

THE  
JOURNAL OF THE ASSEMBLY

OF THE  
TENTH SESSION

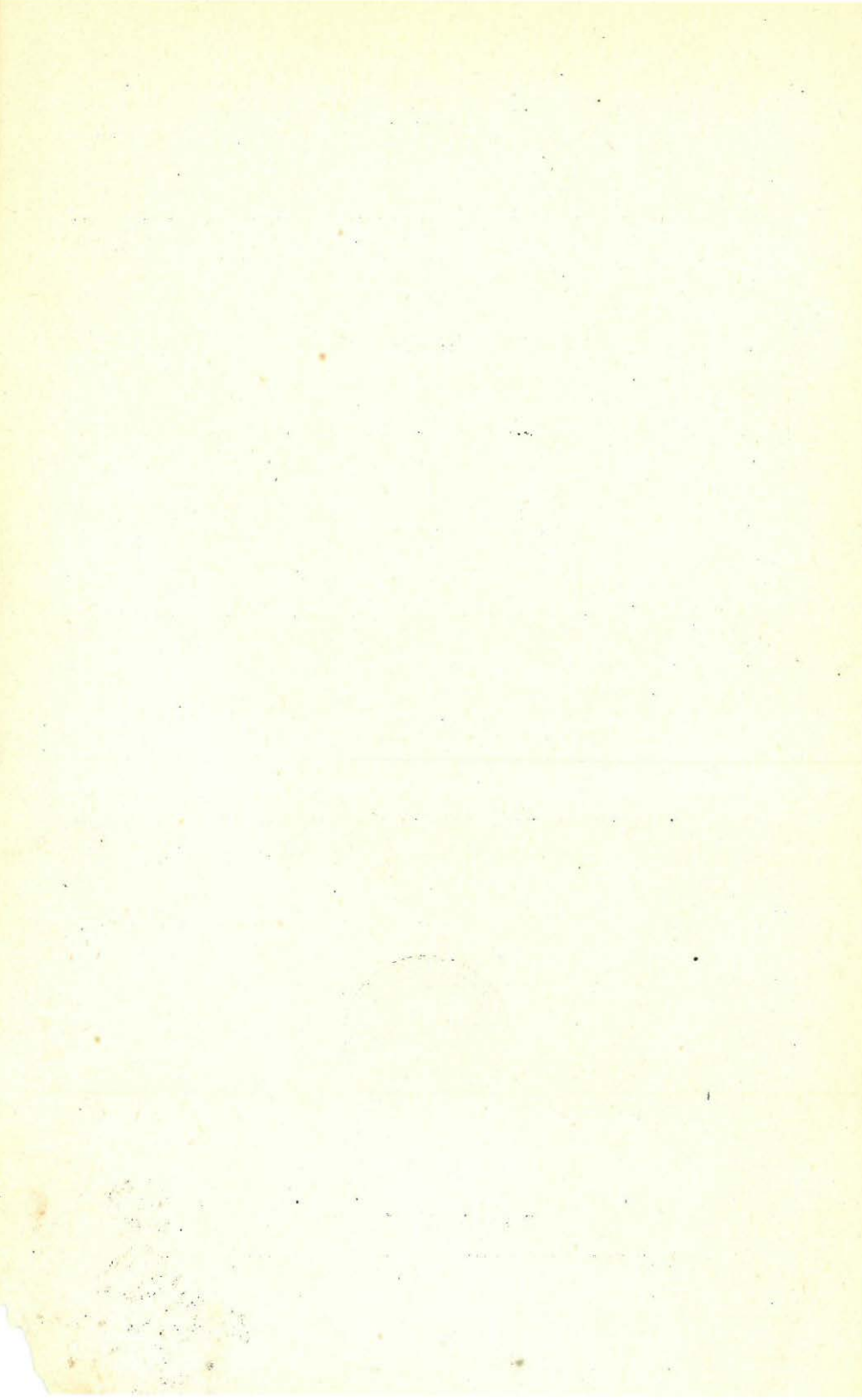
OF THE  
LEGISLATURE OF THE STATE OF NEVADA

1881,

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



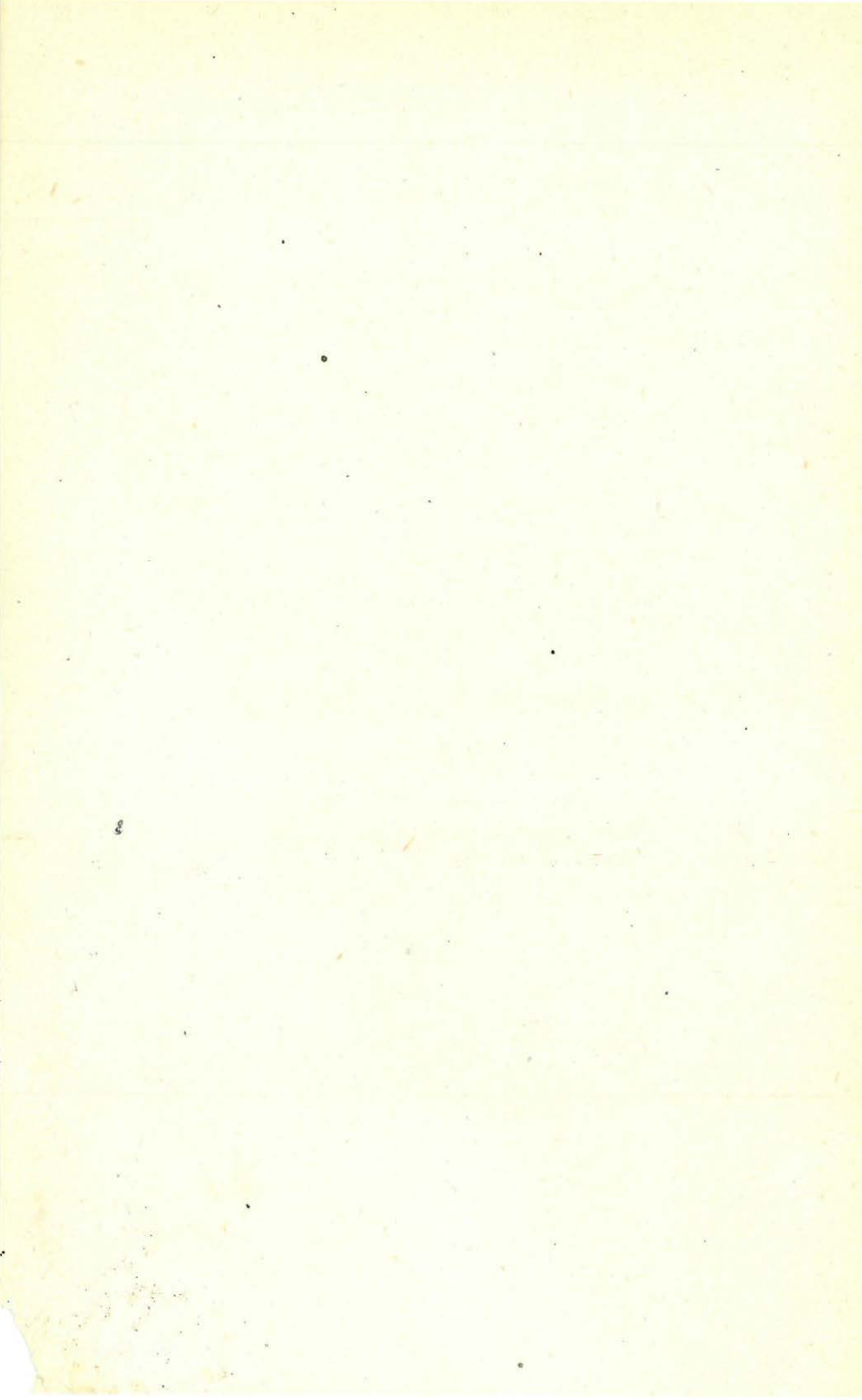
CARSON CITY:  
STATE PRINTING OFFICE, : J. W. MADDRILL, SUP'T.  
1881.





