, and as Mitchell had no rights against the State, Treadway has none.

No equitable doctrine is better established than that so clearly laid down in the leading case of *Le Neve vs. Le Neve*, namely:

"That the person who purchases an estate, although for valuable consideration, after notice of a prior equitable right, makes himself a purchaser in bad faith, and will not be enabled by getting in the legal estate to defeat such prior equitable interest, but will be held a trustee for the benefit of the person whose right he sought to defeat."

"It may be laid down as a general rule that a purchaser with notice of a right in another is in equity liable to the same extent and in the same manner as the person from whom he made the purchase."

"If a person contracts to sell an estate, the purchaser with notice of such contract is liable to the same equity, and stands in the same place, and is bound to do that which the vendor whom he represents would be bound to do." (2 *Leading Cases in Equity*, page 135.)

Nothing is better settled, both in England and America, than the general doctrine that the purchaser of a legal title is liable to all equities of which he had actual or constructive notice at the time of the purchase. (8 *Wheaton*, 421; 9 *Peters*, 86; 2 *B. Monroe*, 105; 1 *Johnson*, *Chancery*, 566; 3 *Paige*, 42; 5 *Barbour*, 534; 4 *Yerger*, 29; 2 *A. K. Marshall*, 28.)

It appearing, therefore, to your committee, that Treadway has nothing which the State is not entitled to receive, and that the State is entitled to a deed, and may compel a deed without the payment of any sum of money whatever; and further, that under its contract with Mitchell, the

State is entitled to occupy and possess its prison premises as against Treadway, and as against all persons whomsoever, and that such right is founded both in equity and law, your committee see no reason to justify the passage of this bill, and recommend that it do not pass.

W. D. GRAY,
A. J. BLAIR,
L. ALLEN,
H. A. COMINS,
M. B. BARTLETT.

On motion of Mr. Peyton, the report was ordered printed.

Mr. SPEAKER: Your Committee on Engrossment have carefully compared the following engrossed bills with the originals, and beg leave to report the same properly engrossed: Assembly Bills Nos. 58, 101, 103, and 105.

NELSON ALLAN, Chairman:

Mr. SPEAKER: A majority of your special committee consisting of the Esmeralda delegation, to whom was referred Assembly Bill No. 90—An Act entitled “An Act to relocate the county seat of Esmeralda County”—beg leave to report as follows: That they recommend the passage of said bill.

R. I. HUBBARD,
R. V. TONE,
A. SPENCER.

Mr. SPEAKER: The minority of your special committee to which was referred Assembly Bill No. 90—in relation to the removal of the county seat of Esmeralda—have considered the same carefully, and respectfully report as follows:

First—The bill does not submit the question of the removal of the county seat to a vote of the people of the county; and it does not provide for the necessary expense for the removal of the county seat from Aurora to Columbus; and it is in direct conflict with section twenty, Article IV, of the Constitution of the State.

Second—The Town of Columbus is situated on an alkali plain near the eastern boundary of Esmeralda, away from the center of the population of the county, while Aurora, the present county seat, is the more convenient to the people in all parts of the county.

Third—In case the county seat is removed by the passage of this bill, the people in Mason Valley, and the northern part of Esmeralda, will be impelled to organize a new county, or attach themselves to Lyon County, from the great distance they will be removed from the county seat of Esmeralda.

Fourth—The county buildings, and other county property at Aurora, cost the county more than forty thousand dollars, and they are all paid for, and the county is now almost out of debt; but if this bill passes the county will be bankrupt with indebtedness; it will be compelled to contract for the erection of suitable county buildings at so remote and barren a place as Columbus. The people are not prepared for this, and,

for the above reasons, and in the name of the people of Esmeralda, I respectfully protest against the enactment of this bill into a law.

E. R. WILLIS.

On motion of Mr. Hogan, the resolution relative to restricting members in debate to ten minutes time, and that not more than once on any one subject, was taken up.

On motion of Mr. Wren, the resolution was adopted.

Mr. Bartlett moved to reconsider the vote by which Senate Bill No. 85—"An Act to prohibit gaming"—was rejected.

Mr. Beck raised the point of order that a vote by which a bill was rejected could not be reconsidered.

The Speaker decided the point of order not well taken.

Messrs. Wren, Averill, and McDonnell called for the yeas and nays on the motion to reject.

Messrs. Averill, Hubbard, and Johnson moved a call of the House.

Motion carried.

Roll called.

Absent—Messrs. Alt, Frank, and McGee.

Mr. McDonnell moved that the Sergeant-at-Arms be instructed to arrest all absentees, except those on leave.

Motion lost.

On motion of Mr. Hogan, further proceedings under the call were dispensed with.

Speaker pro tem in the chair.

Mr. Atkinson presented a petition from residents of Storey County, against the passage of the Davenport gaming bill.

Mr. Averill objected to the reading of the petition, on the ground that most of those who signed the petition did so under a misapprehension of the facts.

Objection withdrawn.

On motion of Mr. Bergstein, the further reading of the names of the petitioners was dispensed with.

Mr. McDonnell presented a petition from fifteen hundred or more citizens of Storey County, in favor of the passage of the bill known as the Hubbard gaming bill.

Mr. Bergstein raised the point of order that the petition was not pertinent to the matter under consideration.

The Chair ruled the point of order not well taken.

Mr. Bergstein appealed from the decision of the Chair.

The House sustained the ruling of the Chair.

On motion of Mr. Wren, the further reading of the names of the petitioners was dispensed with.

Messrs. Buckingham, Wren, Smith, and Blair called for the previous question.

Motion for the previous question carried.

Messrs. Dovey, McDonnell, and Bergstein called for the yeas and nays.

Roll called, and the motion to reconsider the vote by which the bill was rejected was lost, by the following vote:

YEAS—Messrs. Averill, Bartlett, Beck, Buckner, Case, Carling, Comins, Ford, Haynie, Hogan, Hubbard, Johnson, Lowrey, McDonnell, Morrill, Spencer, Tone, Van Sickle, Watt, Willis, and Mr. Speaker—21.

NAYS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bergstein, Blair, Bibbins, Buckingham, Crandall, Dow, Ellison, Gearhart, Gray, Helm, Jones, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Van Hagen, and Wren—27.

ABSENT—Messrs. Frank and McGee—2.

On motion of Mr. Ford, the Judiciary Committee was requested to report on Assembly Bill No. 87 to-morrow morning.

By Mr. Dovey:

Resolved, That a committee of three be appointed by the Chair, to investigate the charges made by the gentleman from Storey, Mr. McDonnell, with regard to the Chairman of the Judiciary Committee.

Mr. Hubbard moved the rejection of the resolution.

Motion lost.

The question recurring on the adoption of the resolution, the House refused to adopt.

On motion of Mr. Peyton, at twelve o'clock and twenty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 50—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 42—An Act to better define and establish the boundary line between the Counties of Churchill and Esmeralda.

Also, Assembly Bill No. 81—An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes.

Also, Assembly Bill No. 80—An Act to encourage the mining, milling, smelting, or other reduction of ores in the State of Nevada.

Found the same correctly enrolled, and have this day been delivered to the Governor for his approval.

Also, Assembly Concurrent Resolution No. 28—relative to granting leave of absence to George W. Merrill—found the same correctly enrolled, and was this day deposited in the Secretary of State's office.

A. HELM, Chairman.

By Mr. J. P. Smith:

Resolved, That a committee of three be appointed by the Chair to

inquire into the truth of the charges of corruption made against members of this House, and that said committee is hereby instructed to report upon the same to this House as soon as the nature of the case will permit.

Adopted.

By Mr. Nicholls:

Resolved, That no more bills be introduced in the House after Tuesday next, at twelve o'clock M., except such bills as may come from the Senate.

Adopted.

By Mr. McDonnell—Assembly Concurrent Resolution No. — —relative to purchasing copies of the homographic chart.

Mr. Laveaga moved to reconsider the vote by which Assembly Bill No. 68—relative to the creation of the County of Buena Vista—was lost.

Mr. Comins moved that the reconsideration of the vote be made the special order for Monday, the first day of March, at twelve o'clock M.

Motion carried.

The Speaker, per resolution to investigate charges against members of the Assembly, appointed Messrs. Beck, Bergstein, and Gearhart as such committee.

Senate Bill No. 61 placed on the General File.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 24th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 81—"An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes"—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Also, Assembly Bill No. 42—An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda—which passed the Senate this day, by the following vote: Yeas, 21; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 71—"An Act in relation to sending mineralogical specimens to the centennial exhibition, at Philadelphia, in eighteen hundred and seventy-six"—which passed the Senate this day, by the following vote: Yeas, 22; nays, none.

Also, to return to your honorable body Assembly Bill No. 77—An Act to amend an Act entitled an Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one—which passed the Senate this day, by the following vote: Yeas, 17; nays, none.

Also, to return to your honorable body Assembly Bill No. 80—An Act to encourage the mining, milling, smelting, or other reduction of ores, in the State of Nevada—which passed the Senate this day, by the following vote: Yeas, 18; nays, 4.

Also, to transmit, for your consideration, Senate Bill No. 83—An Act amendatory of and supplementary to "An Act to provide for the gov-

ernment of the State Prison of the State of Nevada," approved March seventh, eighteen hundred and seventy-three—which passed the Senate this day, by the following vote: Yeas, 23; nays, 1.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 25th, 1875. }

To the honorable the Assembly:

I am instructed by the Senate to return to your honorable body, as per request, Senate Bill No. 61—An Act amendatory of 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, approved March ninth, eighteen hundred and sixty-five, approved March second, eighteen hundred and sixty-seven.

Very respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Ellison, by leave, introduced Assembly Bill No. 123—An Act to authorize Nye County to pay the claim of J. M. Caldwell, Sheriff of said county.

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

Mr. Wren, by leave, introduced Assembly Bill No. 124—An Act to provide for the preservation and sale of certain Nevada Reports.

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

Mr. Buckner, by leave, introduced Assembly Bill No. 125—An Act to reimburse D. G. and W. H. Corbett, for moneys expended by them on the State Capitol.

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

Mr. McDonnell, by leave, introduced Assembly Bill No. 126—An Act making it a felony to play the game known as faro in this State.

Read first time.

Mr. Bergstein moved the rejection of the bill.

Messrs. Wren, Laveaga, and E. R. Smith moved the previous question. Motion for the previous question carried, and the bill rejected.

Mr. Haynie, by leave, introduced Assembly Bill No. 127—An Act to amend "An Act to restrict gaming," passed March fourth, eighteen hundred and sixty-nine, and all Acts amendatory thereof.

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

Mr. Hogan, by leave, introduced Assembly Bill No. 128—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 twenty-second, eighteen hundred and sixty-five.

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

Mr. McDonnell, by leave, introduced Assembly Bill No. 129—An Act to authorize the Secretary of State to purchase homographic charts.

Read first time, and on motion of Mr. Nicholls, the bill was rejected.

Mr. Van Sickle, by leave, introduced Assembly Bill No. 130—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 ninth, eighteen hundred and sixty-five.

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

Senate Bill No. 70, as per message, read first time; rules suspended; read second time by title, and referred to the Committee of the Whole.

Senate Bill No. 83, as per message, read first time; rules suspended; read second time by title; rules further suspended; read third time.

Mr. Van Hagen moved to amend as follows: Strike out in section three, line two, after the word "statement," and before the word "and," in third line, the words "which shall be in duplicate." Also, in fourth line, strike out after the word "Board," and before the word "sitting," the words "and the State Controller."

Motion lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Buckingham, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Helm, Hogan, Johnson, Jones, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Wren, and Mr. Speaker—36.

NAYS—Messrs. Buckner, Dow, Ellison, Tone, Van Hagen, Watt, and Willis—7.

ABSENT—Messrs. Beck, Bibbins, Haynie, Hubbard, McGee, Lowrey, and Reese—7.

Mr. Wren moved that when the House adjourns it adjourn until seven o'clock P. M. to-day, for the consideration of the civil appropriation bill.

Motion carried.

GENERAL FILE.

Assembly Bill No. 9—"An Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same."

Mr. Bergstein in the chair.

Assembly Bill No. 9 read third time.

Mr. Dow moved the reference of the bill to a committee of one, to strike out section twenty-six, and number the sections after in rotation.

Motion carried, and Mr. Dow was appointed, who reported the section stricken out.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews,

Atkinson, Averill, Bartlett, Bergstein, Blair, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—43.

NAYS—None.

ABSENT—Messrs. Beck, Bibbins, Carling, Johnson, Jones, McGee, and Mr. Speaker—7.

Leave of absence was granted to Mr. Speaker for the remainder of the day.

Mr. Gearhart gave notice that, on to-morrow, he would move for the reconsideration of the vote by which Senate Bill No. 83 passed the House.

On motion of Mr. Averill, at four o'clock and ten minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

House met at seven o'clock P. M.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

On motion of Mr. Wren, the House went into the Committee of the Whole, for the consideration of Senate Bill No. 69—"An Act making appropriations for the eleventh and twelfth fiscal years."

In due time the committee arose, and reported the bill amended in committee as follows: After the figures in line twenty-three, page one, insert the following: "for preparation of Nevada Reports, for publication and advertising, fifteen hundred dollars;" also, "for furnishing fuel, lights, preparing legislative halls, and preparing furniture, for the eighth session of the State Legislature, fifteen hundred dollars," and recommend its passage as amended.

Speaker pro tem. in the chair.

Report of the Committee of the Whole adopted.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, J. P. Smith, Spencer, Van Hagen, Watt, Willis, and Wren—38.

NAYS—Messrs. Allan of White Pine, Bartlett, Comins, Jones, Laveaga, and Van Sickle—6.

ABSENT—Messrs. Crandall, McGee, Peyton, E. R. Smith, Tone, and Mr. Speaker—6.

Mr. Hogan moved that the title of the bill be read.

Motion lost.

Mr. Dow gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the bill passed.

Senate Bill No. 27—An Act making appropriations for deficiencies in the seventh, eighth, ninth, and tenth fiscal years.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Buckingham, Case, Carling, Comins, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, J. P. Smith, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—37.

NAY—Mr. Hubbard—1.

ABSENT—Messrs. Allan of White Pine, Atkinson, Averill, Bibbins, Buckner, Crandall, Frank, McDonnell, McGee, E. R. Smith, Spencer, and Mr. Speaker—12.

On motion of Mr. Bergstein, Assembly Bill No. 31 was made the special order for to-morrow, at eleven o'clock and thirty minutes A. M.

On motion of Mr. Wren, at eight o'clock and thirty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: _____,

Clerk of the Assembly.

FIFTY-FOURTH DAY.

CARSON CITY,

FRIDAY, February 26th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Ford and McGee.

Prayer by the Rev. Mr. Kelley.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 102—entitled "An Act to amend an Act entitled 'An Act in relation to the State Library'"—beg leave to report that they have had the same under consideration, and believing that the provisions of the bill before us are for the best interests of the State, in

that the Judges of the Supreme Court have a more full and direct interest in making the State Library what it should be, we most respectfully recommend the passage of the bill.

L. A. BUCKNER, Chairman.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 127—entitled “An Act to amend an Act to restrict gaming,” passed March fourth, eighteen hundred and sixty-nine, and all Acts amendatory thereof—would respectfully report that they have had the same under consideration, and have directed their Chairman to report the same to the House, recommending its passage.

H. J. CARLING, Chairman.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 87—An Act to repeal an Act entitled “An Act to prevent the practice of medicine and surgery by unqualified persons”—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do not pass.

Also, Assembly Bill No. 124—An Act to provide for the preservation and sale of certain Nevada Reports—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Assembly Bill No. 122—“An Act to provide for the payment of attorneys in certain cases”—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House with the following amendments, and recommend its passage as amended: In the first section, eighth line, after the word “fix” and before the word “for,” insert the words “not to exceed fifty dollars;” also, in ninth line, after the word “fix” and before the word “for,” insert the words “not to exceed fifty dollars;” also, in eleventh line, after the word “fix” and before the word “such,” insert the words “not to exceed fifty dollars.”

Also, Senate Bill No. 86—Substitute for Senate Bill No. 65—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Assembly Bill No. 95—An Act to license traveling agents or drummers doing business within this State—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOMAS WREN, Chairman.

Mr. Bergstein in the chair.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 77—An Act to amend an Act entitled “An Act concerning crimes and punishments,” approved November twenty-sixth, eighteen hundred and sixty-one—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor, for his approval.

A. HELM, Chairman.

MR. SPEAKER: Your Committee on Military and Indian Affairs, to whom was referred Assembly Bill No. 115—"An Act to provide for the organizing and disciplining of the militia of the State"—beg leave to make the following report: That we have instructed our Chairman to report the bill back to the House, with the recommendation that it do pass as amended.

H. H. PEYTON, Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER: Your special committee appointed to investigate affairs concerning the Orphans' Home, beg leave to report that we have visited the Home, and, after due investigation, have come to the conclusion that the only legislation now required is such as will increase the pay for the services of the Superintendent and Matron, which, we think, would be right and just, when we consider the valuable services they render the State in the positions they occupy. We would, therefore, recommend the passage of Senate Bill No. —, which has for its object the increase of the salaries of the Superintendent and Matron, but would not suggest any increase greater than twenty-five dollars per month.

Your committee is of the opinion that the Board of Directors of the Home are eminently qualified for the position they occupy; that they have conducted the affairs of the Home in such a manner that while the expense to the State has been comparatively small, the Home, as a State institution, is a grand success.

We find the Superintendent, Mr. Webb, and the Matron, Mrs. Webb, fully competent to the discharge of the duties devolving upon them.

Your committee would suggest that the Board of Directors make certain improvements and repairs, and to that end herewith report a joint resolution.

All of which is respectfully submitted.

H. H. BECK,
N. G. ANDREWS,
J. B. VAN HAGEN.

By Mr. Beck:

Assembly Concurrent Resolution No. 28—relative to Orphans' Home.
Read, and adopted unanimously.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 25th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 52—"An Act to incorporate Carson City."

Also, Assembly Bill No. 74—"An Act defining the rights of common carriers as to the disposition of unclaimed property."

J. W. ADAMS.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 25th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 88—An Act for the relief of the Pacific Borax Company—which passed the Senate this day by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 90, Substitute for Senate Bill No. 35—An Act amendatory of an Act entitled “An Act concerning juries,” approved March fifth, eighteen hundred and seventy-three—which passed the Senate this day by the following vote: Yeas, 18; nays, none.

Also, Senate Bill No. 81—An Act to provide for the floating indebtedness of Lincoln County—which passed the Senate this day by the following vote: Yeas, 16; nays, 1.

Also, Senate Bill No. 98—An Act to amend section six of an Act of the Legislature of the State of Nevada, entitled an Act amendatory of an Act entitled an Act to provide for the maintenance and supervision of public schools, approved March twentieth, eighteen hundred and sixty-five, and the Act amendatory thereof, approved March sixth, eighteen hundred and sixty-nine—which passed the Senate this day: Yeas, 18; nays, 1.

Also, Senate Bill No. 118—An Act to amend an Act entitled “An Act to restrict gaming,” passed March fourth, eighteen hundred and sixty-nine, and the Act amendatory thereof, approved March second, eighteen hundred and seventy-one—which passed the Senate this day, under a suspension of the rules, by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 101—An Act to amend an Act entitled an Act for the government and maintenance of the State Orphans’ Home—which passed the Senate this day by the following vote: Yeas, 20; nays, 1.