## ARRANGEMENT AND CONTENTS OF VOLUME.

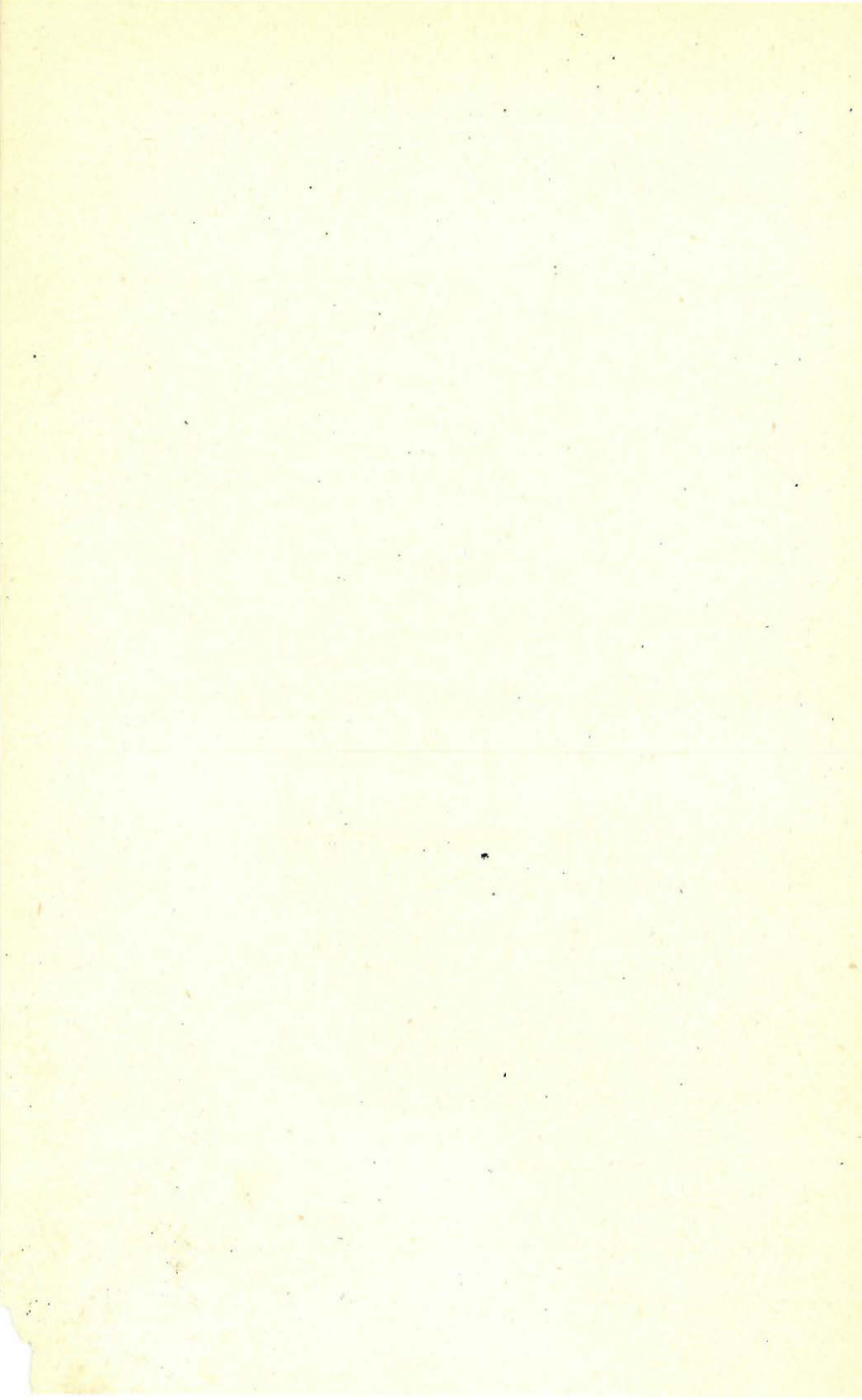
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JOURNAL  
OF THE  
PROCEEDINGS OF THE ASSEMBLY

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TENTH SESSION, 1881.



JOURNAL  
OF THE  
ASSEMBLY OF THE STATE OF NEVADA

TENTH SESSION, 1881.

FIRST DAY.

CARSON CITY (Monday), January 3, 1881.

Pursuant to the provisions of the Constitution and Statute, the Assembly was called to order at 12 m. by the Hon. Jasper Babcock, Secretary of State.

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

Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Merrill, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Waldorf.

Absent—Messrs. Belding and Kelly.

The Chair appointed J. M. Woodworth temporary Clerk and D. D. Donovan temporary Sergeant-at-Arms.

Mr. Merrill moved that a committee of two be appointed by the Chair to wait on one of the Judges of the Supreme Court and request him to administer the oath of office to the members-elect of the Assembly.

Motion carried.



The Chair appointed Mr. Merrill and Mr. Coffin as such committee, and they returned in due time with Judge Leonard, who administered the oath of office to the following-named members-elect of the Assembly :

Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Merrill, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Waldorf.

Absent—Messrs. Belding and Kelly.

Mr. Bell moved that the Assembly now proceed to organize by the election of the following officers, in the following order, to wit:

- |                                |                            |
|--------------------------------|----------------------------|
| 1. Speaker,                    | 9. Enrolling Clerk,        |
| 2. Speaker <i>pro tem.</i> ,   | 10. Engrossing Clerk,      |
| 3. Chief Clerk,                | 11. Copying Clerk,         |
| 4. Assistant Clerk,            | 12. Chief Committee Clerk. |
| 5. Sergeant-at-Arms,           | 13. Committee Clerks,      |
| 6. Assistant Sergeant-at-Arms, | 14. Messenger.             |
| 7. Minute Clerk,               | 15. Pages,                 |
| 8. Journal Clerk,              | 16. Porter.                |

Mr. Merrill of Eureka was placed in nomination for Speaker, and there being no opposition, Mr. Adams moved that the Speaker be elected by acclamation.

Motion carried.

The Chair appointed Mr. Bell and Mr. Drexler a committee to conduct Mr. Merrill, Speaker-elect, to the chair.

The committee performed its duty, and Mr. Merrill, on assuming the chair, addressed the House in a few fitting remarks.

Mr. Organ placed Mr. Bell of Nye in nomination for Speaker *pro tem.*

There being no opposition, Mr. Bell was elected by acclamation.

There being no opposition when the nominations for the following officers were made, they were elected by acclamation as attachés of the House :

R. E. Lowery, Chief Clerk; W. D. Jones, Assistant Clerk; D. D. Donovan, Sergeant-at-Arms; J. W. Hall, Assistant Sergeant-at-Arms; H. Welch, Minute Clerk; J. Brady, Journal Clerk; J. O'Leary, Enrolling Clerk; H. Warren, Engrossing Clerk; Miss M. H. Kittrell, Copying Clerk; W. J. Westerfield, Copying Clerk; H. C. Street, Chief Committee Clerk; A. D. Rock, Committee Clerk; W. H. Noyes, Committee Clerk; William Riebenstein, Committee Clerk; P. Organ, Committee Clerk; William Musgrove, Messenger; Charles A. Dealey, Page; George Roberts, Page.



Mr. Ford nominated A. Fitzgerald of Storey for Porter of the Assembly.

Mr. McGowan nominated James Pursley of Lyon for Porter of the Assembly.

The roll being called, Mr. Fitzgerald received the following vote for Porter of the Assembly :

Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Lewers, Mallon, Masel, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker.

Mr. Pursley received the following vote : Mr. McGowan.

Mr. Fitzgerald having received a majority of votes was declared elected Porter of the Assembly.

On motion of Mr. Smyth the Chair appointed a committee of two to await on one of the Supreme Judges and request him to administer the oath of office to the attachés of the Assembly.

Mr. Smyth and Mr. McKenzie were appointed such committee and they performed their duty, returning with Judge Hawley, who administered the oath of office to all the attachés of the Assembly, with the exception of Mr. P. Organ and Miss M. H. Kittrell.

On motion the members-elect of the Assembly came forward and signed the oath of office.

Absent—Messrs. Belding and Kelly.

#### SENATE MESSAGE.

*To the Honorable the Assembly :*

I have the honor to state that the following resolution has just passed the Senate :

*Resolved*, That the Secretary of the Senate be instructed to inform the Assembly that the Senate is fully organized by the election of the following officers and attachés :

W. R. King, President *pro tem* ; Geo. I. Lammon, Secretary ; W. H. Doane, Assistant Secretary ; C. C. Wallace, Sergeant-at-Arms ; C. Kimball, Assistant Sergeant-at-Arms ; Jno. F. Myers, Minute Clerk ; N. W. Roff, Journal Clerk ; C. H. Sproule, Enrolling Clerk ; H. A. Henderson, Engrossing Clerk ; E. R. Dodge, Copying Clerk ; Henry Cobb, Copying Clerk ; Geo. Territten, Chief Clerk of Committees ; L. Meder, Committee Clerk ; M. E. Howard, Committee Clerk ; F. H. Hart, Committee Clerk ; Ed. S. Lee, Porter ; Warren C. Noteware, Messenger ; Frank Cushing, Page ; Henry E. Martin, Page. And the Senate is now ready to proceed with the business of the session. Respectfully,

GEORGE I. LAMMON,  
Secretary of the Senate.

Mr. Bell moved that a committee of two be appointed by the Chair to await on one of the Judges of the Supreme Court and request him to appear and deliver the oath of office to Mr. P. Organ and Miss M. H. Kittrell.

Motion carried.

Messrs. Organ and Bell were appointed such committee and performed their duty, returning with Judge Hawley, who administered the oath of office to Mr. P. Organ and Miss M. H. Kittrell.