I am also instructed to transmit herewith, for your consideration, Senate Concurrent Resolution No. 28—relative to printing certain reports and evidence—which passed the Senate this day: Yeas, 24; nays, none.

Also, Senate Bill No. 103—“An Act in aid of the construction of the State Prison”—which passed the Senate this day by the following vote: Yeas, 17; nays, 7.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

MOTIONS AND RESOLUTIONS.

By Mr. Hogan:

Assembly Concurrent Resolution No. 29—relative to the Sacramento Union.

Laid on the table.

By Mr. Beck:

Resolved, That the gentleman from Storey County, Mr. McDonnell, be

and he is hereby required to come before the bar of this House and give the names of parties from whom he derived the information upon which he based his charges, on a former day, against the Chairman of the Judiciary Committee of this House, against the members composing the Storey County delegation, and against the members of this House from the eastern portion of the State.

Mr. Hubbard moved the rejection of the resolution.

Motion withdrawn.

Mr. Comins moved the adoption of the resolution.

Motion carried.

Mr. Beck moved that Mr. McDonnell be requested to appear before the bar of the House and state the names of the parties from whom his information was derived.

Motion carried.

Mr. McDonnell refused to give the names of the parties before Monday, the first day of March next.

Mr. Beck moved that the subject matter be laid over until three o'clock p. m., to-day.

Motion carried.

By Mr. Haynie:

Resolved, That the sympathy of the Legislature of the State of Nevada be tendered the late editors and proprietors of the *Sacramento Union* in their misfortune in having so far lost their senses as to have become incapacitated for conducting the business of journalism.

The Chair ruled the resolution out of order.

Mr. Haynie requested the House to lay the resolution on the table, as other resolutions were, touching the same subject.

The Chair withdrew his ruling.

On motion of Mr. Wren, the resolution was laid on the table.

By Mr. Beck:

WHEREAS, Against the vicissitudes and trials attending independent, honest, and fearless journalism, the *Sacramento Union* has been no longer able to contend, and has, therefore, ceased its existence; therefore, be it

Resolved, First—That, as a legislative body, we express our admiration for the courage and ability with which its managers defended the best interests of the people at large, and particularly for its brave opposition to the encroachments on the right of the public by incorporated bodies. Second—That it is with sincere regret that we have become aware of its inability to longer continue the battle it has for many years so valiantly waged. Third—That, as a journal, it was not only conducted on fair and honorable principles, but was for years the most interesting as well as reliable news publication on the Pacific Coast. Fourth—That it becomes us to ever hold in grateful remembrance the good work the *Union* accomplished during its existence as a newspaper, and, in our individual capacity, endeavor to carry out the principles of honor and justice to all which it ever inculcated.

Laid on the table.

By Mr. Hubbard:

Resolved, That every member of the Assembly who has been approached and offered money to support or defeat certain measures, which have come before the Assembly during this session, be called before the bar of the House and required to explain.

Adopted.

Mr. Speaker in the chair.

Mr. Dow moved to take a recess until two o'clock P. M.

Motion lost.

On motion of Mr. Bergstein, the House resolved itself into the Committee of the Whole for the consideration of Assembly Bill No. 31—An Act to establish an asylum for the insane of the State of Nevada.

Mr. Van Hagen in the chair.

In due time the committee arose and reported progress, and asked leave to sit again.

Mr. Speaker in the chair.

On motion of Mr. Wren, the report of the Committee of the Whole was adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 26th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 29—relative to telegraphing memorial to Congress in respect to the United States Mint at Carson City—which passed the Senate this day, by the following vote: Yeas, 20; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 29, as per message, read and adopted unanimously.

On motion of Mr. Bartlett, at twelve o'clock and thirty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Mr. Frank moved to take up the regular order of business, viz: motions and resolutions.

Carried.

Mr. McDonnell arose to a question of privilege.

Mr. Hogan moved that the House resolve itself into the Committee of the Whole, for the consideration of Assembly Bill No. 31.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 CARSON CITY, February 26th, 1875. }

To the honorable the Assembly:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Assembly Bill No. 50—"An Act to amend an Act entitled an Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one."

Assembly Bill No. 42—"An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda."

Assembly Bill No. 81—"An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes."

Assembly Bill No. 77—"An Act to amend an Act entitled an Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one."

J. W. ADAMS.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 CARSON CITY, February 24th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 56—An Act supplementary to "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State—which was amended as follows, viz: Amend in section one, line thirty-four, after the word "State" and before the word "the," insert "but in the event that any portion of the rolling stock or personal property of a railroad company operated wholly within this State shall not be used or employed in all the counties through or into which such railroad runs, then such portion of said rolling stock or personal property shall only be assessed in the county or counties where used or employed, and shall not be considered in any apportionment of the value of the rolling stock or personal property of such railroad in counties where not used or employed." Also amend in section four, line four, after the word "its" and before "value," strike out the words "true cost." Also strike out in line four the words "at its value," and insert the same in line six, after the word "thereof." And passed the Senate this day, by the following vote: Yeas, 21; nays, 3.

Respectfully,

J. K. EVERETT,
 Assistant Secretary of the Senate.

The House concurred in Senate amendments to Assembly Bill No. 56, as per message, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Watt, Willis, and Mr. Speaker—42.

NAY—Mr. Bartlett—1.

ABSENT—Messrs. Averill, Bergstein, Crandall, Dow, McGee, Spencer, and Wren—7.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Bartlett, by leave, introduced Assembly Bill No. 131—An Act to amend an Act entitled "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 eighth, eighteen hundred and sixty-nine.

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

Mr. Carling, by leave, introduced Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to County Treasurers," approved November twenty-fourth, eighteen hundred and sixty-one.

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

Mr. Comins, by leave, introduced Assembly Bill No. 133—"An Act authorizing the purchase of the homographic chart."

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

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 106—An Act to amend an Act entitled "An Act to provide for the destruction of noxious animals within this State," approved March seventh, eighteen hundred and seventy-three.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Buckingham, Buckner, Case, Comins, Dow, Ellison, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

NAYS—Messrs. Bartlett, Bibbins, Ford, Frank, and Hubbard—5.

ABSENT—Messrs. Bergstein, Blair, Crandall, and McGee—4.

Mr. Comins gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the bill passed.

Senate Bill No. 33—An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty thousand dollars, for the purpose of redeeming bonds heretofore issued.

Mr. Comins moved to make it the special order for Monday, the first day of March next, at twelve o'clock M.

Motion lost.

Pending the consideration of the bill, the hour, viz: three o'clock P. M., arrived for the consideration of the special order.

Mr. Beck moved that the House again require the gentleman from Storey, Mr. McDonnell, to give the names of the parties from whom he derived his information relative to members receiving bribes.

Mr. McDonnell refused to do so until Monday next.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your special committee appointed on a former day for the purpose of investigating the charges made by the gentleman from Storey, Mr. McDonnell, would respectfully report as follows:

First—That from the fact that Mr. McDonnell refuses to give the names of his informants, it will be useless for your committee to attempt the investigation of the charges. We would, therefore, herewith report resolutions, which we think will suggest a proper mode for the disposition of the subject matter.

Respectfully,

H. H. BECK,
H. BERGSTEIN,
J. M. GEARHART,
Special Committee.

WHEREAS, The gentleman from Storey (Mr. McDonnell) did, on a former day, to wit, the twenty-fourth day of the present month, on the floor of this House, while in debate, charge that he had been informed that the gambling fraternity of Storey County had contributed and raised the sum of ten thousand dollars, and that such sum had been used as an aid to the defeat of the bill to prohibit gambling, and to that end, that the Chairman of the Judiciary Committee of this House had received the sum of fifteen hundred dollars, that the Storey County delegation on this floor had received the sum of five hundred dollars each, and that the balance was distributed among the members from the eastern part of the State; and, whereas, the gentleman so making such statement, when called before the bar of this House, has peremptorily refused to give the name or source from whence he obtained his information; and, whereas, the Chairman of the Judiciary Committee is, in the opinion of this House, a gentleman of unimpeachable integrity, and that during the time members from Storey County, and from the eastern part of this State, have been engaged in their legislative duties, nothing has been done by them to even suggest this most foul imputation upon their official integrity; therefore, be it

Resolved, First—That the language used by the gentleman from Storey was in bad taste and ill advised.

Second—That had he known the charges to be true of his own knowledge, the time and manner taken in uttering them was and must be considered as contrary to the rules of this House, and discourteous to this legislative body.

Third—That it is the sense of this House, that there is no foundation in fact for suspicion against the parties named in the statement made by the gentleman from Storey County, and that the parties implicated are blameless.

Fourth—That the gentleman, in refusing to give the source of his information, subjects himself to a suspicion that instead of having heard such charges from others they originated in his own mind, and were uttered for a purpose unknown to this House.

Fifth—That in refusing the request of this House to give the name of his informant, he has placed himself in contempt hereof.

The question being on the adoption of the resolution, roll called, and resolution was adopted by the following vote:

YEAS—Messrs. Allan of White Pine, Atkinson, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, Smith, E. R., Smith, J. P., Van Hagen, Watt, and Mr. Speaker—29.

NAYS—Messrs. Allen of Churchill, Alt, Andrews, Carling, Ford, Hogan, Hubbard, Johnson, Lowrey, Morrill, Sanford, Spencer, Tone, Van Sickle, and Willis—15.

ABSENT—Messrs. Averill, Buckner, Case, McDonnell, McGee, and Wren—6.

Senate Bill No. 33, having previously been read, the roll was called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Bartlett, Beck, Bergstein, Blair, Buckner, Case, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Lowrey, McDonnell, Morrill, Ogg, Penrod, Peyton, Reese, Sanford, Spencer, Tone, Van Hagen, Van Sickle, and Willis—31.

NAYS—Messrs. Comins, Laveaga, Nicholls, and Smith, J. P.—4.

ABSENT—Messrs. Alt, Averill, Bibbins, Buckingham, Carling, Dow, Frank, Hubbard, Johnson, Jones, McGee, Smith, E. R., Watt, Wren, and Mr. Speaker—15.

Assembly Bill No. 33—"An Act to preserve the health, life, and limbs of miners within the limits of the State of Nevada."

Mr. McDonnell moved the following amendments: In section one, where it provides for a ledge to be one thousand feet below the ground, erase the words "one thousand," and insert the words "any depth;" where it provides the ledge to be two hundred and fifty feet long, erase the words "two hundred and fifty," and insert the words "one hundred and fifty;" where provision is made for one hundred feet in width, erase the words "one hundred," and insert the word "fifty;" where it provides for a depth of three hundred feet, erase the words "three hundred," and insert the words "two hundred;" where it provides for any assay value of one hundred dollars, erase the words "one hundred dollars," and insert the words "fifty dollars." Erase section two, and resection bill, with section three as two, and add proviso at end of section two, as follows: "Always provided, that when such mine owners are in the act of sinking such air shaft, the penalties provided for in this section shall not in any way apply to them."

Motion lost.

Bill read third time.

Mr. McDonnell moved the reference of the bill to a committee of one, to amend as before.

Motion lost.

Speaker pro tem. in the chair.

Mr. Gearhart moved the indefinite postponement of the bill.

Roll called, and bill indefinitely postponed, by the following vote:

YEAS—Messrs. Allan of White Pine, Atkinson, Beck, Bibbins, Buckingham, Case, Comins, Crandall, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Nicholls, Ogg, Peyton, Reese, J. P. Smith, Spencer, and Van Sickle—21.

NAYS—Messrs. Allen of Churchill, Alt, Bergstein, Blair, Buckner, Hogan, Hubbard, McDonnell, Penrod, Sanford, E. R. Smith, and Watt—12.

ABSENT—Messrs. Andrews, Averill, Bartlett, Carling, Dow, Ellison, Ford, Frank, Johnson, Lowrey, McGee, Morrill, Tone, Van Hagen, Willis, Wren, and Mr. Speaker—17.

Mr. Hogan was granted leave of absence for the twenty-seventh instant.

Senate Bill No. 42—An Act to repeal an Act entitled "An Act to amend an Act entitled 'An Act to redistrict the State of Nevada,' approved February twenty-seventh, eighteen hundred and sixty-nine," approved March seventh, eighteen hundred and seventy-three.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Atkinson, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Ellison, Ford, Frank, Gearhart, Gray, Helm, Hogan, Hubbard, Jones, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Van Sickle, Watt, and Wren—34.

NAYS—None.

ABSENT—Messrs. Allan of White Pine, Andrews, Averill, Bartlett, Carling, Dow, Haynie, Johnson, Lowrey, McDonnell, McGee, Morrill, Tone, Van Hagen, Willis, and Mr. Speaker—16.

Senate Bill No. 98, as per message, read first time; rules suspended; read second time by title; rules further suspended; read a third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Atkinson, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ford, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Morrill, Nicholls, Ogg, Penrod, Reese, E. R. Smith, J. P. Smith, Spencer, Van Sickle, Watt, Wren, and Mr. Speaker—31.

NAYS—Messrs. Buckner, Ellison, Frank, Peyton, Sanford, and Van Hagen—6.

ABSENT—Messrs. Allen of Churchill, Andrews, Averill, Bartlett, Dow, Hogan, Hubbard, Johnson, Lowrey, McDonnell, McGee, Tone, and Willis—13.

On motion of Mr. Carling, at four o'clock and twenty-five minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: J. M. WOODWORTH,

Assistant Clerk of the Assembly.

FIFTY-FIFTH DAY.

CARSON CITY,
SATURDAY, February 27th, 1875. }

The House met pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Messrs. Andrews, Hogan, and McGee.

Leave of absence was granted to Messrs. Andrews and Hogan for one day.

Prayer by the Rev. Mr. Kelley.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: We, your committee to which was referred Assembly Bill No. 119—entitled an Act concerning roads and highways—report that they have had the same under consideration, have made several amendments thereto, and have directed our Chairman to report the same back to the House, and recommend its passage as amended.

A. NICHOLLS, Chairman.

MR. SPEAKER: Your Committee on Claims have had under consideration Assembly Bill No. 123—"An Act to authorize Nye County to pay the claim of J. M. Caldwell, Sheriff of said county"—beg leave to report that they have instructed their Chairman to return the bill to the House, and recommend that it do not pass.

J. R. JOHNSON, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Wren:

Resolved, That the Controller be authorized to draw his warrant in favor of P. Eanstrom, for fifteen dollars, for services rendered as Porter of this House during Mr. Benson's absence.

Adopted.

By Mr. Haynie:

Assembly Concurrent Resolution No. 32—substitute for resolution presented by him yesterday relative to the demise of the Sacramento Union.

Laid on the table.

On motion of Mr. Peyton, Assembly Bill No. 115—An Act to provide for organizing and disciplining the militia of the State—was made the special order for seven o'clock this evening.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your special committee to whom was referred Assembly Bill No. 117—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, and recommend that it be placed at the head of the General File, and that it do pass.

H. A. COMINS.

Motion to adopt the report lost.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 26th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 73—An Act to divide the County of Churchill, and to annex the portions thereof to adjacent counties, and to provide for the government of the same—which passed the Senate this day by the following vote: Yeas, 17; nays, 7.

I am also instructed to transmit to your honorable body the following reports of the Enrolling Committee of the Senate, as presented this day:

Mr. PRESIDENT: Your special committee appointed to present to the acting Governor Senate Bill No. 98, report that they presented the bill to the Private Secretary of the Governor, and that he refused to receive it, stating that the executive hours in the Governor's office were from ten o'clock A. M. to four o'clock P. M.

A. J. LOCKWOOD,
THEO. S. DAVENPORT,
Committee.

Mr. PRESIDENT: Your special committee appointed to wait on the acting Governor and present to him, for his consideration, Senate Bill No. 98, report that they found the acting Governor, Jewett W. Adams, at Colonel A. C. Ellis', and that he refused to receive the bill, and stated that he was not at his office, but that he would be there to-morrow morning, at ten o'clock.

A. J. LOCKWOOD,
C. S. VARIAN,
THEO. S. DAVENPORT.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 98—An Act to amend section six of an Act of the Legislature of the State of Nevada entitled an Act amendatory of an Act entitled an Act to provide for the maintenance and supervision of public schools, approved March twentieth, eighteen hundred and sixty-five, and the Acts amendatory thereof, approved March sixth, eighteen hundred and sixty-nine—has been carefully compared with the engrossed bills and found correctly enrolled, and has this day been handed to the Governor, for his approval.

A. J. LOCKWOOD.

Mr. PRESIDENT: Your Standing Committee on Enrollment report, that in accordance with instructions, we presented Senate Bill No. 98, correctly enrolled and signed, to his Excellency the acting Governor of the State of Nevada, at ten o'clock P. M. We further report that his Excellency positively refused to receive the same; also, that the Janitor

of the Capitol building refused to admit us into the Governor's office, saying that he had received instructions from the acting Governor to allow no one to enter his office, and to receive no papers from any one for him.

S. W. CHUBBUCK,
W. R. KING,
R. S. CLAPP,
Committee.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER. }
CARSON CITY, February 26th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 75—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 ninth, eighteen hundred and sixty-five—which passed the Senate this day by the following vote: Yeas, 17; nays, 4.

Also, Senate Bill No. 102—An Act supplementary to an Act for the government and maintenance of the State Orphans' Home—which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 79—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 ninth, eighteen hundred and sixty-five—which passed the Senate this day by the following vote: Yeas, 17; nays, 3.

Also, Senate Bill No. 73—An Act to amend an Act entitled an Act to amend an Act relating to marriage and divorce, approved November twenty-eighth, eighteen hundred and sixty-one, [which passed the Senate this day by the following vote: Yeas, 19; nays, none.]

Also, Senate Bill No. 55—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 ninth, eighteen hundred and sixty-five—which passed the Senate this day by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 107—An Act defining misdemeanors in certain cases, and prescribing penalties therefor—which passed the Senate this day by the following vote: Yeas, 15; nays, none.

Also, Senate Bill No. 112—An Act providing for monthly payment of the salaries of the [Justices of the] Supreme Court and State officers—which passed the Senate this day by the following vote: Yeas, 15; nays, none.

Also, Senate Bill No. 114—An Act in relation to the assessment and taxation of mortgages—which passed the Senate this day by the following vote: Yeas, 16; nays, none.

Also, Senate Bill No. 115—An Act in relation to inquests—which passed the Senate this day by the following vote: Yeas, 16; nays, none.

I am also instructed to return to your honorable body Assembly Bill No. 82—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved January twenty-sixth, eighteen hundred and sixty-five—which passed the Senate this day by the following vote: Yeas, 18; nays, 1.

Also, Assembly Bill No. 25—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto—which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Also, Assembly Bill No. 57—An Act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State—which was lost in the Senate this day: Yeas, 3; nays, 18.

Also, Assembly Bill No. 48—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 ninth, eighteen hundred and sixty-five—which passed the Senate this day: Yeas, 14; nays, none.

Also, Assembly Bill No. 94—An Act to encourage the formation of libraries in the public schools of this State—which was lost in the Senate this day: Yeas, 4; nays, 12.

Also, Assembly Bill No. 103—An Act to provide Fire Wardens in unincorporated cities, towns, and villages—which passed the Senate this day by the following vote: Yeas, 18; nays, none.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: I have the honor to report that, as one member of the Committee on Enrollment, I have carefully examined a bill entitled "An Act to divide the County of Churchill, and annex the portions thereof to adjacent counties, and to provide for the government of the same"—and find that it is not correctly enrolled, the number on the enrolled bill being thirty-seven, and on the original bill seventy-three.