On motion of Mr. Ballinger of Elko the Senate was notified that the Assembly was organized and ready to proceed with the business of the session.

Mr. Smyth moved that a committee of two be appointed to await on the Governor and inform him that the Assembly was organized and ready to receive communications from His Excellency.

Motion carried.

Mr. Smyth and Mr. Shepard were appointed by the Chair as such committee, and they performed their duty, and on returning reported that the Governor had no message at present, but would have very soon.

Mr. Bell, at 1:29 p. m., moved that the House take a recess until 2 p. m.

Motion carried.

### HOUSE IN SESSION.

At 2 p. m.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Adams, Belding, Berry, Drexler, Havenor, Kelly, McBurney and Plank.

### MOTIONS AND RESOLUTIONS.

Mr Johnson moved that the Joint Rules and Standing Rules of the last session of the Legislature be adopted as the Rules of this Assembly until otherwise ordered.

Motion carried.

By Mr. Shepard:

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

On motion of Mr. Englis, at 2:18 p. m., the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.



SECOND DAY.

CARSON CITY (Tuesday), January 4, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

Journal of yesterday read, corrected and approved.

MOTIONS AND RESOLUTIONS.

By Mr. Ballinger :

WHEREAS, J. Z. Kelly, a member-elect of this Assembly from Elko County, is now ill in this city, and is unable to come into this Assembly Chamber to take the oath of office ; therefore,

*Resolved*, That a committee of two be appointed by the Speaker to respectfully invite one of the Supreme Judges of the State to repair to the room of the said J. Z. Kelly, member-elect, with said committee, and administer the oath of office to the said J. Z. Kelly, and that said committee report to this House the fact of such official oath having been administered, and that such report be entered in the Journal of this House.

Adopted.

Mr. Ballinger and Mr. Adams were appointed by the Chair as such committee.

By Mr. Bell :

*Resolved*, That the Sergeant-at Arms be instructed to procure suitable rooms for the Journal, Enrolling and Engrossing Clerks.

Adopted.

Mr. Bell moved that the rules be suspended, and that he have the privilege of introducing a bill.

Motion carried.

By Mr. Bell (by leave):

Assembly Bill No. 1—An Act to create certain Legislative funds.  
Bill read first time.

On motion of Mr. Englis the rules were suspended and bill read second time by title and referred to the Committee of the Whole.

The Governor's Message was received.

By Mr. Smyth :

*Resolved*, That Assembly Bill No. 1, entitled "An Act to create certain Legislative funds," be referred to the Committee of the

Whole, and made the special order of business for to-morrow at 12 M.

Adopted.

GOVERNOR'S MESSAGE.

On motion of Mr. Waldorf the reading of the Governor's Message was dispensed with.

By Mr. Bell:

Assembly Concurrent Resolution No. 1, relating to printing two thousand five hundred copies of the Governor's Message.

Adopted.

On motion of Mr. Bell, at 11:30 A. M., the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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THIRD DAY.

CARSON CITY (Wednesday), January 5, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

Journal of yesterday read and approved.

The Speaker appointed the following Standing Committees:

ON MILEAGE.

Messrs. Condon, Bradshaw and Irvine.

ON ELECTIONS.

Messrs. Penoyer, McBurney, Barrett, Lewers and Corbett.

ON ENGROSSING.

Messrs. Soule, Plank and Parker.

ON ENROLLMENT.

Messrs. Richards, Duffy and Adams.



## MOTIONS AND RESOLUTIONS.

By Mr. Drexler :

*Resolved*, That in compliance with an Act of Congress, the Assembly proceed to vote for the election of United States Senator on Tuesday, January 11, 1881, at 12 o'clock noon.

Adopted.

## REPORT OF SPECIAL COMMITTEE.

*Mr. Speaker :*

Your committee appointed to have the oath of office administered to Mr. Kelly of Elko, report that Judge Hawley has duly administered said oath and that Mr. Kelly has signed the roll.

O. H. BALLINGER,  
JAMES ADAMS,

Committee.

Report accepted.

By Mr. Johnson :

*Resolved*, That Hon. J. Z. Kelly, a member of this Assembly, be, and he is hereby, granted an indefinite leave of absence.

Adopted.

By Mr. Parker :

*Resolved*, That we now proceed to elect a Chaplain.

Mr. Green moved that the resolution be laid on the table.

Motion carried.

By Mr. Corbett :

*Resolved*, That the members of this Assembly are religious enough to do their own praying ; therefore,

*Resolved*, That this Assembly dispense with the office of Chaplain for this term.

Mr. Ernst moved that the resolution be laid on the table.

Motion lost by a vote of 14 to 28.

Mr. Corbett moved that his resolution be adopted.

Division called for and resolution adopted by a majority vote.

By Mr. Waldorf :

*Resolved*, That a committee of three be appointed by the Speaker, whose duty it shall be to procure as many rooms as possible in the Capitol building for the different committees.

Adopted.

## NOTICES OF BILLS.

Mr. Bell gave notice that he would on to-morrow introduce a bill for the better protection of laborers working around machinery.

Mr. Richards gave notice that he would at some future time introduce a bill to regulate the salary of Deputy State Officers.

Mr. Ernst gave notice that he would to-morrow or on some future day introduce a bill entitled "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 8, 1869.

Mr. Bradshaw gave notice that he would on some future day introduce a bill for an Act to amend Section 139 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

SENATE MESSAGE.

Senate Concurrent Resolution No. 1, relative to printing the Governor's Message, was brought in by the Assistant Secretary of the Senate.

Mr. Coffin moved that Senate Concurrent Resolution No. 1 be adopted.

Motion lost.

Mr. Plank moved that Senate Concurrent Resolution No. 1 be laid on the table.

Motion lost.

Mr. Tuska, by leave, introduced Assembly Bill No. 2—An Act to regulate fees and compensation for official and other services in the State of Nevada.

Mr. Duffy moved that the rules be suspended, and that Assembly Bill No. 2, entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," be read the first time.

Motion carried.

Bill read first time partially.

On motion of Mr. Smyth the rules were suspended, further reading dispensed with, the bill considered read the first time, ordered printed and referred to the Judiciary Committee.

At 11:30 A. M. Mr. Newell moved that a recess be taken until 12 M.

Motion lost.

Mr. Green moved that the special order of yesterday, viz: Assembly Bill No. 1, entitled "An Act to create certain Legislative funds," be now taken up, and that the House resolve itself into Committee of the Whole.

Motion carried.

Assembly now in Committee of the Whole.

Mr. Bell, Speaker *pro tem.*, in the Chair.

In due time the Committee arose and reported back Assembly Bill No. 1, and recommended its passage.

On motion of Mr. Smyth the rules were suspended and the bill read by sections.

Mr. Englis moved that the report of the Committee of the Whole, recommending the passage of Assembly Bill No. 1, be accepted.

Motion carried.



Mr. Plank moved that the bill be read the third time and placed upon its final passage.

Motion carried.

Bill placed upon its final passage, and passed by all the members present voting in the affirmative.

Absent—Messrs. Belding and Kelly.

On motion of Mr. Moriarty, at 11:45 A. M., the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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#### FOURTH DAY.

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CARSON CITY (Thursday), January 6, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

Journal of yesterday read and approved.

The Speaker announced the following Standing Committees:

COMMITTEE ON JUDICIARY.

Messrs. Tuska, Coffin, Ernst, Masel, Gignoux, Richards and Condon.

COMMITTEE ON WAYS AND MEANS.

Messrs. Bell, Waldorf, Berry, Drexler, Shepard, Soule and Johnson.

The Speaker appointed as a special committee to procure rooms for the different committees in the Capitol building Messrs. Waldorf, Organ and May.

REPORT OF STANDING COMMITTEE.

*Mr. Speaker:*

Your Committee on Mileage have had the same under consideration, and beg leave to submit the following table, showing the distance traveled by the several members of the House coming to and returning from the Capital of the State, Tenth Session, 1881:

NAMES OF MEMBERS.	Miles.	Amounts.
<i>Churchill County.</i>		
J. W. Richards .....	220	\$88 00
<i>Douglas County.</i>		
Thomas Irvine .....	54	21 60
John A. Johnson.....	28	11 20
<i>Esmeralda County.</i>		
T. McGowan.....	180	72 00
W. F. Belding.....		
<i>Eureka County.</i>		
Geo. W. Merrill.....	806	322 40
H. A. Knight.....	806	322 40
James Adams.....	806	322 40
Samuel Longley .....	806	322 40
<i>Elko County.</i>		
J. Z. Kelly .....	800	320 00
O. H. Ballinger.....	700	280 00
James McBurney.....	700	280 00
<i>Humboldt County.</i>		
T. J. Bradshaw .....	500	200 00
A. J. Shepard.....	400	160 00
Joseph Organ.....	390	156 00
<i>Lander County.</i>		
C. P. Soule.....	714	285 60
John Smyth.....	714	285 60
W. B. Newell.....	714	285 60
<i>Lyon County.</i>		
M. F. Fallon .....	60	24 00
J. E. Gignoux.....	60	24 00
J. J. Corbett.....	60	24 00



NAMES OF MEMBERS.	Miles.	Amounts.
<i>Lincoln County.</i>		
Milton Barrett.....	1270	508 00
C. H. Penton.....	1246	498 40
John Shier.....	1246	498 40
<i>Nye County.</i>		
George Ernst.....	894	357 60
T. J. Bell.....	402	160 80
<i>Storey County.</i>		
H. H. Penoyer.....	44	17 60
Wal. J. Tuska.....	44	17 60
S. V. Mooney.....	44	17 60
P. H. Ford.....	44	17 60
D. A. Moriarty.....	44	17 60
W. E. Copeland.....	44	17 60
L. P. Drexler.....	44	17 60
J. B. Mallon.....	44	17 60
Henry Duffy.....	44	17 60
J. C. Masel.....	44	17 60
A. G. McKenzie.....	44	17 60
J. D. Waldorf.....	44	17 60
E. T. Plank.....	44	17 60
Ambrose Englis.....	44	17 60
<i>Washoe County.</i>		
W. F. Berry.....	62	24 80
Ross Lewers.....	16	6 40
E. Z. Bailey.....	130	52 00
<i>White Pine County.</i>		
J. A. Condon.....	1026	410 40
Charles Green.....	1014	405 60
George F. Parker.....	1014	405 60
George G. Blair.....	1086	434 40

Respectfully,

J. A. CONDON, Chairman.

On motion of Mr. Green the report was received and adopted.

## MOTIONS AND RESOLUTIONS.

By Mr. Organ :

Assembly Concurrent Resolution No. 2—Relative to forming a committee to visit the insane at Woodbridge and the deaf and dumb at Oakland of the State of Nevada, and to make a report concerning them.

On motion of Mr. Bell the resolution was so amended that the committee consist of three, instead of five members, to wit: two from the Assembly and one from the Senate.

Resolution as amended was read by the Clerk, adopted and transmitted to the Senate.

By Mr. Condon :

*Resolved*, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of each member of the Assembly for the sum of sixty dollars for newspapers, postage, express charges and stationery for the present session, as provided by the Constitution of the State (Article IV., Section 33), the same to be paid out of the State Legislative Fund.

Mr. Soule moved that the resolution be so amended that it read thirty dollars instead of sixty dollars.

Motion lost.

Resolution adopted as originally read by a vote of 31 to 14.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 5, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to transmit to your honorable body Assembly Concurrent Resolution No. 1, which was this day unanimously concurred in. I also transmit Assembly Bill No. 1, which, after being amended so as to read seventy-five thousand dollars instead of ninety thousand dollars, was passed by the following vote : Yeas, 19 ; nays, none. Respectfully,

WM. HY. DOANE,

Assistant Secretary of the Senate.

Mr. Green moved that Senate amendments to Assembly Bill No. 1 be accepted.

Motion carried.

The bill was read by the Clerk, as amended, and placed on final passage, and received the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney,



McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—47.

NAYS—None.

Absent—Messrs. Belding, Coffin and Kelly.

The bill was read by title by the Speaker, no objections, and declared passed.

NOTICES OF BILLS.

Mr. Ballinger gave notice that he would on some future day introduce a bill entitled "An Act to refund the outstanding debt of Elko County;" also, "An Act to amend an Act entitled 'An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto,' " approved March 2, 1875.

Mr. Adams gave notice that he would on to-morrow or some future day introduce a bill entitled "An Act to prevent the unauthorized expenditure of the State money."

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Bell:

Assembly Bill No. 3—An Act defining misdemeanor in certain cases, and providing penalties therefor.

On motion of Mr. Smyth the bill was read second time by title, ordered printed and referred to the Committee on Mines and Mining.

On motion of Mr. Smyth, at 11:43 A. M., the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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FIFTH DAY.

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CARSON CITY (Friday), January 7, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Kelly and McGowan.

Journal of yesterday read and approved.

## REPORT OF STANDING COMMITTEE.

*Mr. Speaker :*

Your Committee on Elections have the honor to report that the credentials of all the members present have been examined and found correct.

Mr. W. F. Belding of Esmeralda County has not answered to roll call as yet ; and, judging from reports, we are inclined to believe that he does not intend to qualify as a member of this Assembly. Respectfully submitted,

H. H. PENOYER, Chairman.

On motion of Mr. Newell the report of the Committee on Elections was adopted.

## REPORT OF SPECIAL COMMITTEE.

*Mr. Speaker :*

Your special committee, to whom was committed the duty of procuring rooms for use of Clerks and Standing Committees of the Assembly, beg leave to report that they have secured three rooms within the Capitol building, and advised the Chief Clerk of Committees of the same.

J. D. WALDORF,  
JOSEPH ORGAN,  
EUGENE MAY.

On motion of Mr. Bell the report was adopted.

## MOTIONS AND RESOLUTIONS.

By Mr. Condon :

*Resolved,* That the Sergeant-at-Arms be instructed to certify to the amount of mileage due each member.

On motion of Mr. Ford the resolution was adopted.

By Mr. Englis :

*Resolved,* That in voting for United States Senator, each member shall rise in his place as his name is called by the Clerk, and pronounce the name of the person for whom he desires to vote.

On motion of Mr. Ernst the resolution was adopted.

By Mr. Green :

*Resolved.* That from and after this date no bills presented in the Assembly be ordered printed, unless the same be reported on by the proper committees and ordered printed.

On motion of Mr. Bell the resolution was adopted.

## NOTICES OF BILLS.

Mr. Bell gave notice that he would on some future day introduce a bill to create a State Board of Equalization, for the purpose of equalizing the valuation of property in two or more counties of this State.



Mr. Englis gave notice that he would on some future day introduce a bill creating Boards of Examiners.

Mr. Moriarty gave notice that he would on some future day introduce a bill entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in the Courts of Justice of this State, and to repeal all other Acts in relation thereto.'"

Mr. Longley gave notice that he would on some future day introduce a bill to restrict the expenditure of State moneys.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Ballinger :

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," approved March 2, 1875.

Mr. Organ moved that the rules be suspended, the bill read a second time by title and referred to the Committee on Mines and Mining.

Mr. Smyth moved, as an amendment, that the bill be referred to the Committee on Judiciary.

Motion carried.

By Mr. Richards :

Assembly Bill No. 5—An Act to regulate the salaries of Deputy State Officers.

On motion of Mr. Organ the rules were suspended, the bill read a second time by title and referred to the Committee on Ways and Means.

By Mr. Adams :

Assembly Bill No. 6—An Act to prevent the unauthorized expenditure of State moneys.

On motion of Mr. Coffin the rules were suspended, the bill read a second time by title and referred to the Committee on Ways and Means.

Mr. Coffin, at 11:33 A. M., moved a recess for fifteen minutes.

Motion carried.

#### HOUSE IN SESSION.

#### REPORT OF COMMITTEE ON ENROLLMENT.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 1, and report that it is correctly enrolled and sent to the Governor for his approval.

J. W. RICHARDS, Chairman.

On motion of Mr. Bell the report of the committee was accepted.

On motion of Mr. Waldorf, at 11:55, the House adjourned until Monday, the tenth day of January, A. D. 1881.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY,  
Chief Clerk of the Assembly.

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### EIGHTH DAY.

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CARSON CITY (Monday), January 10, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Kelly, Penoyer and Soule.

Mr. Mooney asked leave of absence for Mr. Penoyer for one day.

Granted.

Journal of fifth day read and approved.

Mr. Ernst arose and stated to the House that he was in receipt of a telegram from Mr. W. F. Belding and that Mr. Belding would appear and qualify at an early date.

The Speaker announced the following Standing Committees :

COMMITTEE ON AGRICULTURE.

Messrs. Bradshaw, Irvine, Richards, Green and Bailey.

COMMITTEE ON INTERNAL IMPROVEMENTS.

Messrs. Johnson, Penton, Moriarty, Organ and McGowan.

COMMITTEE ON STATE INSTITUTIONS.

Messrs. McBurney, Mallon, Bell, Ford and May.

COMMITTEE ON CORPORATIONS AND RAILROADS.

Messrs. Tuska, Smyth, Copeland, McBurney and Adams.

COMMITTEE ON CLAIMS.

Messrs. Green, Kelly, Englis, Knight and Fallon.

COMMITTEE ON PUBLIC PRINTING.

Messrs. Duffy, Fallon and Havenor.



COMMITTEE ON MILITARY AND INDIAN AFFAIRS.

Messrs. Waldorf, Bailey, Mooney, May and McKenzie.