R. I. HUBBARD.

On motion of Mr. Carling, the bill was returned to the Chairman of the Enrolling Committee.

Mr. Frank, by leave, introduced Assembly Bill No. 134—An Act in relation to certain attachés of the Senate and Assembly.

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

Senate Bill No. 81, as per message, read first time; rules suspended; read second time by title, and referred to the Lincoln County delegation.

Senate Bill No. 101, as per message, read first time; rules suspended; read second time by title, and referred to Committee on State Institutions.

Senate Bill No. 118, as per message, read first time; rules suspended; read second time by title; and referred to a special committee of five, together with Mr. Haynie's bill on same subject.

Mr. Averill, by leave, introduced Assembly Bill No. 135—An Act to amend section one of an Act entitled "An Act to restrict gaming," passed in the year eighteen hundred and sixty-nine.

Read first time; rules suspended; read second time by title, and referred to special committee, to be appointed by the Chair.

Senate Bill No. 88—An Act for the relief of the Pacific Borax Company.

Read first time; rules suspended; read second time by title, and Mr. Hubbard moved to reject the bill.

Motion lost, and bill referred to Committee on Ways and Means.

The Speaker appointed as special committee on gambling bills Nos. 127, 135, and Senate Bill No. 118, Messrs. Van Hagen, Averill, Haynie, Beck, and Carling.

At eleven o'clock and forty minutes A. M., on motion of Mr. Bibbins, the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

By Mr. Beck:

WHEREAS, The gentleman from Storey, Mr. McDonnell, persists in insulting the dignity of this House; now, therefore, in consideration of all the premises, and the fact that he was, on yesterday, declared in contempt of this House, it is hereby ordered that the seat of Mr. McDonnell be and it is hereby declared vacant, and that he be expelled from the floor hereof.

Mr. Haynie moved that the rules relative to restricting members in debate to ten minutes, and once only on any one subject, be suspended, for the purpose of allowing the gentleman from Washoe unlimited time to speak to the resolution.

Mr. Hubbard moved, as an amendment, that each member be allowed twenty-five minutes time.

Mr. Van Hagen moved, as a substitute, that the rules be temporarily suspended, to allow members to speak to the resolution.

Substitute carried.

Mr. McDonnell arose to a question of privilege, and asked permission of the House to be outside of the bar at the time the vote was being taken on the resolution.

The House allowed the gentleman to retire.

Mr. Hubbard arose to a question of privilege.

Mr. Averill arose to a question of privilege.

Messrs. Jones, Ogg, and Crandall called for the previous question.

Motion for the previous question carried.

Messrs. Averill, Hubbard, and Buckner called for the yeas and nays.

Roll called, and resolution lost by the following vote:

YEAS—Messrs. Allan of White Pine, Atkinson, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Comins, Crandall, Dow, Frank, Gear-

hart, Gray, Haynie, Helm, Jones, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, E. R. Smith, J. P. Smith, and Mr. Speaker—26.

YAYS—Messrs. Allen of Churchill, Alt, Averill, Case, Carling, Ellison, Hubbard, Johnson, Lowrey, Morrill, Sanford, Spencer, Tone, Van Sickie, and Willis—15.

ABSENT (and not voting)—Messrs. Andrews, Buckner, Ford, Hogan, McDonnell, McGee, Van Hagen, Watt, and Wren—9.

Mr. Dow moved to adjourn.

Motion lost.

On motion of Mr. Dow, at three o'clock and five minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

The House was called to order by Mr. Dow, at seven o'clock P. M.

There being no Speaker present, Mr. Carling nominated Mr. Dow as Speaker pro tem.

Roll called.

Quorum present.

Speaker pro tem. in the chair.

Leave of absence was granted to Messrs. Ellison, Johnson, Laveaga, Penrod, Sanford, Van Sickie, and Willis, for the remainder of the evening.

Mr. Dow moved a call of the House.

Motion carried.

Pending which, on motion of Mr. Wren, further proceedings under the call were dispensed with.

Special order, viz: Assembly Bill No. 115—An Act to provide for organizing and disciplining the militia of the State.

Amendments reported by committee adopted, bill ordered engrossed, and made the special order for Monday next, at seven o'clock P. M.

Mr. Lowrey arose to a question of privilege, and presented a protest relative to the action of the House in regard to Mr. McDonnell.

Mr. Dow moved the rejection of the protest.

Messrs. Dow, Comins, and Tone moved the previous question.

Motion carried, and protest rejected.

On motion of Mr. Comins, the House resolved itself into the Committee of the Whole for the consideration of bills referred thereto.

Mr. Comins in the chair.

In due time the committee arose, and reported back Assembly Bill No. 31—An Act to establish an asylum for the insane—amended as follows: "In section two, strike out in first line the words "Chief Justice of the Supreme Court," and insert "State Controller." In section seven, strike out all after the word "Superintendent," in seventh line of the close of section, and insert the words "who may be removed upon proof of incompetency, neglect of duty, or malfeasance in office; and in case of a vacancy occurring by reason of resignation, death, or removal, for any of the cases above named, they shall elect his successor." In section ten, thirty-second line, insert after the word "the" and before the word "amount," the words "payment of the expenses of the asylum, when re-

quired by the order of the medical Superintendent;" and after the word "estimate," in same line, insert "shall be set aside as a special fund, to be known as the Insane Asylum Fund." In thirty-fourth and thirty-fifth lines, strike out the words "in three equal sums, in favor of the Directors, to be drawn monthly." In section eleven, fourth, and fifth, and sixth lines, strike out the words "upon the nomination of the medical Superintendent shall," and insert the words "may, whenever the number of patients at the asylum may render it necessary;" also, strike out in said section, twenty-fourth and twenty-fifth lines, the words "and until his successor is appointed and qualified," and insert the words "who may be removed for the same causes as those enumerated in section seven, in relation to the Board of Directors." Strike out section twelve. In section fifteen, strike out the words "or their Treasurer," wherever it occurs; also, in same section, second page, eighth line, strike out the words "who shall deliver," and insert the words "which shall be applied;" also, in twelfth line, same page, strike out the words "not exceeding one hundred," and insert the words "remaining unexpended;" also, to make section thirteen section twelve, section fourteen section thirteen, section fifteen section fourteen, section sixteen section fifteen, section seventeen section sixteen, section eighteen section seventeen, section nineteen section eighteen; and recommend its passage as amended.

Also, Senate Bill No. 71—"An Act in relation to sending mineralogical specimens to the centennial exhibition, at Philadelphia, in eighteen hundred and seventy-six"—without amendments, and recommend its passage.

Also, Assembly Bill No. 134—An Act in relation to certain attachés of the Senate and Assembly—and recommend its passage.

Also, Assembly Bill No. 133—An Act authorizing the purchase of the homographic charts—with the following amendment: strike out "section four;" and recommend its passage as amended.

Also, Assembly Bill No. 125—"An Act to reimburse Daniel G. and W. H. Corbett, for moneys expended by them in the erection of the State Capitol"—without recommendation.

Also, Assembly Bill No. 128—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"—and asked leave to sit again.

Speaker pro tem. in the chair.

Report of the Committee of the Whole adopted.

On motion of Mr. Frank, at nine o'clock P. M., the House adjourned.

Approved:

H. H. BECK,

Speaker pro tem. of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FIFTY-SEVENTH DAY.

CARSON CITY,
MONDAY, March 1st, 1875. }

The House met pursuant to adjournment.

The Speaker pro tem. in the chair.

Roll called.

Absent—Messrs. Hogan, Laveaga, McDonnell, and McGee.

Prayer by the Rev. Mr. Tevis.

Journal of the fifty-fifth day approved as read.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 56—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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 73—An Act to divide the County of Churchill, and annex the portions thereof to adjacent counties, and to provide for the government of the same—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 48—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 ninth, eighteen hundred and sixty-five; also, Assembly Bill No. 103—An Act to provide Fire Wardens in unincorporated cities, towns, and villages—with the engrossed bills, found the same correctly enrolled, and have this day been delivered to the Governor for his approval.

A. HELM, Chairman.

MR. SPEAKER: Your Committee on State Institutions, to whom was referred Senate Bill No. 101—An Act to amend an Act entitled an Act for the government and maintenance of the State Orphans' Home—would respectfully report, and recommend that it do pass.

R. V. TONE, Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER: Your special committee to which Senate Bill No. 118 and Assembly Bills Nos. 127 and 135 were referred, beg leave to report that they have had the same under consideration, and report the same

back to the House, with a substitute bill for the Senate and Assembly bills, with the recommendation that it do pass, and that immediate action be taken thereon by the House.

J. B. VAN HAGEN,
H. J. CARLING,
H. H. BECK,
WALES AVERILL,
J. W. HAYNIE,
Special Committee.

Substitute adopted, and made the special order for eleven o'clock A. M., of the first instant.

Mr. SPEAKER: Your special committee consisting of the Lincoln County delegation, to whom was referred Senate Bill No. 81—entitled an Act to provide for the floating indebtedness of Lincoln County—have had the same under consideration, and beg leave to report the same back to the House, with the recommendation that it do pass without amendment.

A. J. BLAIR,
J. B. VAN HAGEN,
H. BERGSTEIN.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 27th, 1875. }

To the honorable the Assembly:

I have this day approved, and deposited in the office of the Secretary of State, Assembly Bill No. 56—"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 ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State."

J. W. ADAMS.

On motion of Mr. Blair, Senate Bill No. 81 was made the special order for two o'clock P. M.

MOTIONS AND RESOLUTIONS.

By Mr. Wren:

Resolved, That the State Controller is hereby authorized to draw his warrant on the State Treasury in favor of P. Eanstrom, for fifteen dollars, on the Legislative Fund, for extra portorage during Mr. Benson's absence.

Adopted.

By Mr. Dow:

Resolved, That Assembly bills be taken up and considered, this morning, in preference to Senate bills.

Carried.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 27th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 58—"An Act for the relief of the heirs of William F. Wilson"—which passed the Senate this day, by the following vote: Yeas, 17; nays, 5.

Also, Senate Bill No. 77, substitute for Senate Bill No. 72—An Act to encourage the construction of certain railroads in Humboldt County—which passed the Senate this day, by the following vote: Yeas, 13; nays, 11.

Also, Senate Bill No. 80—An Act to grant the Nevada and Oregon Railroad Company the right of way for a railroad and telegraph line from Virginia City to the northern boundary of this State, and to encourage the construction of said railroad and telegraph line to Umatilla, Oregon—which passed the Senate this day: Yeas, 13; nays, 11.

Also, Senate Bill No. 116—An Act to prevent waste water from injuring the public highways—which passed the Senate this day, by the following vote: Yeas, 17; nays, 4.

Also, Senate Bill No. 119—An Act to encourage the construction of cheap transportation lines—which passed the Senate this day, by the following vote: Yeas, 22; nays, none.

I am also instructed to return to your honorable body Assembly Joint Resolution No. 22—relative to granting pensions to the veterans of the Mexican War—which passed the Senate this day, unanimously.

Also, to transmit, for your consideration, Senate Bill No. 121—"An Act defining the office hours of the Governor of the State of Nevada"—which passed the Senate this day, by the following vote: Yeas, 21; nays, 3.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Alt, by leave, introduced Assembly Bill No. 136—An Act granting Thomas K. Hymers and associates the right to improve the Truckee River, and to take toll from persons transporting logs, wood, timber, and lumber thereon.

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

Mr. Reese, by leave, introduced Assembly Bill No. 137—An Act entitled an Act giving possessory claims and title to land within the limits of a city or town, whether incorporated or not.

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

Senate Bill No. 103—An Act in aid of the construction of the State Prison.

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

By Mr. Haynie:

Resolved, That the Controller be directed to issue his warrants upon the Legislative Fund, to the following named persons, for the sums set opposite their respective names, for articles purchased by the Sergeant-at-Arms and services rendered, as per accompanying bills:

Seymour Pixley, maps.....	\$5 00
Jacob Tobriner, candles.....	4 50
D. H. Lentz, repairing furnace.....	20 00
P. J. McMahon, cutting wood, etc.....	3 00
Winnie & David, livery for committee, State Prison.....	40 00
Davis & Tippet, wood.....	7 50
L. Morris & Co., matting.....	20 00
Maxum Gas Co., gas.....	69 90
Bennett Benson, care committee rooms.....	30 00
Bennett Benson, repairing desks, etc.....	86 75
Fox & Co., spittoons.....	3 00
Jno. G. Fox, merchandise.....	3 00
Peter Eanstrom, care committee rooms.....	30 00
L. Anderson, shelving, etc.....	40 00
B. L. Winnie, rent committee rooms, two months.....	80 00
J. G. McClinton, rent committee rooms, two months.....	80 00
J. G. Fox, repairing clock and keeping in order.....	10 00
E. B. Rail, merchandise.....	14 00
Total.....	\$626 25

Adopted.

Senate Bill No. 90, substitute for Senate Bill No. 25—An Act amendatory of an Act entitled "An Act concerning juries," approved March fifth, eighteen hundred and seventy-three.

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

Senate Concurrent Resolution No. 28—relative to printing reports of the special committee empowered to investigate the affairs of the new State Prison, and the evidence elicited before the said committee.

Read and adopted.

Senate Bill No. 55—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 ninth, eighteen hundred and sixty-five.

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

Special order, viz: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to restrict gaming," passed March fourth, eighteen hundred and sixty-nine, and all other Acts amendatory thereof.

Considered engrossed, and read third time.

Mr. Speaker in the chair at eleven o'clock and twenty-five minutes

A. M.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews,

Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R. Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—38.

NAYS—Messrs. Atkinson, Bartlett, Dow, Ellison, Lowrey, Morrill, Penrod, and Willis—8.

ABSENT—Messrs. Hogan, Hubbard, McDonnell, and McGee—4.

Mr. Beck moved that the vote by which the bill passed be now reconsidered.

On motion of Mr. Beck, the motion was indefinitely postponed.

On motion of Mr. Van Hagen, the Clerk was instructed to transmit the bill to the Senate, immediately.

Mr. Carling, by leave, introduced Assembly Bill No. 139—"An Act to reimburse John Carling."

Read first time; rules suspended; read second time by title; considered engrossed, and placed on the General File.

Senate Bill No. 115—An Act in relation to inquests.

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

Senate Bill No. 114—An Act in relation to assessments and taxation of mortgages.

Read first time.

The House concurred in Senate amendments to Assembly Bill No. 82, as per message, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—39.

NAYS—None.

ABSENT—Messrs. Atkinson, Averill, Bartlett, Comins, Frank, Hogan, Hubbard, Lowrey, McDonnell, McGee, and J. P. Smith—11.

Senate Bill No. 112—An Act providing for the monthly payment of the salaries of the Justices of the Supreme Court and State officers.

Read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—35.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Atkinson, Averill, Bibbins, Buckingham, Frank, Hogan, Hubbard, Lowrey, McDonnell, McGee, Morrill, E. R. Smith, and J. P. Smith—15.

Senate Bill No. 107—An Act defining misdemeanors in certain cases, and prescribing penalties therefor.

Read first time; rules suspended; read second time by title; rules further suspended.

Mr. Bergstein in the chair.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Tone, Van Hagen, Van Sickle, Watt, Willis, and Wren—34.

NAYS—None.

ABSENT—Messrs. Atkinson, Averill, Buckingham, Dow, Ellison, Hogan, Hubbard, Jones, Lowrey, McDonnell, McGee, Morrill, E. R. Smith, J. P. Smith, Spencer, and Mr. Speaker—16.

SPECIAL ORDER.

On motion of Mr. Laveaga, the motion to reconsider the vote by which Assembly Bill No. 68—"An Act to create the County of Buena Vista, and provide for the organization thereof"—was lost, was indefinitely postponed.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Van Hagen gave notice that he would, on some future day, introduce a bill for an Act to authorize the adjudication of claims against the State by the Courts, and to provide for the payment of the same in certain cases.

Senate Bill No. 73—An Act to amend an Act entitled an Act to amend "An Act relating to marriage and divorce," approved November twenty-eighth, eighteen hundred and sixty-one.

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

Senate Bill No. 79—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 ninth, eighteen hundred and sixty-five.

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

Senate Bill No. 112—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 ninth, eighteen hundred and sixty-five.

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

Senate Bill No. 75—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 ninth, eighteen hundred and sixty-five.

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

On motion of Mr. Allen of Churchill, at twelve o'clock and twenty minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

Mr. Speaker in the chair.

Roll called.

Quorum present.

Special order, Senate Bill No. 81—"An Act to provide for the floating indebtedness of Lincoln County."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—42.

NAYS—None.

ABSENT—Messrs. Alt, Buckingham, Ellison, Hogan, Jones, McDonnell, McGee, and Peyton—8.

Senate Bill No. 80, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Corporations and Railroads, with instructions to report to-morrow.

Senate Bill No. 58, as per message, read first time; rules suspended; read second time by title, and referred to the Committee of the Whole.

Senate Bill No. 77, as per message, read first time; rules suspended; read second time by title, and referred to the Humboldt County delegation.

Senate Bill No. 116, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Internal Improvements.

Senate Bill No. 121, as per message, read first time; rules suspended; read second time by title; rules further suspended; read third time.

Mr. Beck moved the reference of the bill to a committee of one, to amend as follows: Insert after the word "during," the words "the last ten days of the session."

Motion carried, and Mr. Beck was appointed as such committee, who reported the bill amended pursuant to instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bibbins, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—33.

NAYS—Messrs. Bergstein, Blair, Buckner, Case, Ellison, Hubbard, Penrod, Sanford, Watt, and Willis—10.

ABSENT—Messrs. Buckingham, Dow, Hogan, McDonnell, McGee, Peyton, and Van Hagen—7.

Senate Bill No. 119, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Internal Improvements.

REPORT OF COMMITTEE.

Mr. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 136—entitled “An Act granting Thomas K. Hymers and associates the right to improve the Truckee River, and to take toll from persons transporting logs, wood, timber, and lumber thereon”—beg leave to report that we have considered the same, have come to a favorable conclusion thereon, and have directed our Chairman to report the same back to the House, with the recommendation that it do pass with the following amendments: In line nineteen, section one, strike out the words “one year,” and insert the words “six months;” also, an additional section, to be inserted as “section four.”

H. H. BECK, Chairman.

On motion of Mr. Alt, the bill was considered engrossed, and placed on the General File.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 1st, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Concurrent Resolution No. 30—relative to the Secretary of State furnishing copies of laws passed at this session—which was this day unanimously adopted by the Senate.

Also, to return to your honorable body Assembly Concurrent Resolution No. 28—relative to the orphans—which was this day rejected by the Senate by the following vote: Yeas, 4; nays, 17.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Concurrent Resolution No. 30 read, and referred to the Judiciary Committee.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 1st, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Assembly Bill No. 80—“An Act to encourage the mining, milling, smelting, or other reduction of ores in the State of Nevada.”

Assembly Bill No. 48—“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 ninth, eighteen hundred and sixty-five.”

Assembly Bill No. 103—"An Act to provide Fire Wardens in unincorporated cities and villages."