COMMITTEE ON COUNTIES AND COUNTY BOUNDARIES.

Messrs. Smyth, Parker, Knight, Ernst and Irvine.

COMMITTEE ON TRADES AND MANUFACTURES.

Messrs. Newell, Ford, Mallon, Ballinger and Corbett.

COMMITTEE ON EDUCATION.

Messrs. Gignoux, Lewers, Shepard, Havenor and Penton.

COMMITTEE ON CONTINGENT EXPENSES AND ACCOUNTS.

Messrs. Drexler, Green, Adams, Lewers and Shepard.

COMMITTEE ON MINES AND MINING.

Messrs. McKenzie, Blair, Penoyer, Longley and Barrett.

COMMITTEE ON FEDERAL RELATIONS.

Messrs. Kelly, Duffy, Berry, Longley and Newell.

COMMITTEE ON PUBLIC MORALS.

Messrs. Corbett, Ballinger and Mooney.

COMMITTEE ON STATE LIBRARY.

Messrs. Coffin, Moriarty and Shier.

COMMITTEE ON PUBLIC LANDS.

Messrs. Ernst, Copeland, Shier, Smyth and Organ.

COMMITTEE ON STATE PRISON.

Messrs. Blair, Ford and May.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Green two hundred copies of the list of Standing Committees were ordered printed.

By Mr. Waldorf:

*Resolved*, That all resolutions heretofore passed by this Assembly relating to the printing of bills are hereby rescinded.

On motion of Mr. Smyth the resolution was adopted unanimously.

By Mr. Smyth:

*Resolved*, That the Sergeant-at-Arms be, and he is hereby directed, to furnish members of the Supreme Court and all State officers in the Capitol building, all bills, resolutions and reports ordered printed by this Assembly, at as early an hour as practicable.

On motion of Mr. Waldorf the resolution was unanimously adopted.

By Mr. Ballinger :

Assembly Concurrent Resolution No. 3—Relative to the revenue for the maintenance of the State Government, and the formation of a Joint Committee relative thereto.

Mr. Ernst moved that the resolution be adopted.

Motion lost.

Mr. Tuska moved that Concurrent Resolution No. 3 be laid on the table.

Mr. Bell arose to discuss the question.

Mr. Tuska arose to a point of order, and was sustained by the Chair.

A division was called for, and the resolution laid on the table by a vote of 28 to 12.

#### NOTICES OF BILLS.

Mr. Englis gave notice that he would introduce a bill limiting the session of the Legislature to forty days, and making the Senate to consist of eighteen and the House of thirty-six members, and reducing the mileage of members of the Legislature to fifteen cents per mile.

Mr. Ballinger gave notice that he would on some future day introduce a bill entitled "An Act to redistrict the State for judicial purposes."

Mr. Tuska gave notice that he would on some future day introduce a bill for the relief of sureties on official bonds.

Mr. Smyth gave notice that he would on some future day introduce a bill for the speedy and safe delivery of freight and baggage by common carriers and to provide for the payment of the same in case of loss or damage.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Ballinger :

Assembly Bill No. 7—An Act to refund the bonded debt of Elko County.

On motion of Mr. Johnson the rules were suspended, the bill read second time by title and referred to the Elko delegation.

On motion of Mr. Ballinger the bill was ordered printed.

By Mr. Englis :

Assembly Bill No. 8—An Act creating a Board of Examiners in the several counties of the State.

By Mr. Bradshaw :

Assembly Bill No. 9—An Act to amend Section 139 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

On motion of Mr. Organ the rules were suspended, the bill read second time by title and referred to the Committee on Judiciary.



By Mr. Shepard (by leave):

Assembly Bill No. 10—An Act to provide payment for services rendered by James Buckner in enrolling the militia in Humboldt County.

On motion of Mr. Shepard the rules were suspended, the bill read second time by title and referred to the Committee on Claims.

By Mr. Bradshaw (by leave):

Assembly Bill No. 11—An Act to prohibit the use of firearms in public places.

On motion of Mr. Organ the rules were suspended, the bill read second time by title and referred to Committee on Public Morals.

On motion of Mr. Shepard Assembly Bill No. 11 was ordered printed.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, January 7, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 1, "An Act to create a Legislative fund."

JOHN H. KINKEAD, Governor.

At 11:50 A. M., on motion of Mr. Moriarty, the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

#### NINTH DAY.

CARSON CITY (Tuesday), January 11, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

Journal of yesterday read and approved.

## REPORT OF STANDING COMMITTEE.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Concurrent Resolution No. 1 with the original and find it correct.

J. W. RICHARDS, Chairman.

## MOTIONS AND RESOLUTIONS.

By Mr. Gignoux :

WHEREAS, The Assembly having faith in their virtue and strength of character did resolve to dispense with Divine benedictions to be showered upon them by an ordained minister; therefore, be it

*Resolved,* That the Committee on Public Morals of this Assembly do, on every morning before opening proceedings, call upon Divine Providence to save us from sin, temptation and crime.

Mr. Waldorf moved that the resolution be adopted.

Mr. Smyth offered as an amendment that the resolution be referred to the Committee on Public Morals.

Motion carried as amended.

## NOTICE OF BILL.

Mr. Drexler gave notice that he would on some future day introduce a bill to prohibit County Commissioners from making advances to indigent sick or infirm persons until approved by the Board of County Commissioners.

## SECOND READING OF BILL.

Assembly Bill No. 8—An Act creating Boards of Examiners in the several counties of the State.

Referred to Committee on Ways and Means.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Ernst :

Assembly Bill No. 12—An Act to amend "An Act to regulate proceedings in civil cases in courts of justice in this State and to repeal all other Acts in relation thereto," approved March 8, 1869.

Mr. Bell moved that the reading of the bill be dispensed with, the rules suspended, the bill read the first and second times by title, ordered printed and referred to the Committee on Judiciary.

Division called for and motion lost by a vote of 13 to 31.

The bill was then read the first time.

By Mr. Tuska :

Assembly Bill No. 13—An Act for the relief of sureties on official bonds.

Rules suspended, bill read second time by title, ordered printed and referred to the Committee on Judiciary.



By Mr. Shepard (by leave):

Assembly Bill No. 14—An Act fixing the salaries of the various county officers in the several counties of the State, and other matters relating thereto, approved March 11, 1879.

Rules suspended, bill read second time by title, ordered printed and referred to the Committee on Judiciary.

On motion of Mr. Smyth, at 11:32 A. M., the House took a recess until 12 M.

### HOUSE IN SESSION.

At 12 M.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

### ELECTION OF UNITED STATES SENATOR.

The special order of business for the day being the election of a United States Senator at 12 o'clock noon, the Speaker announced that in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for United States Senators," approved July 25, 1866, the Assembly would proceed to the election of a United States Senator to succeed the Hon. William Sharon, whose term of office expires on March 4, 1881.

Mr. Waldorf nominated James G. Fair.

Messrs. Bell and Corbett seconded the nomination.

Mr. Adams nominated Thomas Wren.

Mr. Soule seconded the nomination.

There being no further nominations they were declared closed.

Roll called with the following result:

For James G. Fair—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Lewers, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—41.

For Thomas Wren—Messrs. Adams, Havenor, Knight, Longley, May, Soule and Coffin—7.

Mr. Tuska moved that a committee of three be appointed to await on the Senate and invite that honorable body to meet the Assembly in Joint Convention for the purpose of electing a United States Senator.

Motion carried and Messrs. Tuska, Moriarty and Coffin were appointed as such committee.

At 12:16 P. M., on motion of Mr. Englis, the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

**TENTH DAY.**

CARSON CITY (Wednesday), January 12, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

Journal of yesterday read and approved.

Mr. Tuska of the select committee to await on the Senate asked privilege for the committee to retire from the Assembly for the purpose of calling upon the Senate.

Privilege granted.

**MOTIONS AND RESOLUTIONS.**

By Mr. Condon :

Assembly Concurrent Resolution No. 4—Relating to instructing our Senators and Congressman now at Washington to have the late treaty with China confirmed by the Senate at as early a day as practicable, and requesting them to urge the passage of some Act to prevent the further immigration of Chinese.

On motion of Mr. Bell the resolution was referred to the Committee on Federal Relations.

By Mr. Knight :

Assembly Concurrent Resolution No. 5—Relating to granting leave of absence from the State to L. Mollinelli, County Recorder of Eureka County.

On motion of Mr. Bell the resolution was referred to the Eureka delegation.

**INTRODUCTION AND FIRST READING OF BILLS.**

By Mr. Englis :

Assembly Bill No. 15—An Act to define a session of the Legislature of the State of Nevada.

Rules suspended, read second time by title, referred to Committee on Ways and Means and ordered printed.

By Mr. Englis :

Assembly Bill No. 16—An Act for the reapportionment of Senators and Assemblymen in the several counties of the State.

Rules suspended, read second time by title, referred to the Committee on Counties and County Boundaries and ordered printed.

By Mr. Englis :

Assembly Bill No. 17—An Act to amend an Act in relation to the compensation of members of the Legislature and State officers, approved January 16, 1865.



Rules suspended, read second time by title, referred to Committee on Contingent Expenses and ordered printed.

By Mr. Drexler :

Assembly Bill No. 18—An Act to prohibit County Commissioners from making advances to indigent sick and infirm persons until appropriated by the Board.

Rules suspended, read second time by title, referred to Committee on Ways and Means and ordered printed.

By Mr. Smyth :

Assembly Bill No. 19—An Act to insure the speedy and safe delivery of freight and baggage by common carriers and to provide payment of the same in case of loss or damage.

Bill read partially.

On motion of Mr. Waldorf the further reading was dispensed with, the bill considered read first time, rules further suspended, read second time by title, referred to Committee on Railroads and Corporations and ordered printed.

By Mr. Bradshaw (by leave):

Assembly Bill No. 20—An Act to amend "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada," approved March 5, 1873.

Mr. Corbett moved that the rules be suspended, the bill read second time by title, referred to Committee on Ways and Means and ordered printed.

Mr. Lewers moved as an amendment that the bill be referred to the Committee on Contingent Expenses.

Mr. Green, as an amendment, moved that the bill be referred to the Committee on Public Lands.

Mr. Green's amendment was accepted, and the bill read second time by title, referred to the Committee on Public Lands and ordered printed.

At 11:35 A. M., on motion of Mr. Bell, a recess of twenty minutes was taken.

## HOUSE IN SESSION.

The hour having arrived for taking up the special order of business of the day, viz : The meeting of the Senate in Joint Convention with the Assembly for the purpose of electing a United States Senator, the Speaker instructed the Sergeant-at-Arms to notify the select committee that the Assembly were now awaiting the arrival of the honorable body, the Senate.

In due time the Sergeant-at-Arms returned, accompanied by the select committee, who reported that the Senate were awaiting in a body and ready to join the Assembly in Joint Convention for the purpose of electing a United States Senator.



## IN JOINT CONVENTION.

President of the Senate in the Chair.

Roll of Senate called. Quorum present.

Roll of Assembly called. Quorum present.

The Secretary of the Senate read Senate Journal of the 11th instant relative to the election of a United States Senator.

The Assistant Clerk of the House read Assembly Journal of the 11th instant relative to the election of a United States Senator.

The President of the Joint Convention declared that as the reading of the Journals of both Houses did not show that any one person had received a majority of the votes of both Houses, it was in order to make nominations for United States Senator.

Mr. Tuska placed James G. Fair of Storey County in nomination.

Mr. Hobart placed Thomas Wren of Eureka County in nomination.

The nomination of James G. Fair was seconded by Mr. Merrill.

The nomination of Thomas Wren was seconded by Messrs. Coffin, Farrell and Doolin.

Mr. Meder of Ormsby placed R. M. Daggett of Storey County in nomination.

There being no further nominations they were declared closed.

The vote of the Joint Convention resulted as follows:

Senate—For James G. Fair: Messrs. Brumsey, Fox, Henderson, McConnell, Rockhill, Schooling, Shepherd, Tolley, Williams and Westerfield—10.

Senate—For Thomas Wren: Messrs. Dayton, Farrell, Doolin, Gallagher, Gibson, Hammond, Hobart, Kaiser, King, Perley, Powning, Thompson and Wheeler—13.

Senate—For R. M. Daggett: Mr. Meder—1.

Absent—Mr. Haines.

Assembly—For James G. Fair: Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—42.

Assembly—For Thomas Wren: Messrs. Adams, Coffin, Havenor, Knight, Longley, May and Soule—7.

Absent—Mr. Belding.

For James G. Fair.....52

For Thomas Wren.....20

For R. M. Daggett..... 1

James G. Fair having received a majority of all the votes cast, the President of the Joint Convention declared him duly elected United States Senator from the State of Nevada for the term of six years, from the fourth day of March, A. D. 1881.

On motion of Mr. Shepherd of Elko a committee of three was appointed by the Chair to await on the Hon. James G. Fair and notify him of his election.

The Chair appointed as such committee Messrs. Hobart, Shepherd and Drexler.

In due time the committee returned, accompanied by the Hon. J. G. Fair, who was introduced by the Chairman and addressed the Convention in appropriate remarks.

On motion of Mr. King, at 12:47 P. M., the Joint Convention adjourned *sine die*.

## HOUSE IN SESSION.

Mr. Speaker in the Chair.

On motion of Mr. Johnson, at 12:50 P. M., the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## ELEVENTH DAY.

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CARSON CITY (Thursday), January 13, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Kelly, Mooney, Newell and Penoyer.

Mr. Moriarty asked leave of absence for two days for Mr. Penoyer and himself.

Granted.

Mr. Soule asked leave of absence for to-morrow.

Granted.

Journal of yesterday read and approved.

## REPORT OF SELECT COMMITTEE.

Mr. Speaker :

Your committee to whom was referred Assembly Concurrent Reso-



lution No. 5, beg leave to report that they have had the same under consideration and recommend that it do pass.

Respectfully,

GEO. W. MERRILL,  
H. A. KNIGHT,  
JAMES ADAMS,  
SAMUEL LONGLEY.

#### MOTIONS AND RESOLUTIONS.

By Mr. Condon :

Assembly Concurrent Resolution No. 6—Relative to the sinking of artesian wells and requesting our Senators and Congressman to use all honorable means in their power in securing an appropriation for the purpose of aiding in sinking artesian wells in Nevada.

Mr. Bell moved that Resolution No. 6 be referred to the Committee on Public Lands and ordered printed.

By Mr. Duffy :

Joint Memorial and Assembly Concurrent Resolution No. 7—Relative to requesting our Senators and Congressman to urge the immediate ratification of the late treaty with China, providing said treaty is agreeable to the people.

On motion the rules were suspended, the resolution read second time, the rules further suspended, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Belding, Kelly, Mooney, Newell and Penoyer.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 12, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Memorial and Joint Resolution No. 1—Relative to the Chinese new treaties, which passed the Senate this day. Yeas, 23 ; nays, 1.

Also, Senate Concurrent Resolution No. 5—Relative to printing copies of the Biennial Report of the Adjutant-General for the years 1879 and 1880, which was unanimously adopted by the Senate this day.

Also, Senate Concurrent Resolution No. 7—Relative to amendments to the Constitution, which passed the Senate this day. Yeas, 24 ; nays, none. Very respectfully,

WM. HY. DOANE,  
Assistant Secretary of the Senate.



## NOTICES OF BILLS.

Mr. Lewers gave notice that he would on some future day introduce an amendment to the Act entitled "An Act relating to elections," approved March 12, 1873. That the intention of said proposed amendment was to make the person corrupted at an election liable to punishment.

Mr. Fallon gave notice that he would on some future day introduce a bill to punish and prevent deception in the manufacture and sale of butter.

Mr. Knight gave notice that he would on some future day introduce a bill to amend an Act entitled "An Act to regulate the settlement of estates of deceased persons."

Mr. Organ gave notice that he would on some future day introduce a bill to amend an Act entitled "An Act to provide revenue for the support of the State of Nevada."

## SECOND READING OF BILL.

Assembly Concurrent Resolution No. 5—Relative to granting leave of absence to L. Mollinelli.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Waldorf (by leave):

Assembly Bill No. 21—An Act to license laundries.

Rules suspended, read second time by title, referred to Committee on Trades and Manufactures and ordered printed.

By Mr. Havenor (by leave):

Assembly Bill No. 22—An Act concerning corporations and persons engaged in the business of banking.

By Mr. Bell:

Assembly Bill No. 23—An Act to create a State Board of Equalization, to define its powers and duties, and to fix the compensation of its members.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

On motion of Mr. Coffin, Assembly Concurrent Resolution No. 5, relative to granting leave of absence to L. Mollinelli, was referred back to the Eureka delegation to be so amended as to provide for the maintaining of a competent deputy in office during the absence.

On motion of Mr. Bradshaw, at 12:28 p. m., the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## TWELFTH DAY.

CARSON CITY (Friday), January 14, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Gignoux, Kelly, Mooney and Penoyer.  
Journal of yesterday read and approved.

The Speaker announced the following changes in committees: Mr. Mooney, taken from the Committee on Indian Affairs and placed on the Committee on Contingent Expenses, and Mr. Green taken from the Committee on Contingent Expenses and placed on the Committee on Indian Affairs.

Mr. Corbett asked leave of absence for Mr. Gignoux.  
Granted.

## PETITION.

By Mr. McBurney :

Petition No. 1—Relative to the removal of J. H. Flack, Judge of the Seventh Judicial District of the State of Nevada.