J. W. ADAMS.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 82—An Act to amend an Act entitled "An Act concerning the Courts of justice of this State, and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

Also, Assembly Joint Resolution No. 22—relative to granting pensions to the veterans of the Mexican War—found the same correctly enrolled, and was this day deposited in the Secretary of State's office.

Also, Assembly Bill No. 25—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 96—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 twenty-sixth, eighteen hundred and sixty-one—report that they have carefully considered the bill, and have directed their Chairman to report the same back to the House.

THOMAS WREN, Chairman.

Mr. SPEAKER: Your special committee to whom was referred the bill entitled "An Act amendatory of and supplementary to an Act concerning juries," approved March fifth, eighteen hundred and seventy-three—beg leave to report that they have had the same under consideration, and agreed upon the substitute which is herewith submitted, the passage of which is recommended.

JAS. LOWREY, Chairman.

Assembly Bill No. 140—An Act amendatory of and supplementary to an Act entitled "An Act concerning juries," approved March fifth, eighteen hundred and seventy-three.

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

GENERAL FILE.

Assembly Concurrent Resolution No. 26—relative to amending section one, Article Eight, of the Constitution of the State of Nevada.

Indefinitely postponed.

Assembly Bill No. 99—An Act to amend sections five and seven of an Act of the Legislature of the State of Nevada entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," approved March eighth, eighteen hundred and sixty five.

Read third time.

Mr. Jones moved the reference of the bill to a committee of one, to

amend as follows: In section five, line five, strike out the words "or go around."

Motion carried, and Mr. Jones was appointed as such committee, who reported the bill amended pursuant to instructions.

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

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Watt, Wren, and Mr. Speaker—32.

NAYS—Messrs. Allen of Churchill, Alt, Bergstein, Dow, Ellison, Ford, Frank, Hubbard, Lowrey, Tone, Van Sickle, and Willis—12.

ABSENT—Messrs. Beck, Blair, Hogan, McDonnell, McGee, and Peyton—6.

Assembly Bill No. 84—"An Act reapportioning the representation of members of the Legislature of the State of Nevada."

Referred to the Committee of the Whole.

Assembly Bill No. 107—"An Act for the relief of C. L. Phippeny, of Humboldt County, and Willett Gates, of Lyon County."

The Speaker pro tem. in the chair.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Buckingham, Buckner, Case, Carling, Comins, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—35.

NAYS—Messrs. Bartlett, Beck, Bergstein, Bibbins, Crandall, Dow, Hubbard, and Penrod—8.

ABSENT—Messrs. Alt, Averill, Blair, McDonnell, McGee, Peyton, and Hogan—7.

Assembly Bill No. 108—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,' approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine," approved March fourth, eighteen hundred and seventy-one.

Amendments reported by the committee adopted, and bill ordered engrossed.

Assembly Bill No. 111—An Act to repeal an Act entitled "An Act for the payment of the salaries of the District Attorneys of the several counties of this State."

Considered engrossed; read third time, and lost by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Bartlett, Beck, Case, Carling, Ellison, Ford, Frank, Gray, Helm, Johnson, Nicholls, Van Sickle, and Willis—16.

NAYS—Messrs. Allen of Churchill, Andrews, Atkinson, Averill, Bergstein, Bibbins, Buckingham, Buckner, Crandall, Dow, Gearhart, Haynie, Hubbard, Jones, Laveaga, Lowrey, Morrill, Ogg, Penrod, Reese, Sanford,

E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Watt, and Wren—28.

ABSENT—Messrs. Blair, Hogan, McDonnell, McGee, Peyton, and Mr. Speaker—6.

REPORT OF COMMITTEE ON CLAIMS.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 137, would respectfully report that they have had the same under consideration, and return the same to the House, with the recommendation that it be referred to the Judiciary Committee.

J. R. JOHNSON, Chairman.

Assembly Bill No. 112—"An Act requiring incorporated companies to keep an office within this State."

Laid on the table for one day.

Assembly Bill No. 113—"An Act amendatory of an Act entitled "An Act concerning the fees of Justices of the Peace."

Indefinitely postponed.

Assembly Bill No. 114—"An Act relative to the sureties on the bail bond of James Hoban, late of the County of Storey, State of Nevada."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Lavaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—Messrs. Bibbins and Ellison—2.

ABSENT—Messrs. Allan of White Pine, Bergstein, Blair, Hogan, Hubbard, McDonnell, McGee, and Peyton—8.

Assembly Bill No. 86—"An Act to perfect the title to the State Prison."

Referred to the Committee of the Whole.

Assembly Bill No. 118—"An Act to pay Edwin Luban the sum of six hundred and eighty dollars."

Referred to the Committee of the Whole.

Assembly Bill No. 87—"An Act to repeal an Act entitled "An Act to prevent the practice of medicine or surgery by unqualified persons."

Mr. Bibbins moved that the bill be indefinitely postponed.

Motion lost.

Mr. Comins moved that the further consideration of the bill be made the special order for the fifth instant, at twelve o'clock M.

Motion lost.

Bill considered engrossed; read third time, and lost by the following vote:

YEAS—Messrs. Allan of White Pine, Averill, Case, Ellison, Ford, Frank, Hubbard, Jones, Lowrey, Morrill, Nicholls, Penrod, Spencer, Tone, Van Hagen, Van Sickle, Watt, and Willis—18.

NAYS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Beck,

Bergstein, Bibbins, Buckingham, Buckner, Carling, Comins, Crandall, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Laveaga, Ogg, Reese, Sanford, Smith, E. R., Smith, J. P., Wren, and Mr. Speaker—26.

ABSENT—Messrs. Bartlett, Blair, Dow, McDonnell, McGee, and Peyton—6.

Assembly Bill No. 95—"An Act to license traveling agents or drummers doing business within this State."

Considered engrossed; read third time.

Mr. Wren moved the appointment of a special committee of one, to strike out, in section four, all after the words "General Fund of the county."

Motion carried, and Mr. Wren appointed as such committee, who reported the bill amended pursuant to instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Andrews, Atkinson, Bartlett, Beck, Bergstein, Buckingham, Case, Carling, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Morrill, Ogg, Penrod, Reese, Smith, E. R., Smith, J. P., Van Sickle, Watt, Wren, and Mr. Speaker—31.

NAYS—Messrs. Averill, Bibbins, Frank, Hubbard, Lowrey, Nicholls, Sanford, Spencer, Tone, Van Hagen, and Willis—11.

ABSENT—Messrs. Allan of White Pine, Alt, Blair, Buckner, Dow, McDonnell, McGee, and Peyton—8.

Assembly Bill No. 102—"An Act to amend "An Act in relation to the State Library," approved February fourteenth, eighteen hundred and sixty-five.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Buckingham, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Willis, and Wren—39.

NAYS—Messrs. Bartlett, Ellison, and Tone—3.

ABSENT—Messrs. Allan of White Pine, Bibbins, Buckner, Dow, McDonnell, McGee, Peyton, and Mr. Speaker—8.

Mr. Wren moved that when the House adjourns it adjourn until seven o'clock P. M.

Motion carried.

On motion of Mr. Allan of White Pine, at four o'clock P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

House in session at seven o'clock P. M.
The Speaker in the chair.

Roll called.

Quorum present.

The special order, Assembly Bill No. 115, was, on motion of Mr. Haynie, postponed for one half hour.

GENERAL FILE.

Assembly Bill No. 122—"An Act concerning the fees of attorneys in certain cases."

Amendments reported by committee adopted; bill considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Averill, Bartlett, Blair, Bibbins, Buckingham, Case, Carling, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Tone, Watt, Wren, and Mr. Speaker—34.

NAYS—Messrs. Ellison, Hubbard, and Willis—3.

ABSENT—Messrs. Allen of Churchill, Atkinson, Beck, Bergstein, Buckner, Comins, Lowrey, McDonnell, McGee, Smith, J. P., Spencer, Van Hagen, and Van Sickle—14.

Assembly Bill No. 124—"An Act to provide for the preservation and sale of Nevada Reports."

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Tone, Watt, Willis, Wren, and Mr. Speaker—38.

NAY—Mr. Ellison—1.

ABSENT—Messrs. Allen of Churchill, Beck, Bergstein, Comins, Dow, McDonnell, McGee, Smith, J. P., Spencer, Van Hagen, and Van Sickle—11.

Assembly Bill No. 117—An Act to amend an Act entitled 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 sixth, eighteen hundred and sixty-nine, approved March first, eighteen hundred and seventy-one.

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—40.

NAYS—Messrs. Blair and Ellison—2.

ABSENT—Messrs. Allen of Churchill, Beck, Bergstein, Dow, Lowrey, McDonnell, McGee, and Van Sickle—8.

Assembly Bill No. 119—"An Act concerning roads and highways."

Amendments reported by the committee adopted.

Considered engrossed.

Mr. Comins moved the reference of the bill to a committee of one, to amend section three by adding the words: "The money coming into such fund shall be first applied to the payment of liabilities hitherto incurred in the construction and repair of roads where there are no other funds specially applicable to such liabilities."

Carried, and Mr. Comins appointed as such committee, who reported bill amended pursuant to instructions.

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

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Blair, Buckingham, Case, Carling, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Haynie, Helm, Hogan, Johnson, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, J. P. Smith, Van Hagen, Watt, Wren, and Mr. Speaker—32.

NAYS—Messrs. Allen of Churchill, Averill, Bibbins, Ford, Gray, Hubbard, Jones, Sanford, Spencer, and Willis—10.

ABSENT—Messrs. Beck, Bergstein, Buckner, McDonnell, McGee, E. R. Smith, Tone, and Van Sickle—8.

SPECIAL ORDER.

On motion of Mr. Haynie, the House resolved itself into the Committee of the Whole for the consideration of Assembly Bill No. 115—"An Act to organize and discipline the militia of the State of Nevada."

Mr. Hogan in the chair.

In due time the committee arose, reported the bill back to the House, with the recommendation that it do pass.

Speaker pro tem. in the chair.

Mr. Peyton moved that the Clerk continue to read from where he left off reading in the Committee of the Whole.

Motion carried.

Bill read third time.

Mr. Carling moved a call of the House.

Motion lost.

Mr. Wren moved a call of the House.

Motion carried.

Roll called.

Absent—Messrs. Buckner, Crandall, Hubbard, McDonnell, Morrill, E. R. Smith, and Mr. Speaker.

Mr. Wren moved that further proceedings under the call be dispensed with.

Motion lost.

On motion of Mr. Hogan, no absentee who appeared at the bar of the House should be admitted, without the payment of a fine of one dollar.

Messrs. Buckner, Smith, E. R., and Hubbard appeared at the bar of the House, and were excused on the payment of a fine of one dollar each.

On motion of Mr. Wren, further proceedings under the call were dispensed with.

Messrs. Buckner and Hubbard were granted leave of absence for the remainder of the evening.

Mr. Haynie moved the appointment of a committee of one to amend as follows: Strike out "section thirty-nine," and in lieu thereof insert the following:

"SEC. 39. It shall be the duty of the Board of County Commissioners of any county in which public arms, accouterments, or military stores are now had or shall hereafter be received, for the use of any volunteer organized military company, to provide a suitable and safe armory for organized military companies within such county; the expense of procuring and maintaining armories shall be paid out of the General Fund of the county, to be paid by the County Treasurer on presentation of the Auditor's certificate that such allowance has been made by the Board of County Commissioners. The Treasurer shall require a receipt of the person presenting said certificate, which shall be received by the State Treasurer as so much money, and be so allowed in the settlement by the County Treasurer with the Controller and Treasurer of State."

Motion carried, and Mr. Haynie was appointed as such committee, who reported the bill amended pursuant to instructions.

Mr. Nicholls moved that the bill be laid on the table for one day.

Motion lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Dow, Ellison, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, J. P. Smith, Tone, Van Sickle, and Wren—33.

NAYS—Messrs. Alt, Ford, Frank, Van Hagen, Watt, and Willis—6.

ABSENT—Messrs. Bartlett, Buckner, Crandall, Hogan, Hubbard, McDonnell, McGee, Morrill, E. R. Smith, Spencer, and Mr. Speaker—11.

On motion of Mr. Carling, at nine o'clock and thirty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: A. WHITFORD,

Clerk of the Assembly.

FIFTY-EIGHTH DAY.

CARSON CITY,
TUESDAY, March 2d, 1875. }

The House met at ten o'clock A. M.

The Speaker in the chair.

Roll called.

Absent—Messrs. Buckingham and McGee.

Prayer by the Rev. Mr. Tevis.

Journal of yesterday approved as read.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Railroads and Corporations, to whom was referred Senate Bill No. 80—An Act to grant the Nevada and Oregon Railroad Company the right of way for a railroad and telegraph line from Virginia City, Nevada, to the northern boundary of this State, and to encourage the construction of said railroad and telegraph line to Umatilla, Oregon—beg leave to report that they have had the same under consideration, and having come to an unfavorable conclusion thereon, they recommend that it do not pass.

J. P. SMITH, Chairman.

MR. SPEAKER: Your Committee on Engrossment have carefully compared the original with the engrossed copy of Assembly Bill No. 108—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, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine, approved March fourth, eighteen hundred and seventy-one—and beg leave to report the same properly engrossed.

NELSON ALLAN, Chairman.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 115—An Act in relation to inquests—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Assembly Bill No. 43—An Act supplementary to an Act entitled an Act to provide for the registration of the names of electors, and to prevent fraud at elections, approved March fifth, eighteen hundred and sixty-nine—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do not pass.

THOMAS WREN, Chairman.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: The Humboldt County delegation, to whom was referred Senate Bill No. 28—entitled "An Act to supply the Town of Winnemucca with water;"

Also, Senate Bill No. 77—entitled “An Act to encourage the construction of certain railroads in Humboldt County;”

Have had the same under consideration, and report the same to the House without recommendation.

J. B. CASE,
L. A. BUCKNER,
P. LAVEAGA.

MOTIONS AND RESOLUTIONS.

Mr. Wren moved that Senate Bill No. 80—An Act to grant the Nevada and Oregon Railroad Company the right of way for a railroad and telegraph line from Virginia City, Nevada, to the northern boundary of this State, and to encourage the construction of said railroad and telegraph line to Umatilla, Oregon, be indefinitely postponed.

Messrs. Wren, Lowrey, and Crandall called for the yeas and nays.

Motion withdrawn.

By Mr. Wren—Assembly Resolution relative to paying C. Latta ninety dollars for extra services.

Referred to Committee on Contingent Expenses.

On motion of Mr. Beck, the House agreed to take a recess at three o'clock and thirty minutes P. M., to-day, until seven o'clock P. M.

The Clerk was instructed to read communication from State Librarian, requesting members to return books belonging to the State Library.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 1st, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 138, Substitute for Senate Bill No. 118 and Assembly Bills Nos. 127 and 135—“An Act to amend an Act to restrict gaming,” passed March fourth, eighteen hundred and sixty-nine, and all other Acts amendatory thereof—which was amended in the Senate, and passed by the following vote: Yeas, 24; nays, none.

Also, Assembly Bill No. 58—An Act to amend an Act entitled an Act relative to attorneys and counselors at law, approved March fourth, eighteen hundred and seventy-one—which failed to pass the Senate this day by the following vote: Yeas, 2; nays, 21.

Also, Assembly Bill No. 101—“An Act for the payment of the claim of Ormsby County”—which passed the Senate this day by the following vote: Yeas, 19; nays, 3.

Also, to transmit, for your consideration, Senate Bill No. 89—An Act for the relief of C. A. V. Putnam—which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Also, Senate Bill No. 94—An Act to amend an Act entitled “An Act concerning crimes and punishments,” approved November twenty-sixth, eighteen hundred and sixty-one—which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Also, Senate Bill No. 96—“An Act to provide for the safekeeping of the county funds of the respective counties of this State”—which passed the Senate this day by the following vote: Yeas, 16; nays, 4.

Also, Senate Bill No. 108—An Act amendatory of and supplementary

to an Act concerning juries, approved March fifth, eighteen hundred and seventy-three—which passed the Senate this day by the following vote: Yeas, 20; nays, 1.

Also, Senate Bill No. 123—An Act to amend an Act entitled “An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and establish their pay,” approved March seventh, eighteen hundred and seventy-three—which passed the Senate this day by the following vote: Yeas, 22; nays, none.

Also, Senate Concurrent Resolution No. 31—proposed amendments to the Constitution—which was adopted by the Senate this day by the following vote: Yeas, 21; nays, none.

Respectfully,

J. K. EVERETT,

Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER,

CARSON CITY, March 2d, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 34—An Act in relation to public highways—which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Respectfully,

C. N. NOTEWARE,

Secretary of the Senate.

The House refused to concur in Senate amendments to Assembly Bill No. 138, as per message, by the following vote:

YEAS—Messrs. Alt, Andrews, Averill, Beck, Bibbins, Buckner, Case, Ford, Frank, Gray, Hogan, Jones, Morrill, Nicholls, Reese, Spencer, Tone, and Mr. Speaker—18.

NAYS—Messrs. Allen of Churchill, Allan of White Pine, Atkinson, Bartlett, Bergstein, Buckingham, Carling, Comins, Crandall, Dow, Ellison, Gearhart, Haynie, Helm, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Van Hagen, Watt, Willis, and Wren—29.

ABSENT—Messrs. Blair, McGee, and Van Sickle—3.

SECOND READING OF BILL.

Senate Bill No. 114—“An Act in relation to taxation of mortgages”—was read second time, and referred to the Judiciary Committee.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Van Hagen, pursuant to previous notice, introduced Assembly Bill No. 141—An Act authorizing the adjudication of claims against the State by the Courts, and to provide for the payment of the same in certain cases.

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

Senate Bill No. 89, as per message, read first time; rules suspended; read second time by title, and referred to the Committee of the Whole.

Senate Bill No. 123, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Contingent Expenses.

Senate Bill No. 94, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Judiciary.

Senate Bill No. 96, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Ways and Means.

Senate Bill No. 108, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Senate Concurrent Resolution No. 31, as per message, read, and referred to the Judiciary Committee.

Senate Bill No. 34, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Ways and Means.

GENERAL FILE.

Assembly Bill No. 49—An Act to regulate fares and freights on railroads in the State of Nevada.

Made the special order for seven o'clock P. M.

Assembly Bill No. 123—"An Act to authorize Nye County to pay the claim of J. M. Caldwell, Sheriff of said county."

Considered engrossed; bill read third time.

Mr. Wren moved the reference of the bill to a committee of one, to amend by striking out the words "and directed."

Motion carried, and Mr. Wren was appointed as such committee, who reported the bill amended pursuant to instructions.

Mr. Comins moved the appointment of a committee of one, to strike out "four thousand dollars," and insert "one thousand dollars."

Motion carried, and Mr. Comins was appointed as such committee, who reported the bill amended pursuant to instructions.

Roll called, and bill lost by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Carling, Comins, Dow, Ellison, Gearhart, Helm, Hogan, Sanford, Spencer, Willis, and Mr. Speaker—14.

NAYS—Messrs. Bartlett, Beck, Bergstein, Bibbins, Case, Crandall, Ford, Frank, Gray, Haynie, Johnson, Jones, Laveaga, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Smith, J. P., Van Sickle, Watt, and Wren—23.

ABSENT—Messrs. Andrews, Atkinson, Averill, Blair, Buckingham, Buckner, Hubbard, Lowrey, McDonnell, McGee, Smith, E. R., Tone, and Van Hagen—13.

Speaker pro tem. in the chair.

On motion of Mr. Dow, Assembly Bill No. 86 was made the special order for two o'clock P. M.

Assembly Bill No. 31—An Act to establish an asylum for the insane, and provide for the organization thereof.

Was returned to its author.

Assembly Bill No. 125—"An Act to reimburse Daniel G. and W. H. Corbett, for moneys expended by them on State Capitol."

Mr. Crandall moved the indefinite postponement of the bill.

Motion lost.

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

YEAS—Messrs. Allen of Churchill, Atkinson, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Dow, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, McDonnell, Ogg, Penrod, Peyton, Sanford, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—28.

NAYS—Messrs. Allan of White Pine, Andrews, Averill, Bartlett, Beck, Crandall, Ellison, Ford, Frank, Gearhart, Hogan, Lowrey, Morrill, Nicholls, Reese, E. R. Smith, J. P. Smith, Spencer, and Van Sickle—19.

ABSENT—Messrs. Alt, Buckingham, and McGee—3.

Mr. Bergstein gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the bill passed.

On motion of Mr. Frank, at twelve o'clock and twenty-five minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House in session at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Special order, viz: Assembly Bill No. 86, was made the special order for the third instant, at eleven o'clock A. M.

REPORTS OF COMMITTEES.

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Senate Bill No. 119—entitled "An Act to encourage the construction of cheap transportation lines"—beg leave to report the same back to the House, with the recommendation that it do pass without amendment.

H. H. BECK, Chairman.

MR. SPEAKER: Your Committee on State Prison, to whom was referred Senate Bill No. 103—An Act in aid of the construction of the State Prison—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.

W. D. GRAY, Chairman.

MR. SPEAKER: We, your Committee on Ways and Means, to which was referred the several bills, report as follows:

Senate Bill No. 55—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 ninth, eighteen hundred and sixty-five.

Also, Assembly Bill No. 120—entitled an Act to amend section one of an Act entitled an Act to provide for the location and taxation of borax and soda mines, approved March seventh, eighteen hundred and seventy-three.

We have had the same under consideration, and have directed our Chairman to report the same back to the House, and recommend that they do severally pass.

A. NICHOLLS, Chairman.

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Senate Bill No. 116—entitled "An Act to prevent water from injuring public highways"—beg leave to report that we have duly considered the same, have come to a favorable conclusion thereon, and herewith report the same back to the House, with the recommendation that it do pass without amendment.

H. H. BECK, Chairman.

GENERAL FILE.

Assembly Bill No. 133—An Act authorizing the purchase of homographic charts.

Read third time.

Mr. Beck moved the reference of the bill to a committee of one, to strike out "one hundred."

Motion lost.

Mr. Wren moved the appointment of a committee of one to amend as follows: Strike out section four.

Motion carried, and Mr. Wren was appointed as such committee, who reported the bill amended as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Alt, Atkinson, Averill, Bergstein, Carling, Comins, Crandall, Frank, Gearhart, Helm, Hogan, Hubbard, Johnson, Laveaga, Lowrey, McDonnell, Morrill, Ogg, Penrod, Reese, Sanford, Smith, E. R., Tone, Van Hagen, Watt, and Mr. Speaker—26.

NAYS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Bartlett, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Ellison, Ford, Gray, Haynie, Jones, Nicholls, Peyton, Smith, J. P., Spencer, Van Sickle, Willis, and Wren—22.

ABSENT—Messrs. Dow and McGee—2.

Assembly Bill No. 134—An Act in relation to certain attachés of Senate and Assembly.

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Ellison, Ford, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Penrod, Peyton, Reese, Sanford, Tone, Van Hagen, and Watt—36.

NAYS—Messrs. Beck, Crandall, Gray, Nicholls, Ogg, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Willis, and Mr. Speaker—11.

ABSENT—Messrs. Dow, McGee, and Wren—3.

Assembly Bill No. 139—An Act to reimburse John Carling.

Referred to the Committee of the Whole.

Assembly Bill No. 96—An Act entitled an Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice of the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.

Laid on the table for one day.

Mr. Gearhart gave notice that, on the third instant, he would move to reconsider the vote by which Assembly Bill No. 133 passed the House.

Mr. Hogan arose to a question of privilege.

Assembly Bill No. 136—"An Act authorizing Thomas K. Hymers and associates to improve the Truckee River, and to take toll from persons transporting logs, wood, timber, and lumber thereon."

Referred to the Committee of the Whole.

On motion of Mr. Wren, Senate Bill No. 162—"An Act relating to the mortgage of personal property"—of the sixth session of the Nevada Legislature, together with the Governor's message relative to the same, were taken up.

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?" roll called, and bill failed to pass by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Averill, Bartlett, Blair, Buckingham, Carling, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Nicholls, Ogg, Penrød, Reese, Smith, E. R., Smith, J. P., Tone, Van Sickle, Watt, Wren, and Mr. Speaker—33.

NAYS—Messrs. Allen of Churchill, Atkinson, Beck, Bergstein, Bibbins, Buckner, Case, Ellison, Hogan, Hubbard, Morrill, Sanford, Spencer, Van Hagen, and Willis—15.

ABSENT—Messrs. McGee and Peyton—2.

Mr. McDonnell gave notice that, on to-morrow, he would move for the reconsideration of the vote by which the bill failed to pass, notwithstanding the Governor's objections.

Notice ruled out of order.

On motion of Mr. Jones, at three o'clock and thirty minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

The House met at seven o'clock P. M.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

Leave of absence was granted to Messrs. Reese and Blair for the remainder of the evening.

Mr. E. R. Smith moved a call of the House.

Motion carried.

Roll called.

Absent—Messrs. Allen of Churchill, Alt, Atkinson, Blair, Buckingham, Ellison, Hogan, Laveaga, McGee, Spencer, Tone, Van Hagen, Van Sickle, Willis, and Mr. Speaker.

Leave of absence was granted to Mr. Speaker, and Messrs. Spencer and Alt, for the balance of the evening.

On motion of Mr. Bergstein, each absentee who appears at the bar of the House, in charge of the Sergeant-at-Arms, be fined one dollar and be reprimanded by the Speaker.

Messrs. Allen of Churchill, Buckingham, Hogan, Van Hagen, and Van Sickle appeared at the bar, in charge of the Sergeant-at-Arms, fined one dollar each, and were reprimanded by the Speaker.

On motion of Mr. Nicholls, further proceedings under the call were dispensed with.

On motion of Mr. Bartlett, the House resolved itself into the Committee of the Whole, for the consideration of Assembly Bill No. 49—relative to regulating fares and freights on railroads.

Mr. Penrod in the chair.

In due time the committee arose, and reported back Assembly Bill No. 49—"An Act to regulate fares and freights on railroads within this State"—with the following amendments: In first section, second line, after the word "Nevada," and before the word "to," insert the words "over one hundred miles in length;" reported progress, and asked leave to sit again.

Report adopted.

On motion of Mr. Wren, at nine o'clock and twenty-five minutes P. M., the House adjourned.

Approved:

H. H. BECK,
Speaker pro tem. of the House.

Attest: A. WHITFORD,
Clerk of the Assembly.

FIFTY-NINTH DAY.

CARSON CITY,

WEDNESDAY, March 3d, 1875. }

The House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called.

Absent—Messrs. Hubbard, McGee, and E. R. Smith.

Prayer by the Rev. Mr. Tevis.

Pending the reading of the Journal of yesterday, Mr. Dow moved that the further reading be dispensed with.

Motion lost.

Journal of yesterday approved as read.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 141—"An Act authorizing the adjudication of claims against the State by the Courts, and to provide for the payment of the same in certain cases"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with the following amendments, and recommend its passage as amended: In section six, first line, after the word "of," and before the word "thousand," strike out the word "fifty," and insert in lieu thereof the word "twenty." Also, in section seven, first line, after the word "said," and before the word "thousand," strike out the word "fifty," and insert in lieu thereof the word "twenty."

Also, Assembly Bill No. 132—"An Act to amend an Act entitled "An Act in relation to County Treasurers," approved November twenty-ninth, eighteen hundred and sixty-one—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with the following amendments, and recommend its passage as amended: In section two, eleventh line, after the word "necessary," and before the word "and," insert the words "not less than twenty-five thousand dollars."

Also, Senate Bill No. 94—"An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOS. WREN, Chairman.

Mr. SPEAKER: Your Committee on Contingent Expenses, to whom was referred Senate Bill No. 123—"An Act to amend an Act entitled an Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay, approved March seventh, eighteen hundred and seventy-three—beg leave to report that they have had the same under consideration, and recommend that it do pass.

J. W. HAYNIE, Chairman.

Mr. SPEAKER: We, your Committee on Ways and Means, to whom was referred several bills, report as follows:

Senate Bill No. 75—entitled 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 ninth, eighteen hundred and sixty-five—we have considered the same in a favorable light, and recommend its passage without amendment.

Senate Bill No. 88—entitled "An Act for the relief of the Pacific Borax Company"—we report the same back to the House, and recommend that it be referred to the Committee of the Whole.

A. NICHOLLS, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 2d, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Assembly Bill No. 25—"An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto."

Assembly Bill No. 82—"An Act to amend an Act entitled an Act concerning the Courts of justice in this State and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five.

J. W. ADAMS.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 26—An Act to amend section seven of an Act of the Legislature of the State of Nevada, entitled an Act amendatory of and supplementary to an Act entitled an Act defining the time of commencing civil actions, approved November twenty-first, eighteen hundred and sixty-one, and to repeal Acts amendatory of said Act, approved March fifth, eighteen hundred and sixty-seven—which passed the Senate this day, by the following vote: Yeas, 17; nays, 6.

Also, Senate Bill No. 131—An Act to amend an Act entitled "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 eighth, eighteen hundred and sixty-nine—which passed the Senate this day, by the following vote: Yeas, 14; nays, 4.

Also, Senate Bill No. 129—An Act to amend an Act entitled "An Act defining the time of commencing civil actions," approved November twenty-first, eighteen hundred and sixty-one—which passed the Senate this day: Yeas, 18; nays, none.

Also, Assembly Bill No. 87—An Act defining the value at which property shall be assessed for taxation in this State—which passed the Senate: Yeas, 19; nays, none.

Also, Senate Bill No. 84—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 eighth, eighteen hundred and sixty-nine—which passed the Senate this day, by the following vote: Yeas, 15; nays, none.

Also, Senate Bill No. 128—An Act to amend 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 eighth, eighteen hundred and sixty-nine—which passed the Senate this day; by the following vote: Yeas, —; nays, —.

Also, Senate Bill No. 125—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 ninth, eighteen hundred and sixty-five, approved March first, eighteen hundred and seventy-one—which passed the Senate this day, by the following vote: Yeas, 18; nays, 1.

Also, Senate Bill No. 127—An Act defining punishment of misdemeanors not otherwise provided for—which passed the Senate: Yeas, 24; nays, none.

Also, Senate Bill No. 126—An Act to repeal section two of an Act entitled an Act concerning banking associations formed in this State under the laws of the United States, approved March tenth, eighteen hundred and sixty-five—which passed the Senate this day, by the following vote: Yeas, 25; nays, none.

Also, Senate Joint Resolution and Memorial No. 27—relative to the Walker River Reservation in the State of Nevada—which passed the Senate this day: Yeas, 14; nays, 9.

Also, Senate Bill No. 70—"An Act for the relief of Jacob Kline"—which passed the Senate this day: Yeas, 21; nays, 1.

Also, Senate Bill No. 111—"An Act defining the mode and manner of defending possessory actions on the desert public lands of this State"—which passed the Senate this day, by the following vote: Yeas, 16; nays, 4.

I am also instructed to inform your honorable body that the Senate recede from Senate amendments to Assembly Bill No. 138, Substitute for Senate Bill No. 118 and Assembly Bills Nos. 127 and 135—"An Act to amend an Act to restrict gaming."

And to inform your honorable body that the Senate refuse to concur in Assembly amendments to Senate Bill No. 69—"An Act making appropriations for the eleventh and twelfth fiscal years."

Respectfully,

J. K. EVERETT,

Assistant Secretary of Senate.

Senate Bill No. 62, as per message, read first time.

Mr. Dow moved the rejection of the resolution [?].

Motion lost.

Rules suspended; bill read second time by title, and referred to Judiciary Committee.

Senate Bill No. 84, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Senate Bill No. 87, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Ways and Means.

Senate Bill No. 131, as per message, read first time; rules suspended; read second time by title, and placed on General File.

Senate Bill No. 128, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Senate Bill No. 125, as per message, read first time; rules suspended; read second time by title, and referred to the Committee on Ways and Means.

Senate Bill No. 131, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Senate Joint Resolution and Memorial, relative to Walker River Reser-

vation, read first time; rules suspended; read second time by title, and referred to Committee on Military and Indian Affairs.

Senate Bill No. 126, as per message, read first time; rules suspended; read second time by title, and referred to the Judiciary Committee.

Senate Bill No. 127, as per message, read first time; rules suspended; read second time by title, and placed on the General File.

Senate Bill No. 111, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Public Lands, with instructions to report on the morning of the fourth instant.

Senate Bill No. 117, as per message, read first time; rules suspended; read second time by title, and referred to the Committee of the Whole.

GENERAL FILE.

Assembly Bill No. 112—"An Act requiring incorporated companies to keep an office within this State."

The House refused to engross.

Assembly Bill No. 43—An Act supplementary to an Act entitled "An Act to provide for the registration of names of electors, and prevent fraud at elections," approved March fifth, eighteen hundred and sixty-nine.

On motion of Mr. Dow, special order for twelve o'clock M., was postponed until the fourth instant, at eleven o'clock A. M.

Assembly Bill No. 120—An Act to amend section one of an Act entitled "An Act providing for the location and taxation of borax and soda mines," approved March seventh, eighteen hundred and seventy-three.

Ordered engrossed.

Assembly Bill No. 85—An Act to amend an Act entitled "An Act relative to elections," approved March twelfth, eighteen hundred and seventy-three.

Amendments reported by the committee adopted.

Mr. Wren moved the reference of the bill to a committee of one, to insert the following additional sections:

"SEC. 3. Section five of said Act is amended so as to read as follows:

"Section Five. In addition to the qualifications of an elector, which now are or may hereafter be prescribed by law, every person applying to be registered shall, before he shall be entitled to have his name registered, take and subscribe the following oath or affirmation, which shall be administered by the Registry Agent; *provided*, that no elector, who has taken said oath at the time of his previous registration in this State, shall be required to do so the second time, to wit: I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty thereto, any ordinance, resolution, or law of any State or Territory to the contrary notwithstanding; and I do further swear, that I am a citizen of the United States, and will have actually, and not constructively, resided in this State six months, and in this county thirty days (or, in case of a municipal election, such length of time as may be required by the Act of incorporation,) next preceding the day of the ensuing election; my actual abode and principal home is in this county and precinct, and I did not come into this county to gain a temporary residence for the purpose of voting therein.

"SEC. 4. Section six of said Act is amended so as to read as follows:

When any person shall appear and demand to be registered whom the Registry Agent shall not know to be entitled to registry under the qualifications required by law for the election then ensuing, the Registry Agent may question the applicant generally, either under oath or not, as to his qualifications as an elector, and if satisfied, shall enter his name in the Register; but if the Registry Agent shall not be satisfied, or if the applicant be challenged by a qualified elector of the county, stating distinctly the grounds of challenge, the Registry Agent shall require the applicant to answer truly, under oath or affirmation, the following questions, together with such other questions as said Registry Agent may consider necessary and proper, testing his qualifications of an elector for the ensuing election, to wit: First—Are you a citizen of the United States? Second—Are you now or will you be twenty-one years of age prior to the day of the next ensuing election? Third—On the day of the next ensuing election, will you have actually, and not constructively, resided in this State six months, and in this county thirty days (or in the city — days or months, as provided by the Act of incorporation), next preceding the day of said election? Fourth—Are you now a resident of the election district in which you propose to be registered? Fifth—Are you registered for this election year in any other election district, in the name you have now given, or in any other name? Sixth—Did you come into this county or precinct for the purpose of gaining a temporary residence in order to vote? Seventh—Is your actual abode and principal home in this county and precinct? If any of the foregoing questions shall be answered in the negative, except the fifth and seventh, or they, or either of them, in the affirmative, the applicant shall not be registered; but if the applicant answers all the foregoing questions in the affirmative except the fifth and seventh, and they, or either of them, in the negative, and the Registry Agent shall still believe from the answers to such further questions as he may be led by circumstances to ask, that the applicant is not a qualified elector, he may refuse to register the name of said applicant; but such applicant may then apply to the District Court of the district, or the Judge thereof, for a writ of mandamus to compel the proper registration of his name in such election district; and any elector may also apply to the District Court of his district, or the Judge thereof, for a writ of mandamus to compel the Registry Agent to erase from the registered list of electors the name of any person therein registered whom the applicant may know and be able to prove is not a qualified elector; *provided*, that said Registry Agent shall have notice and opportunity to be heard before said Court, or Judge thereof, and show cause for his refusal. A resident, within the meaning of this Act, shall be construed to mean a person who has actually and in good faith resided, or will have actually and in good faith resided, six months within the State and thirty days within the county immediately preceding the day of the next ensuing election. No person shall gain a residence in any county into which he shall have come for temporary purposes, or for the purpose of voting; and that place shall be considered a man's residence where he has his principal abode, and to which, when absent, it is his intention to return. The electoral year shall commence on the first day of January and end on the thirty-first day of December of each year. Whenever in the same electoral year there shall be held in any township more than one election, general, special, or municipal, any person registered for any one of such elections shall be deemed registered for all subsequent elections in the same year for which the resi-

dence qualification is included in or implied by the residence qualifications of the previous election; and in all cases, registration for a municipal election shall be deemed registered for any succeeding general election in the same year. The person so deemed registered shall be subject in all cases to be excluded from the registry by reason of change of residence, or other causes, as provided elsewhere in this Act."

Motion carried, and Mr. Wren was appointed as such committee, who reported the additional sections inserted pursuant to instructions.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—46.

NAYS—None.

ABSENT—Messrs. Atkinson, Averill, Buckingham, and McGee—4.

On motion of Mr. Wren, the bill was ordered reëngrossed.

Assembly Bill No. 90—An Act entitled "An Act to relocate the county seat of Esmeralda County."

Read third time.

Mr. Willis presented a petition from taxpayers of Esmeralda County, against the passage of the bill.

Mr. Tone presented a petition from citizens of Esmeralda County, in favor of the removal of the county seat of Esmeralda County.

Read third time, and lost by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Blair, Bibbins, Carling, Comins, Gearhart, Hubbard, Laveaga, Nicholls, Peyton, Reese, Spencer, Tone, Watt, Wren, and Mr. Speaker—20.

NAYS—Messrs. Allen of Churchill, Beck, Bergstein, Buckner, Case, Crandall, Ellison, Ford, Gray, Haynie, Helm, Jones, Lowrey, Morrill, Ogg, Penrod, Sanford, Smith, E. R., Smith, J. P., Van Hagen, Van Sickle, and Willis—22.

ABSENT—Messrs. Averill, Buckingham, Dow, Frank, Hogan, Johnson, McDonnell, and McGee—8.

Assembly Bill No. 108—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,' approved March ninth, eighteen hundred and sixty-five, approved March third, eighteen hundred and sixty-nine," approved March fourth, eighteen hundred and seventy-one.