Placed on file.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Judiciary, to whom have been referred Assembly Bills Nos. 4, 9 and 14, beg leave to report that they have had the same under consideration and recommend that the same do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary, to whom has been referred Assembly Bill No. 2, beg leave to report that they have had the same under consideration, have drawn a substitute which, with but slight variations, embodies all the provisions of the original bill, and which we, a majority of said committee, respectfully submit to your honorable body for adoption, and recommend that the same do pass.

WAL. J. TUSKA, Chairman.

T. COFFIN,

J. C. MASEL,

J. E. GIGNOUX.



*Mr. Speaker :*

Your committee of the Elko delegation, to whom was referred Assembly Bill No. 7, respectfully report that they recommend the passage of said bill, to wit: "An Act to fund the indebtedness of Elko County."

O. H. BALLINGER,  
JAMES McBURNEY.

*Mr. Speaker :*

Your Committee on Public Morals, to whom was referred Assembly Bill No. 11, entitled "An Act to prohibit the use of firearms in public places," have carefully considered the same and would most respectfully recommend that it do pass as amended.

J. J. CORBETT.

*Mr. Speaker :*

A minority of your Committee on Judiciary, to whom was referred Assembly Bill No. 2, "An Act to regulate fees and compensation for official and other services in the State of Nevada," would respectfully report that in the opinion of the signers hereof the bill and its substitute ought to be indefinitely postponed, and so recommend.

GEORGE ERNST,  
J. W. RICHARDS,  
JOHN A. CONDON.

Mr. Coffin moved that the report of the committee be accepted and substitute to Assembly Bill No. 2 printed and adopted.

Motion carried.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 5, entitled "An Act to regulate the salaries of Deputy State officers," and beg leave to recommend that it do not pass, and recommend the passage of the substitute.

T. J. BELL, Chairman.

Substitute offered by Chairman of Committee.

On motion of Mr. Ernst the report was received and substitute ordered printed.

SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 13, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body, Senate Bill No. 3—An Act to amend an Act relating to elections, approved March 12, 1873, which passed the Senate this day by the following vote: Yeas, 23; nays, none.

Also, Senate Bill No. 7—An Act to amend an Act to restrict gaming and to repeal all other Acts in relation thereto, approved

March 8, 1879, which passed the Senate this day by the following vote : Yeas, 15 ; nays, 8.

Also, Senate Bill No. 11—An Act to amend an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879, which passed the Senate this day by the following vote : Yeas, 23 ; nays, none.

Also, Senate Bill No. 13—An Act to provide for procuring a tablet to represent the State of Nevada in the Washington Monument, which passed the Senate this day by the following vote : Yeas, 23 ; nays, none.

Also, Senate Concurrent Resolution No. 8—Relative to printing copies of the Report of the Warden of the State Prison, which was adopted by the Senate this day.

WM. HY. DOANE,

Assistant Secretary of the Senate.

#### SECOND READING OF BILL.

Assembly Bill No. 22—An Act concerning corporations and persons engaged in the business of banking.

On motion of Mr. Coffin the rules were suspended, bill read second time by title, referred to Committee on Corporations and Railroads and ordered printed.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Mallon (by leave):

Assembly Bill No. 24—An Act to amend “An Act to regulate the fees and compensation for official and other services in the State of Nevada,” approved March 9, 1865.

Rules suspended, read second time by title, referred to Committee on Judiciary and ordered printed.

By Mr. Fallon :

Assembly Bill No. 25—An Act to punish and prevent deception in the manufacture and sale of butter.

Rules suspended, read second time by title, referred to Committee on Trades and Manufactures and ordered printed.

By Mr. Coffin (by leave):

Assembly Bill No. 26—An Act to provide for the care of indigent insane in this State.

Rules suspended, read second time by title, referred to Committee on State Institutions and ordered printed.

By Mr. Berry (by leave):

Assembly Bill No. 27—An Act to redistrict the State of Nevada.

Rules suspended, read second time by title, referred to committee composed of one member from each county and ordered printed.



By Mr. Condon (by leave):

Assembly Bill No. 28—An Act to amend an Act entitled "An Act in relation to the State Library."

Rules suspended, read second time by title, ordered printed and referred to the Committee on State Library.

By Mr. Shepard (by leave):

Assembly Bill No. 29—An Act to amend Section 583 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 8, 1869.

Rules suspended, read second time by title, referred to Committee on Judiciary and ordered printed.

By Mr. Shepard (by leave):

Assembly Bill No. 30—An Act to compensate J. F. Abel for labor and money expended on public roads in Humboldt County.

Rules suspended, read second time by title and referred to Humboldt delegation.

#### GENERAL FILE.

Assembly Bill No. 14—An Act fixing the salaries of the various county officers in the several counties of the State, and other matters relating thereto, approved March 11, 1879.

On motion the bill was considered engrossed, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—Mr. Organ.

Absent—Messrs. Gignoux, Kelly, Penoyer, Moriarty and Belding.

Assembly Bill No. 4—An Act to amend "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," approved March 2, 1875.

Mr. Organ moved as an amendment that wherever the words "twenty-five" occurred in relation to value of work done, that the word "twenty" be stricken out, leaving the word "five."

Motion carried and Clerk ordered to amend as instructed.

Mr. Coffin moved that the bill be engrossed as amended.

Motion carried.

Assembly Bill No. 9—An Act to amend Section 139 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

On motion of Mr. Corbett the bill was considered engrossed, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy,

Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Kelly, Gignoux, McBurney, Mooney and Penoyer.

Assembly Bill No. 11—An Act to prohibit the use of firearms in public places.

Ordered engrossed.

Mr. Smyth moved that all matters from the Senate be now taken up. Motion carried.

Senate Concurrent Resolution No. 5—Relative to printing copies of the Biennial Report of the Adjutant-General.

Read first time.

At 12:45 p. m., on motion of Mr. Green, the House took a recess until 2 p. m.

#### HOUSE IN SESSION.

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Smyth moved that Senate Concurrent Resolution No. 5 be referred to the Committee on Printing.

Motion carried.

Senate Bill No. 13—An Act to provide for procuring a tablet to represent the State of Nevada in the Washington Monument.

On motion of Mr. Smyth, bill read first time, rules suspended, read second time by title, referred to the Committee of the Whole and made a special order for Monday, the 17th, at 12 o'clock m.

The following bills were placed on file awaiting the first reading :

Senate Bill No. 3—An Act relating to elections.

Senate Bill No. 11—An Act relating to salaries of county officers.

Senate Bill No. 7—An Act relating to the restriction of gaming.

Senate Memorial and Joint Resolution No 1—Relating to Chinese new treaties.

Senate Concurrent Resolution No. 8—Relating to printing reports of the Warden of the State Prison.

Senate Concurrent Resolution No. 7—Relating to amendments to the Constitution.

On motion of Mr. Waldorf, at 2:15 p. m., the House adjourned until Monday, the 17th.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.



FIFTEENTH DAY.

CARSON CITY (Monday), January 17, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Ford and Mallon.

Mr. McKenzie asked leave of absence for Mr. Ford for one day.

Granted.

Mr. Mooney asked leave of absence for himself for one week.

Granted.

REPORT OF STANDING COMMITTEE.

*Mr. Speaker :*

Your Committee on Public Printing, to whom was referred Senate Concurrent Resolution No. 5, in relation to the printing of five hundred copies of the Adjutant-General's report, respectfully recommend that the same do pass.

HENRY DUFFY, Chairman.

REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your committee to whom was referred Assembly Concurrent Resolution No. 5, in relation to granting leave of absence to Lambert Mollinelli, County Recorder of Eureka County, beg leave to report that they have amended the same in accordance with instructions.

HANK KNIGHT,  
JAMES ADAMS,  
SAMUEL LONGLEY,  
GEO. W. MERRILL.

MOTIONS AND RESOLUTIONS.

By Mr. Smyth :

WHEREAS, Mr. W. F. Belding, Assemblyman-elect from Esmeralda County, has neither taken the oath of office nor answered the roll call; therefore, be it

*Resolved*, That the Committee on Elections be requested to inquire what action this House should take in regard to the said Assemblyman-elect, W. F. Belding, and report to the House at as early a day as possible.

On motion of Mr. Newell the resolution was adopted.

By Mr. Bell :

Assembly Concurrent Resolution No. 8—In relation to the State University at Elko.

Rules suspended, read second time by title, rules further suspended, read third time, considered engrossed, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Belding, Ford, Mallon and Mooney.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 14, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 1—An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and to establish their pay, which passed the Senate this day by the following vote : Yeas, 22 ; nays, none.

Also, Senate Bill No. 2—An Act creating Boards of Examiners in the several counties of this State, which passed the Senate this day by the following vote : Yeas, 21 ; nays, none.

Also, Senate Bill No. 20—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years, which passed the Senate this day by the following vote : Yeas, 21 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICES OF BILLS.