Read third time.

Mr. Bartlett moved that the bill be referred to a committee of one, with instructions to amend as follows: In section three, strike out "five," and insert "seven."

Motion carried, and Mr. Bartlett was appointed as such committee, who reported the bill amended as per instructions.

Mr. Allan of White Pine moved the reference of the bill to a com-

mittee of one, to amend section three by striking out the word "April," and inserting the word "January."

Motion carried, and Mr. Allan of White Pine was appointed as such committee, who reported the bill amended pursuant to instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Bibbins, Buckner, Case, Carling, Comins, Ellison, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—38.

NAYS—Messrs. Dow, Ford, and Lowrey—3.

ABSENT—Messrs. Alt, Blair, Buckingham, Crandall, Gray, McDonnell, McGee, Morrill, and Watt—9.

Assembly Bill No. 96—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"—was returned to its author.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to County Treasurers," approved November second, eighteen hundred and sixty-one.

Mr. Speaker in the chair.

Amendments reported by the committee adopted; bill considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Andrews, Atkinson, Bartlett, Beck, Blair, Bibbins, Buckner, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Laveaga, Lowrey, McDonnell, Nicholls, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—35.

NAY—Mr. Dow—1.

ABSENT—Messrs. Allan of White Pine, Alt, Averill, Bergstein, Buckingham, Ellison, Hogan, Hubbard, Jones, McGee, Morrill, Ogg, Peyton, and Watt—14.

Assembly Bill No. 141—An Act authorizing the adjudication of claims against the State by the Courts, and to provide for the payment of the same in certain cases.

Amendments reported by the committee adopted, and made the special order for this evening, at seven o'clock.

Mr. Buckner moved that the vote by which Assembly Bill No. [125]—"An Act to reimburse D. G. and W. H. Corbett, for moneys expended by them on the State Capitol"—[was passed], be reconsidered.

Mr. Carling moved to indefinitely postpone the motion to reconsider. Motion carried, and bill [motion] indefinitely postponed.

Senate Bill No. 67—An Act to amend an Act entitled "An Act concerning unlawful stock," approved April tenth, eighteen hundred and sixty-two.

Read third time.

Mr. Hubbard moved the indefinite postponement of the bill.

Motion lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Alt, Atkinson, Averill, Beck, Bergstein, Blair, Case,

Carling, Comins, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—31.

NAYS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Bibbins, Buckner, Dow, Ellison, Ford, Hubbard, Penrod, Peyton, Sanford, Smith, E. R., Van Hagen, and Watt—17.

ABSENT—Messrs. Bartlett and McGee—2.

Mr. Case gave notice that, on the fourth instant, he would move for the reconsideration of the vote by which the bill passed.

On motion of Mr. Wren, at twelve o'clock and twenty-five minutes P. M., the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

The House met at two o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Van Hagen, the House resolved itself into the Committee of the [Whole], on Assembly bills.

Mr. Comins in the chair.

In due time the committee arose, and reported back Assembly Bill No. 49—"An Act to regulate fares and freights on railroads in the State of Nevada;" also, Assembly Bill No. 136—"An Act authorizing Thomas K. Hymers and associates to improve the Truckee River, and to take toll from persons transporting logs, wood, timber, and lumber thereon"—with the recommendation that they be laid on the table.

Also, Assembly Bill No. 139—"An Act to reimburse John Carling—and recommend its passage.

Also, Assembly Bill No. 128—"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 twenty-second, eighteen hundred and sixty-five—without recommendation.

Also, Assembly Bill No. 118—"An Act to pay Edwin Luban the sum of six hundred and eighty dollars"—without recommendation.

Also, Assembly Bill No. 84—"An Act reapportioning the representation of members of the Legislature in the State of Nevada"—without recommendation.

Mr. Speaker in the chair.

Report of committee adopted.

Assembly Bill No. 49, as per message, laid on the table.

Assembly Bill No. 136, as per report, laid on the table.

Assembly Bill No. 139—"An Act to reimburse John Carling."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Bibbins, Buckingham, Buckner,

Case, Carling, Comins, Dow, Ellison, Ford, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—43.

NAYS—Messrs. Bartlett, Blair, Crandall, Gray, and Peyton—5.

ABSENT—Messrs. McGee and Smith, E. R.—2.

Assembly Bill No. 128—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 twenty-second, eighteen hundred and sixty-five.

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—41.

NAYS—Messrs. Blair, Gray, Nicholls, Ogg, Tone, and Watt—6.

ABSENT—Messrs. Bartlett, Ford, and McGee—3.

Assembly Bill No. 118—"An Act to pay Edwin Luban the sum of six hundred and eighty dollars."

Considered engrossed; read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Buckingham, Buckner, Carling, Ellison, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Nicholls, Ogg, Reese, Sanford, Smith, J. P., Tone, Van Hagen, and Watt—22.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Case, Comins, Crandall, Dow, Ford, Frank, Gray, Morrill, Penrod, Smith, E. R., Spencer, Van Sickle, Willis, and Mr. Speaker—24.

ABSENT—Messrs. Gearhart, McGee, Peyton, and Wren—4.

Assembly Bill No. 84, as per report of Committee of the Whole, laid on the table.

Senate Bill No. 119—"An Act to encourage the construction of cheap transportation lines."

Read third time, and passed by the following vote:

YEAS—Messrs. Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Comins, Crandall, Dow, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—39.

NAYS—Messrs. Johnson and Willis—2.

ABSENT—Messrs. Allen of Churchill, Allan of White Pine, Alt, Buckner, Carling, Frank, McGee, Peyton, and Tone—9.

Senate Bill No. 74—"An Act authorizing the Lieutenant Governor to employ a clerk in the State Library and Adjutant General's office."

Laid on the table for one day.

Senate Bill No. 61—An Act amendatory of 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, approved March ninth, eighteen hundred and sixty-five, approved March second, eighteen hundred and sixty-seven—was, on motion of Mr. Crandall, indefinitely postponed.

REPORTS OF COMMITTEES.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 101—An Act for the payment of the claim of Ormsby County—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

Also, Assembly Bill No. 138, Substitute for Senate Bill No. 118, and Assembly Bills Nos. 127 and 135—"An Act to amend an Act to restrict gaming," passed March fourth, eighteen hundred and sixty-nine, and all Acts amendatory thereof—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

Mr. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 34—entitled an Act in relation to public highways—report that they have had the same under consideration, and have directed their Chairman to report the same to the House, and recommend that it do pass.

A. NICHOLLS, Chairman.

Senate Bill No. 86—"An Act for the reapportioning of Senators and Assemblymen in the several counties of this State."

Read third time.

Mr. Wren moved the reference of the bill to a committee of one, to amend as follows: Strike out, in section one, line two, after the word "and" and before the word "Assemblymen," the word "three," and insert the word "four." Also, strike out, in section one, ninth line, after the word "and" and before the word "Assemblymen," the word "three," and insert the word "two."

Motion lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Carling, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Jones, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—38.

NAYS—Messrs. Allan of White Pine, Bibbins, Comins, Dow, Ellison, Ford, Hubbard, and Tone—8.

ABSENT—Messrs. Allen of Churchill, Johnson, Lowrey, and McGee—4.

On motion of Mr. Crandall, at four o'clock and thirty minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

Leave of absence granted to Mr. Crandall for the remainder of the day.

Mr. Willis moved a call of the House.

Motion lost.

Mr. Gearhart moved that the special order, viz: Assembly Bill No. 141, be deferred for one hour.

Motion carried.

Mr. Gearhart moved that the rules be suspended for the purpose of a reconsideration of the vote by which Senate Bill No. 86 passed the House.

Mr. Dow raised the point of order that the bill, not being in the possession of the House, no motion to suspend the rules could be entertained until such bill was returned to the House.

The Chair ruled the point of order not well taken.

Motion to suspend the rules carried.

Mr. Gearhart moved that the House request the Senate to return Senate Bill No. 86 back to the House.

Motion carried.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER.

CARSON CITY, March 3d, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 45—An Act supplementary to and amendatory of an Act entitled 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, approved January twenty-seventh, A. D. eighteen hundred and sixty-five, approved March second, A. D. eighteen hundred and seventy-one—which passed the Senate this day, by the following vote: Yeas, 16; nays, 2.

Also, Senate Bill No. 97—An Act to make women eligible to educational offices—which passed the Senate this day, by the following vote: Yeas, 17; nays, 6.

Also, Assembly Bill No. 105—"An Act to authorize the Controller of State to sell and convey certain lands belonging to the State of Nevada"—which passed the Senate this day: Yeas, 22; nays, 1.

Also, Assembly Bill No. 106—An Act to amend an Act entitled "An Act to provide for the destruction of noxious animals within this State," approved March seventh, eighteen hundred and seventy-three—which passed the Senate this day: Yeas, 14; nays, 8.

Also, Assembly Bill No. 9—An Act to create and organize the University of Nevada, and to provide for the control and maintenance of the same—which was this day indefinitely postponed by the following vote: Yeas, 12; nays, 11.

Also, Senate Bill No. 124—An Act to provide for the preservation

and sale of certain Nevada Reports—which passed the Senate this day: Yeas, 17; nays, 5.

Also, Assembly Bill No. 102—An Act to amend an Act entitled an Act in relation to the State Library, approved February fourteenth, eighteen hundred and sixty-five—which passed the Senate this day: Yeas, 21; nays, none.

Also, [Assembly Bill No. 99]—An Act to amend sections five and seven of an Act of the Legislature of the State of Nevada, entitled an Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada, approved March eighth, eighteen hundred and sixty-five, which passed the Senate this day by the following vote: Yeas, 21; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 110—"An Act to provide for the erection and maintenance of partition fences"—which passed the Senate this day: Yeas, 22; nays, 3.

I am also instructed to inform your honorable body that the Senate concur in Assembly amendments to Senate Bill No. 121—"An Act defining the office hours of the Governor of the State of Nevada."

Also, to return to your honorable body Senate Bill No. 69—An Act making appropriations for the eleventh and twelfth fiscal years—and to notify your honorable body that the Senate refused, on yesterday, to concur in Assembly amendments thereto.

Respectfully,

C. N. NOTEWARE,

Secretary of the Senate.

The House concurred in Senate amendments to Assembly Bill No. 45, as per message, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Ellison, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—44.

NAYS—Messrs. Atkinson, Dow, and Reese—3.

ABSENT—Messrs. Ford, Lowrey, and McGee—3.

Mr. Hogan moved that the House recede from its amendments to Senate Bill No. 69, as per Senate message.

Roll called, and the House refused to recede by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Bartlett, Beck, Buckner, Case, Ellison, Hogan, Hubbard, Sanford, Van Hagen, Watt, and Willis—13.

NAYS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Bergstein, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—36.

ABSENT—Mr. McGee—1.

Mr. Wren moved the appointment of a conference committee, and that the Clerk be instructed to notify the Senate of the action of the House, and request that body to appoint a like committee.

Motion carried.

The Speaker appointed Messrs. Wren, Comins, and Carling as such committee.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 3d, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 86—"An Act for the reapportionment of Senators and Assemblymen in the several counties"—in accordance with your request of this day.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

On motion of Mr. Gearhart, the vote by which Senate Bill No. 86, as per message, passed the House, was reconsidered.

Mr. Comins moved the appointment of a committee of one, to amend section one as follows: In ninth line, after the word "and" and before the word "Assemblymen," strike out the word "three" and insert the word "two;" also, in twelfth line, same section, after the word "and" and before the word "Assemblymen," strike out the word "three" and insert the word "four."

Mr. Dow moved to amend the amendment, by inserting in lieu of the word "three," whenever it occurred in reference to Elko County, the word "four;" and whenever the word "two" occurred in reference to Nye County, insert the word "three."

Motion lost.

Mr. Frank arose to a question of privilege.

Messrs. Comins, McDonnell, and Lowrey moved the previous question.

Motion carried.

Roll called, and the motion to amend carried by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Bibbins, Buckingham, Carling, Comins, Crandall, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McConnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Tone, Van Sickle, Wren, and Mr. Speaker—30.

NAYS—Messrs. Allen of Churchill, Alt, Beck, Bergstein, Blair, Buckner, Case, Dow, Ellison, Frank, Hogan, Hubbard, Penrod, Peyton, Sanford, Spencer, Van Hagen, Watt, and Willis—19.

ABSENT—Mr. McGee—1.

Mr. Comins was appointed as such committee, who reported the bill amended as per instructions.

Roll called, and bill passed as amended, by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Buckner, Case,

Carling, Comins, Crandall, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Sickle, Wren, and Mr. Speaker—38.

NAYS—Messrs. Bartlett, Dow, Ellison, Frank, Penrod, Spencer, Van Hagen, Watt, and Willis—9.

ABSENT—Messrs. Bergstein, Hubbard, and McGee—3.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 3d, 1875. }

To the honorable the Assembly:

I am instructed to inform your honorable body that the Senate has this day appointed the following named Senators as a committee of conference on Senate Bill No. 69, viz: Messrs. Rickey, Dickinson, and Farrell.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

By Mr. Bergstein—Assembly Concurrent Resolution No. 32—relative to the insane of the State of Nevada.

Adopted.

Mr. Wren, in behalf of the committee of conference on Senate Bill No. 69, reported that it was impossible for that committee to come to any agreement.

On motion of Mr. Wren, a free conference committee was appointed in behalf of the House on Senate Bill No. 69.

Motion carried.

The Speaker appointed Messrs. Spencer, Johnson, and Morrill as such committee.

REPORT OF COMMITTEE ON ENGROSSMENT.

Mr. SPEAKER: Your Committee on Engrossment have compared the engrossed bills with the originals of Assembly Bill No. 120 and Assembly Bill No. 85, and beg leave to report the same properly engrossed.

NELSON ALLAN, Chairman.

On motion of Mr. Dow, the House went into the Committee of the Whole for the consideration of General File.

Mr. Frank in the chair.

In due time the committee arose and reported back Assembly Bill No. 141—An Act authorizing the adjudication of claims against the State by the Courts, and to provide for the payment of the same in certain cases—and recommend that it do not pass.

Also, Senate Bill No. 89—An Act for the relief of C. A. V. Putnam—without recommendation.

Also, Senate Bill No. 112—An Act supplementary to an Act entitled

"An Act for the government and maintenance of the State Orphans' Home"—and recommend its passage.

Also, Senate Bill No. 58—"An Act for the relief of the heirs of Wm. F. Wilson"—and recommend its passage.

Also, Senate Bill No. 70—"An Act for the relief of Jacob Klein"—without recommendation.

Mr. Speaker in the chair.

Report adopted.

On motion of Mr. Gearhart, the vote by which Assembly Bill No. 133—relative to the purchase of homographic charts—passed the House, was reconsidered.

Mr. Gearhart moved the reference of the bill to a committee of one, to strike out after the words "one hundred," and before the word "dollars," the word "fifty."

Motion carried, and Mr. Gearhart was appointed as such committee, who reported the bill amended as per instructions.

Roll called, and bill passed as amended, by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Carling, Comins, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Laveaga, Lowrey, Ogg, Penrod, Reese, Sanford, Tone, Van Hagen, Watt, Wren, and Mr. Speaker—27.

NAYS—Messrs. Beck, Blair, Buckingham, Buckner, Case, Hubbard, Jones, McDonnell, Nicholls, J. P. Smith, Van Sickle, and Willis—12.

ABSENT—Messrs. Allan of White Pine, Bartlett, Bergstein, Bibbins, Crandall, Johnson, McGee, Morrill, E. R. Smith, and Spencer—11.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 3d, 1875. }

To the honorable the Assembly:

I am instructed to inform your honorable body that the Senate has appointed Senators Hobart, McClinton, and Varian, as a committee of free conference, and ask your honorable body to appoint a like committee, to act with said committee, with reference to disagreement of the two Houses on Senate Bill No. 69.

Also, to return to your honorable body Assembly Bill No. 115—"An Act to provide for organizing and disciplining the militia of the State of Nevada"—which was amended in Senate, and passed this day: Yeas, 19; nays, none.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

The House concurred in Senate amendments to Assembly Bill No. 115, as per message, by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, J. P., Tone, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—36.

NAYS—Messrs. Atkinson, Dow, Ellison, McDonnell, Penrod, and Van Hagen—6.

ABSENT—Messrs. Allan of White Pine, Buckner, Lowrey, McGee, Morrill, Smith, E. R., and Spencer—7.

Mr. Hogan moved that Senate Bill No. 80 be placed on top of the General File.

Motion lost.

Mr. Dow, at ten o'clock P. M., moved to adjourn.

Motion lost.

Mr. Dow, at ten o'clock and three minutes P. M., moved that the House take a recess for fifteen minutes.

Motion lost.

Senate Bill No. 97—"An Act to make women eligible to educational offices."

Read first time; rules suspended; and made the special order for eleven o'clock A. M., of the fourth instant.

REPORT OF JUDICIARY COMMITTEE.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 131—An Act to amend an Act entitled "An Act to regulate proceedings in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Senate Bill No. 114—"An Act in relation to the assessment and taxation of mortgages"—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Senate Bill No. 126—An Act to repeal section two of an Act entitled "An Act concerning banking associations formed in this State under the laws of the United States," approved March tenth, eighteen hundred and sixty-five—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Senate Bill No. 125—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, approved March ninth, eighteen hundred and sixty-five," approved March first, eighteen hundred and seventy-one—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that section two be stricken out and that it do pass.

Also, Senate Bill No. 108—An Act amendatory of and supplemental to an Act entitled "An Act concerning juries," approved March fifth, eighteen hundred and seventy-three—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Senate Bill No. 84—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 eighth, eighteen hundred and sixty-nine—report that they have had the

same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

Also, Senate Bill No. 73—An Act to amend an Act entitled "An Act to amend an Act relative to marriage and divorce," approved November twenty-eighth, eighteen hundred and sixty-one—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, with a recommendation that it do pass.

THOS. WREN, Chairman.

Senate Bill No. 110—"An Act to provide for the erection of partition fences."

Read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Blair, Bibbins, Buckingham, Buckner, Carling, Comins, Ellison, Ford, Gearhart, Gray, Haynie, Helm, Jones, Laveaga, Lowrey, McDonnell, Nicholls, Ogg, Reese, Sanford, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—34.

NAYS—Messrs. Case and Penrod—2.

ABSENT—Messrs. Allan of White Pine, Crandall, Dow, Bergstein, Frank, Hogan, Hubbard, Johnson, McGee, Morrill, Peyton, Smith, E. R., Smith, J. P., and Spencer—14.

On motion of Mr. Buckingham, at ten o'clock and twenty minutes P. M., the House adjourned.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: J. M. WOODWORTH,

Assistant Clerk of the Assembly.

SIXTIETH DAY.

CARSON CITY,

THURSDAY, March 4th, 1875. }

The House met at ten o'clock A. M., pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent—Mr. McGee, absent on indefinite leave.

Prayer by the Rev. Mr. Tevis.

On motion of Mr. Wren, the reading of the Journal of yesterday was dispensed with until this evening.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Public Lands have had under consideration Senate Bill No. 111—"An Act defining the mode and manner of maintaining and defending possessory actions upon the desert public lands of this State"—beg leave to report the same back to the House, with the recommendation that it do not pass.

N. G. ANDREWS, Chairman.

MR. SPEAKER: Your Committee on Military and Indian Affairs have had under consideration Senate Joint Memorial and Resolution No. 27—"relative to the Walker River Reservation in the State of Nevada"—beg leave to report it back to the House, with the recommendation that it do not pass.

H. H. PEYTON, Chairman.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 99—An Act to amend sections five and seven of an Act of the Legislature of the State of Nevada, entitled an Act to provide for the constructing and maintaining toll roads and bridges in the State of Nevada, approved March eighth, eighteen hundred and sixty-five—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

MR. SPEAKER: Your committee of free conference appointed to confer with a like committee appointed by the Senate on Senate Bill No. 69, beg leave to report that they have had the same under consideration, and have agreed upon a substitute therefor, which was yesterday introduced in the Senate, and recommend that the substitute do pass.

J. R. JOHNSON,
L. MORRILL,
A. SPENCER.

By Mr. Comins:

WHEREAS, The seats in the Assembly of Hon. J. M. Sanford and Hon. L. Allen, of Churchill County, have been contested by Asa Merry, Esq., and D. L. Healy, Esq.; and whereas, the decision of said contest was put off from time to time by this Assembly; and whereas, the said Asa Merry has been necessarily in attendance upon this Assembly during the pending of said contest, and at great expense; therefore,

Resolved, by the Assembly, That the sum of two hundred dollars be paid to Asa Merry, out of the Legislative Fund of the State, and that the Sergeant-at-Arms draw his warrant for said sum in favor of said Asa Merry.

Laid on the table.

MR. SPEAKER: Your committee on Public Printing beg leave to report the following amount of work done by the State Printer, from the fourth of February to the fourth of March, inclusive:

Date.	Character of document.	No. of bill.	No. printed.
1875.			
Feb. 4th...	Assembly Bill.....	20	240
"	Assembly Bill.....	66	240
"	Assembly Bill.....	67	240
Feb. 6th...	Assembly Bill.....	68	240
Feb. 8th...	Board of Regents' Report.....		500
"	State Prison Warden's Report.....		400
"	Six books, orders on Controller and Sergeant-at-Arms (blanks).....		
Feb. 9th...	Assembly Bill.....	79	240
"	Assembly Bill.....	80	240
Feb. 10th...	Bond Commissioners' Report.....		250
"	Commissioners Indigent Insane Report.....		250
"	Assembly Bill.....	73	240
"	Assembly Bill.....	86	240
"	Assembly Bill.....	85	240
Feb. 12th...	Secretary of State's Report.....		160
Feb. 13th...	Assembly Bill.....	93	240
Feb. 15th...	Superintendent Public Instruction Report.....		400
"	Surveyor General and Register's Report.....		700
"	Standing Committees.....		50
Feb. 16th...	Committee on Corporations and Railroads, report		240
"	Assembly Bill.....	96	240
"	Roll-calls		75
"	Special committee on Assembly Bill No. 73...		240
Feb. 19th...	Joint special committee on University, reports		240
Feb. 20th...	County Boundaries, Committee on Assembly Bill No. 68, reports.....		240
"	Roll-calls, Assembly.....		1,000
Feb. 22d...	Special Committee on Insane, Deaf, and Dumb, reports		240
"	Assembly Bill.....	110	240
Feb. 24th...	Assembly Bill.....	115	240
Feb. 25th...	Assembly Bill.....	92	240
Feb. 26th...	Committee on Assembly Bill No. 86, report...		240

F. J. FRANK, Chairman.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 3d, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 95—An Act to license traveling agents or drummers doing busi-

ness within this State—which was amended in Senate, and lost by the following vote: Yeas, 8; nays, 10.

Also, Assembly Bill No. 139—An Act to reimburse John Carling—which passed the Senate this day, by the following vote: Yeas, 17; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 133—An Act authorizing the transfer of certain moneys from the Special Land Fund to the State School Fund—which passed the Senate this day, under a suspension of the rules, by the following vote: Yeas, 21; nays, none.

Also, to return to your honorable body Assembly Bill No. 114, which failed to pass the Senate this day: Yeas, 9; nays, 14.

Also, to transmit Senate Bill No. 93—An Act to provide for taking the census of the State of Nevada in the year eighteen hundred and seventy-five—Yeas, 18; nays, 2.

Also, return Assembly Bill No. 117, for which Senate adopt substitute.

Also, transmit herewith, Senate Bill No. 132, substitute for Assembly Bill No. 117, which passed the Senate this day: Yeas, 22; nays, none.

Respectfully,

C. N. NOTEWARE,

Secretary of the Senate.

Senate Bill No. 133, as per message, read first time; rules suspended; read second time; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—45.

NAYS—None.

ABSENT—Messrs. Blair, Carling, Hogan, McGee, and J. P. Smith—5.

Senate Bill No. 93, as per message, read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Bergstein, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Frank, Gearhart, Gray, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, E. R. Smith, Spencer, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—41.

Senate Bill No. 132, as per message, read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Bibbins, Buckner, Case,

Carling, Comins, Crandall, Ellison, Frank, Gearhart, Gray, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Van Hagen, Van Sickie, Watt, Willis, and Mr. Speaker—46.

NAYS—Messrs. Ford and Penrod—2.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 134, Substitute for Senate Bill No. 69—An Act making appropriations for the support of the civil government of the State of Nevada for the eleventh and twelfth fiscal years—reported from committee of free conference March third, adopted in Senate, and passed same day, under a suspension of the rules, by the following vote: Yeas, 22; nays, 2.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 124—An Act for the relief of L. Reynolds (with accompanying papers)—which passed the Senate on yesterday, by the following vote: Yeas 15; nays, 5.

Also, return to your honorable body Assembly Bill No. 107—An Act for the relief of C. L. Phippeny, of Humboldt County, and Willett Gates, of Lyon County—which also passed the Senate on yesterday, by the following vote: Yeas, 16; nays, none.

Respectfully,

C. N. NOTEWARE,
Secretary of Senate.

Senate Bill No. 134, Substitute for Senate Bill No. 69, as per message, read first time.

Mr. Comins moved a suspension of the rules, that the bill be read second time by title, and be referred to the Committee of the Whole.

Pending the consideration of the motion, the hour arrived for the consideration of the special order.

On motion of Mr. Wren, the special order, viz: Senate Bill No. — — An Act to made women eligible to hold educational offices—was postponed until two o'clock p. m.

Mr. Beck moved that the bill be laid on the table.

Messrs. Dow, Blair, and Hogan called for the yeas and nays.

Motion to lay on the table lost by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Atkinson, Bartlett, Beck, Bergstein, Buckner, Case, Dow, Ellison, Ford, Hogan, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—19.

NAYS—Messrs. Allan of White Pine, Andrews, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—30.

ABSENT—Mr. McGee—1.

Mr. Beck moved that the substitute appropriation bill, as per report of committee on free conference, be laid on the table for one hour.

Motion lost.

Mr. Wren moved the adoption of the substitute.

Messrs. Wren, Laveaga, and Blair moved the previous question.

Motion carried.

Pending which, Messrs. Buckner and Hogan arose to questions of privilege; and Mr. Dow, at twelve o'clock and fifteen minutes P. M., moved that the House do adjourn.

Motion to adjourn lost.

Mr. Beck raised the point of order that a majority of the House voted to adjourn.

The Speaker ruled the point not well taken.

Mr. Beck appealed from the decision of the Chair.

Messrs. Dow, Beck, and Hogan called for the yeas and nays.

Roll called, and the House sustained the decision of the Chair by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Averill, Beck, Blair, Buckingham, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, and Wren—30.

NAYS—Messrs. Allen of Churchill, Alt, Atkinson, Bartlett, Bergstein, Bibbins, Buckner, Case, Dow, Ellison, Hogan, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—18.

ABSENT—Mr. McGee and Mr. Speaker—2.

Mr. Beck moved that the House make the appropriation bill the special order for three o'clock P. M. to-day.

The Chair decided the motion lost.

Mr. Beck appealed from the decision of the Chair.

Messrs. Dow, Alt, and Hogan called for the yeas and nays.

Roll called, and the House sustained the Chair by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Averill, Blair, Buckingham, Carling, Comins, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, and Wren—28.

NAYS—Messrs. Allen of Churchill, Atkinson, Bartlett, Beck, Bergstein, Bibbins, Buckner, Case, Dow, Ellison, Ford, Hogan, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—19.

ABSENT—Messrs. McGee, Van Sickle, and Mr. Speaker—3.

Mr. Bartlett, at twelve o'clock and thirty minutes p. m., moved to adjourn.

Messrs. Hogan, Bartlett, and Case called for the yeas and nays.

Roll called, and the House refused to adjourn by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Atkinson, Bartlett, Beck, Bergstein, Buckner, Case, Dow, Ellison, Ford, Hogan, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—19.

NAYS—Messrs. Allan of White Pine, Andrews, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—30.

ABSENT—Mr. McGee—1.

Mr. Wren withdrew his motion to adopt the substitute bill.

Mr. Alt moved to take up Senate Bill No. — —relative to the Umatilla Railroad.

Motion lost.

On motion of Mr. Wren, at twelve o'clock and twenty-five minutes p. m., the House took a recess until two o'clock p. m.

AFTERNOON SESSION.

The House met at two o'clock p. m.

The Speaker in the chair.

Roll called.

Quorum present.

Messrs. Wren, Comins, and Gearhart moved the previous question.

Motion carried.

The previous question being on the adoption of the report of the committee of free conference, the yeas and nays were called for by several members.

Pending the roll call, several members arose to points of order, which were ruled not well taken.

Several members also arose to questions of privilege.

Roll called, and the report was adopted by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Dow, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—32.

NAYS—Messrs. Bartlett, Beck, Penrod, Sanford, and Van Hagen—5.

ABSENT AND NOT VOTING—Messrs. Allen of Churchill, Alt, Bergstein, Buckner, Case, Ellison, Ford, Hogan, Hubbard, McGee, Peyton, Watt, and Willis—13.

Mr. Dow moved to adjourn.

Messrs. Hogan, Wren, and Alt called for the yeas and nays.

Roll called, and the House refused to adjourn by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Bartlett, Bergstein, Buckner, Case, Dow, Ellison, Hubbard, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—15.

NAYS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Beck, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, Smith, E. R., Smith, J. P., Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—33.

ABSENT—Messrs. Ford and McGee—2.

GENERAL FILE.

Assembly Bill No. 120—An Act to amend section one of an Act entitled an Act providing for the location and taxation of borax and soda mines, approved March seventh, eighteen hundred and seventy-three.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, McDonnell, Morrill, Nicholls, Ogg, Penrod, Reese, Sanford, E. R. Smith, J. P. Smith, Spencer, Tone, Van Sickle, Willis, Wren, and Mr. Speaker—36.

NAYS—Messrs. Bartlett, Beck, Crandall, Van Hagen, and Watt—5.

Assembly Bill No. 84—An Act reapportioning the representation of members of the Legislature in the State of Nevada.

Laid on the table.

Mr. Beck raised the point of order, that the substitute appropriation bill never passed the House according to any parliamentary usages recognized by legislative bodies.

The Speaker ruled the point not well taken.

Mr. Beck appealed from the decision of the Chair.

Messrs. Willis, Spencer, and Wren called for the yeas and nays.

Pending the consideration of which, Mr. Beck moved to make the subject matter the special order for six o'clock P. M., this evening.

Pending the consideration of the motion, Mr. Frank moved the indefinite postponement of the whole subject matter.

Several members called for the yeas and nays, also the previous question.

Motion carried, roll called, and the subject matter indefinitely postponed by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Averill, Blair, Buckingham, Carling, Comins, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Reese, E. R. Smith, J. P. Smith, Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—28.

NAYS—Messrs. Allen of Churchill, Alt, Beck, Bergstein, Buckner, Case, Dow, Penrod, Sanford, Watt, and Willis—11.

ABSENT—Messrs. Atkinson, Bartlett, Bibbins, Crandall, Ellison, Ford, Hogan, Hubbard, McGee, Peyton, and Van Hagen—11.

By Mr. Gearhart:

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrant in favor of C. Crandell, Assembly Journal Clerk, for the sum of sixty dollars, for extra services rendered by him after the close of the seventh session of the Nevada Legislature, the same to be paid out of the Legislative Fund of this House.

Adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 135—An Act to amend an Act entitled an Act to amend an Act entitled an Act relative to attorneys and counselors at law, approved March fourth, eighteen hundred and seventy-one—which passed the Senate this day: Yeas, 20; nays, 1.

Respectfully,

J. K. EVERETT,
Assistant Secretary of the Senate.

Senate Bill No. 135, as per message, read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Alt, Andrews, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Comins, Dow, Ellison, Frank, Gearhart, Gray, Haynie, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, J. P. Smith, Spencer, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—38.

NAYS—Messrs. Allan of White Pine, Buckner, and Ford—3.

ABSENT—Messrs. Atkinson, Crandall, Carling, Helm, Hubbard, McGee, E. R. Smith, Tone, and Willis—9.

Senate Bill No. 75—An Act to amend an Act entitled "An Act to amend 'An Act to regulate fees and compensation for official and other services in the State of Nevada,'" approved March ninth, eighteen hundred and sixty-five.

Read third time.

Messrs. Bartlett, Dow, and Comins moved the previous question.

Motion carried.

The previous question being the final passage of the bill, roll called, and bill passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Morrill, Nicholls, Ogg, Penrod, Peyton, Sanford, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—42.

NAYS—Messrs. Hubbard, McDonnell, Reese, and Tone—4.

ABSENT—Messrs. Averill, Hogan, McGee, and Van Hagen—4.

REPORTS OF STANDING COMMITTEES.

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 124—"An Act to provide for the preservation and sale of certain Nevada Reports."

Also, Assembly Bill No. 102—An Act to amend an Act entitled an Act in relation to the State Library, approved February fourteenth, eighteen hundred and sixty-five.

Also, Assembly Bill No. 139—An Act to reimburse John Carling.

Also, Assembly Bill No. 105—An Act to authorize the Controller of State to sell and convey certain lands belonging to the State of Nevada.

Also, Assembly Bill No. 106—An Act to amend an Act entitled an Act to provide for the destruction of noxious animals within this State, approved March seventh, eighteen hundred and seventy-three.

Also, Assembly Bill No. 45—An Act supplementary to and amendatory of an Act 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 twenty-seventh, A. D. eighteen hundred and sixty-five, approved March second, A. D. eighteen hundred and seventy-one.

With the engrossed bills, found correctly enrolled, and were this day delivered to the Governor for his approval.

Also, Assembly Bill No. 107—An Act for the relief of C. L. Phippen, of Humboldt County, and Willett Gates, of Lyon County—found the same correctly enrolled, and was this day delivered to the Governor for his approval.

Also, Assembly Bill No. 115—An Act to provide for organizing and disciplining the militia of the State—with the engrossed bill, found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

By Mr. Haynie:

Resolved, That the Controller be and hereby is authorized and directed to draw his warrants upon the Legislative Fund in favor of the following named persons, for the amounts set opposite their respective names, for extra engrossing, procured by the Committee on Engrossment, and in accordance with a provision of the statutes, and in pursuance of a resolution of this House:

John M. Crawford.....	\$45 00
J. M. Woodworth.....	45 00
George W. McKee.....	30 00
Miss Ida Rozelle.....	37 50
Total.....	\$157 50

As per certificate of the Committee on Engrossment.

By Mr. Haynie:

Resolved, That the Controller be and hereby is authorized and directed to draw his warrants on the Legislative Fund in favor of the following named persons, for the sums set opposite their respective names, for articles furnished and purchased by the Sergeant-at-Arms for the use of the House, its officers, and attachés:

H. W. Putnam.....	\$707 40
John G. Fox.....	21 00
E. B. Rail.....	4 25
Sam. Kee.....	1 00
Ah Pen.....	3 50
E. E. Scott.....	2 50
Maxim Gas Co.	46 20
B. M. Gunn.....	4 00
Fox & Co.....	10 25
Ed. D. Sweeney.....	60 00
Total.....	\$860 10

By Mr. Wren:

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrant in favor of C. Latta for the amount of ninety dollars, for extra services in keeping in order the outhouses during this session of the Legislature.

Referred to Committee on Contingent Expenses.

Mr. SPEAKER: The Committee on Contingent Expenses having had the above under consideration, report it back, with the recommendation that it do pass.

J. W. HAYNIE, Chairman.

By Mr. Haynie:

Resolved, That the Controller be and hereby is authorized and directed to draw his warrants upon the Legislative Fund in favor of the following named persons, for the amounts set opposite their respective names, for assistance to the Enrolling Clerk procured by the Committee on Enrollment, in accordance with a provision of the statutes, and in pursuance of a resolution of this House:

H. A. Gould.....	\$75 00
Mr. Freeman.....	45 00
B. M. Gunn.....	100 00
J. M. Woodworth.....	75 00
Total.....	\$295 00

As per certificate of Chairman of Committee on Enrollment.

By Mr. Wren:

Resolved, That the Controller be authorized to draw his warrant in favor of Peter Earnstrom, for the sum of thirty dollars, for services as flagman, sixty days.

Resolution adopted.

SPECIAL ORDER.

Assembly Bill No. — —An Act to perfect the title to the State Prison. Considered engrossed; read third time.

Mr. Jones moved that a committee of one be appointed to amend the bill as follows: Strike out "thirty-six," and insert "eighteen" in lieu thereof.

Mr. Hogan moved that the amendment be amended by striking out "eighteen," and inserting the words "eighteen cents."

Motion to amend the amendment lost.

Motion to amend the bill carried, and Mr. Jones was appointed as such committee, who reported the bill amended pursuant to instructions.

Messrs. Alt, Hogan, and Averill moved the previous question.

Motion carried.

The previous question being the final passage of the bill, roll called, and bill lost by the following vote:

YEAS—Messrs. Bartlett, Beck, Bibbins, Buckingham, Dow, Ellison, Frank, Gearhart, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Ogg, Penrod, Peyton, Sanford, Tone, and Van Hagen—20.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bergstein, Blair, Buckner, Case, Comins, Crandall, Ford, Hogan, Lowrey, McDonnell, Morrill, Nicholls, Smith, E. R., Smith, J. P., Spencer, Van Sickle, Willis, and Mr. Speaker—23.

ABSENT—Messrs. Allen of Churchill, Carling, Gray, McGee, Reese, Watt, and Wren—7.

By Mr. Frank:

Assembly Concurrent Resolution No. 40—relative to State Prison at Carson.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 137—"An Act more fully defining the powers and duties of the State Board of Regents in connection with the State University"—which passed the Senate this day by the following vote: Yeas, 17; nays, 5.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Bill No. 137, as per message, read first time; rules suspended;

read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Case, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Van Sickle, Wren, and Mr. Speaker—42.

NAYS—None.

ABSENT—Messrs. Buckner, Dow, Ellison, Hubbard, McGee, Spencer, Watt, and Willis—8.

On motion of Mr. McDonnell, at five o'clock and fifteen minutes P. M., the House took a recess until seven o'clock P. M.

EVENING SESSION.

The House in session at seven o'clock P. M.

The Speaker in the chair.

Roll called.

Quorum present.

By Mr. Dow:

Assembly Concurrent Resolution No. 41—relative to the University of the State of Nevada.

Read and adopted.

By Mr. Frank:

Resolved, That the Controller be and hereby is authorized and instructed to draw his warrant on the Legislative Fund, for the amount of seventy-two dollars, in favor of C. S. Mott, for extra services for eight days, in keeping the minutes of the Assembly during the sickness and leave of absence of George W. Rodgers, Minute Clerk.

Adopted.

Mr. Bergstein presented the following protest, and asked to have it entered on the minutes:

ASSEMBLY CHAMBER, March 4th, 1875.

WHEREAS, The Speaker of the House denied us (the minority) the right of appeal from his decision, and refused to give us the right to discuss Senate Bill No. 134, by stating that he had not recognized us upon the floor.

We therefore enter our protest against the arbitrary ruling of the Chair, as unjust. We believe that parliamentary rules are established for the protection of the minority, and that their overriding by a Speaker, assisted by the majority, is a dangerous precedent to establish, and one which, if persisted in, would undoubtedly destroy our State organization.

We also protest and assert that said bill was never legally passed, it

never having received its three readings, as required under the Constitution of the State of Nevada.

H. BERGSTEIN,	J. M. SANFORD,
H. H. HOGAN,	L. ALLEN,
JAMES C. DOW,	GEORGE ALT,
H. H. PEYTON,	L. A. BUCKNER,
J. B. VAN HAGEN,	J. V. CASE,
P. M. ELLISON,	H. H. BECK,
E. PENROD,	W. H. FORD (Republican),
E. R. WILLIS,	M. B. BARTLETT,
R. I. HUBBARD,	GEORGE WATT.

Mr. Hogan moved to take up Assembly Bill No. 103—"An Act to provide for the purchasing of homographic charts."

Mr. Nicholls moved, as an amendment, that the General File be taken up.

Motion to amend carried.

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 125—"An Act to reimburse D. G. and W. H. Corbett for moneys expended by them on the State Capitol"—found the same correctly enrolled, and was this day delivered to the Governor for his approval.

Also, Assembly Concurrent Resolution No. 32—relative to the insane of the State of Nevada—found the same correctly enrolled, and was this day deposited in the Secretary of State's office.

A. HELM, Chairman.

REPORT OF COMMITTEE ON RAILROADS AND CORPORATIONS.

MR. SPEAKER: Your Committee on Railroads and Corporations, to whom was referred Senate Bill No. 46—relative to a street railroad in Carson and to the Warm Springs—having had the same under consideration, beg leave to report it back without recommendation.

J. P. SMITH, Chairman.

GENERAL FILE.

Assembly Bill No. 131—An Act to amend an Act entitled an Act to regulate proceedings in civil cases.

Considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton,

Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Wren, and Mr. Speaker—48.

NAYS—None.

ABSENT—Messrs. McGee and Willis—2.

By Mr. Peyton:

Resolved, That the State Controller draw his warrant on the State Treasurer in favor of H. W. Putnam, Sergeant-at-Arms of the Assembly, for the sum of two hundred and fifty dollars, for extra services rendered as Sergeant-at-Arms, to be paid out of the Legislative Fund.

Adopted.

Senate Bill No. 71—An Act in relation to sending mineralogical specimens to Philadelphia in eighteen hundred and seventy-six.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Beck, Bergstein, Blair, Bibbins, Buckingham, Carling, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Tone, Van Hagen, Wren, and Mr. Speaker—35.

NAYS—Messrs. Buckner, Case, Comins, Ellison, Hogan, Hubbard, Penrod, Van Sickle, and Watt—9.

ABSENT—Messrs. Bartlett, Alt, Dow, McGee, Spencer, and Willis—6.

Mr. Wren, for special committee to whom was referred Assembly Bill No. 79—An Act to regulate freights and fares on railroads in the State of Nevada, and prevent unjust discrimination therein"—reported the same back to the House unfavorably.

By Mr. Bartlett:

Resolved, That the sum of fifty dollars be paid to the Porter of the Assembly, for extra portorage during the present session of the Legislature, and the Controller of State is hereby directed to draw his warrant on the Treasurer of State for said amount.

Adopted.

Senate Bill No. 101—An Act supplementary to an Act entitled "An Act for the government and maintenance of the State Orphans' Home."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Comins, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—46.

NAYS—None.

ABSENT—Messrs. Alt, Blair, McGee, and Van Sickle—4.

Senate Bill No. 102—An Act supplementary to an Act entitled "An Act for the government of the State Orphans' Home."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholis, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—48.

NAYS—None.

ABSENT—Messrs. Carling and McGee—2.

Senate Bill No. 58—"An Act for the relief of the heirs of W. F. Wilson."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Andrews, Averill, Blair, Buckingham, Buckner, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Wren, and Mr. Speaker—38.

NAYS—Messrs. Atkinson, Beck, Bergstein, Bibbins, Case, and Van Sickle—6.

ABSENT—Messrs. Alt, Bartlett, Carling, Ellison, McGee, and Willis—6.

Senate Bill No. 39—"An Act for the relief of C. A. V. Putnam."

Read first [third] time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Beck, Bergstein, Blair, Buckingham, Buckner, Case, Comins, Crandall, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, J. P., Spencer, Tone, Watt, Wren, and Mr. Speaker—35.

NAYS—Messrs. Bibbins, Hubbard, Smith, E. R., Van Sickle, and Willis—5.

ABSENT—Messrs. Atkinson, Averill, Bartlett, Carling, Dow, Ellison, Ford, Frank, McGee, and Van Hagen—10.

Senate Bill No. 70—An Act for the relief of Jacob Klein.

Read third time, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Bartlett, Buckingham, Buckner, Ford, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, Nicholls, Ogg, Penrod, Reese, Sanford, Smith, J. P., Tone, Van Hagen, and Watt—22.

NAYS—Messrs. Allan of White Pine, Alt, Andrews, Beck, Bergstein, Bibbins, Case, Carling, Comins, Crandall, Frank, Hubbard, McDonnell, Morrill, Peyton, Smith, E. R., Spencer, Van Sickle, Willis, and Mr. Speaker—20.

ABSENT—Messrs. Atkinson, Averill, Blair, Dow, Ellison, Hogan, McGee, and Wren—8.

Senate Bill No. 28—An Act to supply the Town of Winnemucca with water—was indefinitely postponed.

Senate Bill No. 55—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 ninth, eighteen hundred and sixty-five.

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Averill, Bergstein, Blair, Buckingham, Carling, Comins, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Peyton, Reese, Sanford, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Watt, Willis, Wren, and Mr. Speaker—36.

NAYS—Messrs. Alt, Andrews, Bibbins, Crandall, and Atkinson—5.

ABSENT—Messrs. Allan of White Pine, Beck, Buckner, Case, Ellison, Hogan, McGee, Penrod, and E. R. Smith—9.

Senate Bill No. 77—An Act to encourage the construction of certain railroads in Humboldt County.

Indefinitely postponed.

Senate Bill No. 103—An Act in aid of the construction of the Nevada State Prison.

Read third time.

Mr. Hogan moved the appointment of a committee of one to amend the bill.

Mr. Hogan moved that the House resolve itself into the Committee of the Whole for the consideration of Senate Bill No. 103—"An Act in aid of the Nevada State Prison."

Mr. Hogan moved that the bill be indefinitely postponed.

Motion carried, and the bill was indefinitely postponed.

Senate Bill No. 34—"An Act in relation to public highways."

Read third time, and passed by the following vote:

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Ellison, Ford, Gearhart, Gray, Haynie, Hubbard, Johnson, Jones, McDonnell, Nicholls, Ogg, Penrod, Peyton, Sanford, J. P. Smith, Spencer, Tone, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—36.

NAYS—None.

ABSENT—Messrs. Atkinson, Averill, Carling, Dow, Frank, Haynie, Helm, Laveaga, Lowrey, McGee, Morrill, Reese, E. R. Smith, and Watt—14.

On motion of Mr. Wren, Senate Bill No. 108—"An Act amendatory of and supplementary to an Act entitled 'An Act concerning juries,'" approved March fifth, eighteen hundred and seventy-three—was taken up, read third time, and passed by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Andrews, Bartlett, Blair, Buckingham, Buckner, Case, Comins, Crandall, Dow, Ellison, Ford, Gray, Haynie, Helm, Hogan, Johnson, Jones, McDonnell, Nicholls, Ogg, Penrod, Peyton, Sanford, J. P. Smith, Spencer, Van Hagen, Van Sickle, Willis, Wren, and Mr. Speaker—32.

NAYS—None.

ABSENT—Messrs. Allen of Churchill, Atkinson, Averill, Beck, Bergstein, Bibbins, Carling, Gearhart, Hubbard, Laveaga, Lowrey, McGee, Morrill, Reese, E. R. Smith, Tone, and Watt—18.

On motion of Mr. Comins, the resolution introduced by him—relative to Asa Merry contesting his seat in the House—was taken from the table, read, and lost by the following vote:

YEAS—Messrs. Allen of Churchill, Andrews, Bartlett, Buckingham, Carling, Comins, Dow, Frank, Haynie, Helm, Hogan, Johnson, Jones, McDonnell, Peyton, Sanford, Tone, Van Hagen, Wren, and Mr. Speaker—20.

NAYS—Messrs. Allan of White Pine, Alt, Atkinson, Beck, Bergstein, Blair, Bibbins, Buckner, Case, Crandall, Ellison, Ford, Gray, Hubbard, Ogg, Penrod, Reese, E. R. Smith, J. P. Smith, Spencer, Van Sickle, and Willis—22.

ABSENT—Messrs. Averill, Gearhart, Laveaga, Lowrey, McGee, Morrill, Nicholls, and Watt—8.

Assembly Bill No. 80—An Act to grant the Nevada and Oregon Railroad Company the right of way for a railroad and telegraph line from Virginia City, Nevada, to the northern boundary line of this State—was, on motion of Mr. Beck, indefinitely postponed.

Senate Bill No. 90, Substitute for Senate Bill No. 35—An Act amendatory of an Act entitled “An Act concerning juries,” approved March fifth, eighteen hundred and seventy-three.

Mr. Frank moved that the bill be indefinitely postponed.

Motion lost.

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

YEAS—Messrs. Allen of Churchill, Allan of White Pine, Alt, Andrews, Atkinson, Averill, Bartlett, Beck, Bergstein, Blair, Bibbins, Buckingham, Buckner, Case, Carling, Crandall, Dow, Ellison, Ford, Frank, Gearhart, Gray, Haynie, Helm, Hogan, Hubbard, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Nicholls, Ogg, Penrod, Peyton, Reese, Sanford, Smith, E. R., Smith, J. P., Spencer, Tone, Van Hagen, Watt, Willis, Wren, and Mr. Speaker—47.

NAYS—Messrs. Comins and Van Sickle—2.

ABSENT—Mr. McGee—1.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 87—entitled an Act defining the value at which property shall be assessed for taxation in this State—report that they have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend that it do pass.

A. NICHOLLS.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 85—An Act to amend an Act entitled an Act relating to elections, approved March twelfth, eighteen hundred and seventy-three—found the same correctly enrolled, and was this day delivered to the Governor for his approval.

A. HELM, Chairman.

On motion of Mr. Nicholls, Senate Bill No. 87—entitled an Act defining the value at which property shall be assessed for taxation in this State—was taken up, read third time, and lost by the following vote:

YEAS—Messrs. Andrews, Beck, Blair, Bibbins, Buckingham, Buckner, Case, Comins, Crandall, Ford, Gearhart, Gray, Haynie, Helm, Hogan, Johnson, Jones, Laveaga, Nicholls, Ogg, Smith, E. R., Smith, J. P., Spencer, Watt, and Wren—25.

NAYS—Messrs. Allen of Churchill, Atkinson, Averill, Bergstein, Carling, Dow, Lowrey, McDonnell, Morrill, Penrod, Reese, Sanford, Tone, Van Sickle, and Mr. Speaker—15.

ABSENT—Messrs. Allan of White Pine, Alt, Bartlett, Ellison, Frank, Hubbard, McGee, Peyton, Van Hagen, and Willis—10.

Mr. Johnson moved to take a recess for one half hour.
Motion lost.

Resolved, That the thanks of this House be extended to the representatives of the Sacramento *Record-Union*, *Call*, and *Alta*, for their uniform fairness in their reports.

Adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I have the honor to herewith transmit, for your consideration, Senate Bill No. 136—An Act relating to moneys accumulating in the State Building Fund—which passed the Senate this day: Yeas, 17; nays, 6.

Respectfully,

J. K. EVERETT,
Assistant Secretary of Senate.

Senate Bill No. 136, as per message, read first time.

Mr. Buckner moved the indefinite postponement of the bill.

Yeas and nays called for by Messrs. Buckner, Case, and Dow.

On motion of Mr. Beck, the subject matter was postponed for fifteen minutes.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly of Nevada:

I have this day approved and deposited in the office of the Secretary of State, the following bills:

Assembly Bill No. 101—"An Act for the payment of the claim of Ormsby County."

Assembly Bill No. 138—"An Act to amend an Act to restrict gaming,

passed March fourth, eighteen hundred and sixty-nine, and all Acts amendatory thereof."

J. W. ADAMS.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I am instructed to herewith return to your honorable body Assembly Bill No. 132—An Act to amend an Act entitled an Act in relation to County Treasurers, approved November twenty-ninth, eighteen hundred and sixty-one—which failed to pass the Senate this day by the following vote: Yeas, 2; nays, 14.

Also, Assembly Bill No. 125—"An Act to reimburse D. G. and W. H. Corbett, for moneys expended by them on the State Capitol—which passed the Senate this day by the following vote: Yeas, 17; nays, 4.

I am also instructed to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Bill No. 86—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State.

Also, to return to your honorable body Assembly Bill No. 85—An Act to amend an Act entitled "An Act relating to elections," approved March twelfth, eighteen hundred and seventy-three—which passed the Senate this day: Yeas, 22; nays, none.

Also, Assembly Bill No. 122—An Act concerning the fees of attorneys in certain cases—which passed the Senate this day: Yeas, 20; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 138—An Act to secure the better collection of the mining tax—which passed the Senate this day by the following vote: Yeas, 16; nays, none.

Also, to transmit, for your consideration, Senate Bill No. 104—An Act to provide for the payment of certain claims against the State of Nevada therein mentioned—which passed the Senate this day: Yeas, 19; nays, none.

Also, to return to your honorable body Assembly Concurrent Resolution No. 34—relative to Regents of State University—which passed the Senate this day: Yeas, 19; nays, 4.

Also, Assembly Bill No. 120—An Act to amend section one of an Act entitled an Act providing for the location and taxation of borax and soda mines, approved March seventh, eighteen hundred and seventy-three—which passed the Senate this day: Yeas, 17; nays, 1.

Also, Assembly Bill No. 131—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 eighth, eighteen hundred and sixty-nine—which passed the Senate this day: Yeas, 21; nays, 2.

Also, Assembly Concurrent Resolution No. 33—relative to directing the Attorney General to commence suit against Treadway & Co.—which failed to pass the Senate this day by the following vote: Yeas, 3; nays, 19.

Also, to transmit, for your consideration, Senate Bill No. 100—An Act in relation to costs in criminal cases in the Courts of Justices of

the Peace in the State of Nevada—which passed the Senate March second: Yeas, 15; nays, 2.

Respectfully,

J. K. EVERETT,

Assistant Secretary of Senate.

Motion to indefinitely postpone Senate Bill No. 136, as per message, taken up (?)

Roll called, and bill not postponed, by the following vote:

YEAS—Messrs. Allan of White Pine, Alt, Atkinson, Bartlett, Beck, Bergstein, Buckner, Case, Dow, Ellison, Hogan, Hubbard, Nicholls, Penrod, Peyton, Sanford, Tone, Van Hagen, Watt, and Willis—20.

NAYS—Messrs. Allen of Churchill, Andrews, Averill, Blair, Bibbins, Buckingham, Carling, Comins, Crandall, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Morrill, Ogg, Reese, E. R. Smith, Spencer, Van Sickle, Wren, and Mr. Speaker—29.

ABSENT—Mr. McGee—1.

Messrs. Haynie, Laveaga, and Buckner moved the previous question. Motion carried.

Messrs. Hogan, Penrod, and Averill called for the yeas and nays.

Mr. Beck asked unanimous leave to send up the following resolution. Leave granted.

By Mr. Beck:

Resolved, That the Speaker of this House, together with the Clerk hereof, be and they are hereby authorized to read and approve the Journal after adjournment, or so much thereof as shall not have been read and approved before the adjournment of this Legislature.

Adopted.

The previous question being to suspend the rules; read the bill a second time by title; further suspend the rules; read the bill a third time, and place it upon its final passage.

Roll called, and motion lost by the following vote:

YEAS—Messrs. Allan of White Pine, Andrews, Atkinson, Averill, Blair, Buckingham, Carling, Comins, Crandall, Dow, Ford, Frank, Gearhart, Gray, Haynie, Helm, Johnson, Jones, Laveaga, Lowrey, McDonnell, Ogg, Reese, E. R. Smith, Spencer, Tone, Van Sickle, Wren, and Mr. Speaker—30.

NAYS—Messrs. Allen of Churchill, Alt, Bartlett, Beck, Bergstein, Bibbins, Buckner, Case, Ellison, Hogan, Hubbard, Morrill, Penrod, Peyton, Sanford, Van Hagen, Watt, and Willis—18.

ABSENT—Messrs. McGee and J. P. Smith—2.

Mr. Wren moved that a committee of three be appointed to wait on the Governor, and inform him that the House had concluded its business for the session, and ask him if he had any further communications to make.

The Speaker appointed Messrs. Wren, Beck, and Van Hagen as such committee.

Mr. Bergstein, at eleven o'clock and forty-five minutes P. M., moved to take a recess for ten minutes.

Motion lost.

In due time the committee returned, and reported that they had waited upon the Governor, and he had informed them that he had no further communications to make.

Mr. Dow in the chair at eleven o'clock and fifty minutes P. M.

Mr. Speaker in the chair at eleven o'clock and fifty-seven minutes P. M.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, March 4th, 1875. }

To the honorable the Assembly:

I am instructed to return to your honorable body Assembly Bill No. 128, which was this day indefinitely postponed by the Senate.

Respectfully,

C. N. NOTEWARE,
Secretary of the Senate.

REPORT OF COMMITTEE ON ENROLLMENT.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bill No. 120—An Act to amend section one of an Act entitled an Act providing for the location and taxation of borax and soda mines, approved March seventh, eighteen hundred and seventy-three.

Also, Assembly Bill No. 131—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 eighth, eighteen hundred and sixty-nine.

Also, Assembly Bill No. 122—An Act concerning the fees of attorneys in certain cases.

Found correctly enrolled, and were this day delivered to the Governor for his approval.

Also, Assembly Concurrent Resolution No. 34—relative to Regents of State University—found the same correctly enrolled, and was this day deposited in the Secretary of State's office.

A. HELM, Chairman.

By Mr. Johnson:

Resolved, That the Sergeant-at-Arms is hereby authorized and directed to draw his warrant upon the Controller for the sum of one hundred dollars, in favor of the Chief Clerk of the House, for services to be performed after the close of the session, to correct the Journal and Appendix, the same to be paid out of the Legislative Fund.

Adopted.

At twelve o'clock, midnight, the Speaker declared the Assembly of the seventh session of the Nevada Legislature adjourned *sine die*.

Approved:

W. C. DOVEY,

Speaker of the House.

Attest: J. M. WOODWORTH,

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