Mr. McGowan gave notice that he would on some future day introduce a bill for the better protection of fish in the rivers and lakes of this State.

Mr. Coffin gave notice that he would to-morrow introduce a bill to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Mr. Gignoux gave notice that he would on some future day introduce a bill concerning the allowance and payment of demands against the several counties of this State, and barring the payment thereof in certain cases.



## INTRODUCTION AND FIRST READING OF BILLS.

At 11:35 A. M. Speaker *pro tem.* in the Chair.

By Mr. Merrill (by leave):

Assembly Bill No. 31—An Act amendatory and supplementary to an Act entitled “An Act to provide for the better preservation of the mining records in certain mining districts in this State,” approved March 6, 1879.

Rules suspended, read second time by title, referred to the Committee on Mines and Mining and ordered printed.

By Mr. Merrill (by leave):

Assembly Bill No. 32—An Act to amend an Act entitled “An Act to protect the wages of labor,” approved February 21, 1873.

Rules suspended, read second by title, referred to the Committee on Judiciary and ordered printed

By Mr. Merrill (by leave):

Assembly Bill No. 33—An Act authorizing Boards of County Commissioners to transfer surplus money in the several funds of unincorporated towns from one fund to the other.

Rules suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

By Mr. Gignoux (by leave):

Assembly Bill No. 34—An Act to amend an Act concerning the office of Secretary of State.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Knight (by leave):

Assembly Bill No. 35—An Act to pay the claim of J. C. Powell of Eureka County.

Rules suspended, read second time by title, ordered printed and referred to the Committee on Claims.

By Mr. Condon (by leave):

Assembly Bill No. 36—An Act to provide for the care of the indigent insane of this State and supplementary to an Act concerning the same, approved March 11, 1879.

On motion of Mr. Coffin the rules were suspended, read second time by title, referred to the Committee on State Institutions and ordered printed.

## SPECIAL ORDER.

The Speaker announced that the time had arrived for taking up the special order of the day, viz: Senate Bill No. 13—An Act to provide for procuring a tablet to represent the State of Nevada in the Washington Monument.

At 12 o'clock M. House in Committee of the Whole.  
Mr. Shepard in the Chair.



In due time the committee arose and reported back the bill and recommended its passage.

At 12:05 Mr. Havenor moved a recess be taken until 2 P. M.  
Motion lost.

At 12:06 Mr. Bell moved a recess be taken until 1 P. M.  
Motion lost.

GENERAL FILE.

Assembly Bill No. 5—An Act to regulate the salaries of deputy State officers.

On motion of Mr. Bell the substitute for Assembly Bill No. 5 was adopted and ordered engrossed.

Assembly Bill No. 2—An Act to regulate fees and compensation for official and other services in the State of Nevada.

On motion of Mr. Coffin the substitute for Assembly Bill No. 2 was ordered engrossed.

Assembly Bill No. 7—An Act to refund a portion of the bonded debt of Elko County.

On motion of Mr. Coffin Section 3 was amended by adding "issued February 23, 1871," and Mr. Coffin was appointed by the Chair a committee of one to make the necessary amendment.

On motion of Mr. Coffin the bill was considered engrossed, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Belding, Ford, Mallon and Mooney.

At 12:30 P. M. Mr. Smyth moved that the House take a recess until 1:30 P. M.

Motion lost.

Assembly Concurrent Resolution No. 7—Relative to granting leave of absence to L. Mollinelli, the Recorder of Eureka County.

On motion of Mr. Bell the resolution was considered engrossed, read first time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.



NAYS—Mr. Green.

Absent—Messrs. Belding, Ford, Mallon and Mooney.

Senate Bill No. 13—An Act to provide for procuring a tablet to represent the State of Nevada in the Washington Monument.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Belding, Ford, Mallon and Mooney.

The Speaker appointed as a special committee to report on Assembly Bill No. 27, "An Act to redistrict the State," the following persons: Messrs. Berry, Ernst, Ballinger, Coffin, Shepard, Green, Shier, Adams, Johnson, McGowan, Gignoux, Penoyer, Richards and Smyth.

As Joint Committee on Printing the Speaker appointed Messrs. Plank, Knight and Moriarty.

At 12:40 P. M., on motion of Mr. Soule, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## SIXTEENTH DAY.

CARSON CITY (Tuesday), January 18, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Mooney and Ballinger.

Journal of yesterday read, corrected and approved.

### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your standing Committee on Claims, to whom was referred Assembly Bill No. 10, "An Act to pay James Buckner for services ren-

dered in enrolling militia in Humboldt County," beg leave to report favorably on the same and recommend that it do pass.

CHAS. GREEN, Chairman.

H. A. KNIGHT.

*Mr. Speaker:*

Your Committee on Engrossment have compared Assembly Bill No. 11 with the original, and beg leave to report the same correctly engrossed.

C. P. SOULE, Chairman

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 6, "An Act to prevent the unauthorized expenditure of State moneys," and beg leave to report the same back with a substitute and recommend that the substitute do pass.

T. J. BELL, Chairman.

*Mr. Speaker:*

Your Committee on Mines and Mining beg leave to report that they have considered Assembly Bill No. 3, in relation to set-screws in or about machinery, and recommend that it do not pass.

ALEX. G. MCKENZIE, Chairman.

#### MOTION AND RESOLUTION.

WHEREAS, The standing Committee on State Library of the honorable Senate has been instructed by resolution of the honorable Senate to make inquiries as to what changes are desirable or necessary, if any, to be made in connection with the State Library; therefore,

*Resolved*, That the Committee on State Library of this Assembly be and is hereby instructed to act in conjunction with, and consult and advise with, said Senate Committee in relation to the State Library, and to report the result of their deliberations to this Assembly.

On motion of Mr. Ernst the resolution was adopted.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 17, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 24—An Act to amend an Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office and to enforce official duty, approved March 9, 1866, which passed the Senate this day by the following vote: Yeas, 21; nays, none.



Also, Senate Joint Resolution No. 2—Relative to Act of Congress providing for the granting of pensions to the surviving soldiers and sailors of the Mexican war, which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Also, Senate Concurrent Resolution No. 3—Relative to printing report of the Board of Directors of the State Orphans' Home for 1879 and 1880, which passed the Senate this day by the following vote: Yeas, 21; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

NOTICE OF BILL.

Mr. Tuska gave notice that he would on some future day introduce a bill to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,' " approved March 10, 1865; approved February 17, 1875.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Waldorf (by leave):

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865; approved March 5, 1869.

Rules suspended, read second time by title, referred to the Committee on Trades and Manufactures and ordered printed.

By Mr. Coffin:

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Rules suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

By Mr. Gignoux:

Assembly Bill No. 39—An Act concerning the allowance and payment of demands against the several counties of this State and barring the payment thereof in certain cases.

Rules suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

Senate Bill No. 2—An Act creating Boards of Examiners in the several counties of this State.

Rules suspended, read second time by title and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 7—Relative to amendments to the Constitution.

Rules suspended, read second time by title and referred to the Committee on Federal Relations.

Senate Bill No. 7—An Act to amend an Act entitled “An Act to restrict gaming and to repeal all other Acts in relation thereto,” approved March 8, 1879.

Rules suspended, read second time by title and referred to the Committee on Public Morals.

Senate Memorial and Joint Resolution No. 7—Relative to Chinese new treaties.

Mr. Green moved that the resolution be indefinitely postponed.

Motion lost by a vote of 22 to 18.

Mr. Lewers moved that the resolution be laid on the table.

Motion lost by a vote of 27 to 11.

Senate Bill No. 11—An Act to amend “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

Senate Bill No. 20—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years.

On motion of Mr. Smyth, the rules were suspended, read second time by title, referred to the Committee of the Whole and made the special order for Thursday, the 20th instant, at 12 o'clock noon.

At the request of Mr. Bell, Senate Bill No. 20, together with all vouchers relative to the same, was referred to the Committee on Contingent Expenses and Accounts, to be reported upon by said committee on or before 12 M. Thursday, the 20th of January.

At 12 M. Mr. Soule moved an adjournment to 10 A. M. to-morrow.

Mr. Waldorf offered as an amendment that the House adjourn to the usual hour.

Amendment carried and House adjourned at 12:03 P. M.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.



## SEVENTEENTH DAY.

CARSON CITY (Wednesday), January 19, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Ballinger, Fallon, Mooney, Penton and Tuska.

Mr. Waldorf asked leave of absence for Mr. Penton for one day.

Granted.

Mr. Gignoux asked leave of absence for Mr. Fallon for one day.

Granted.

Mr. Penoyer asked leave of absence for Mr. Tuska for one day.

Granted.

Mr. McBurney asked leave of absence for Mr. Ballinger for one day.

Granted.

Journal of yesterday read and approved.

## REPORT OF STANDING COMMITTEE.

*Mr. Speaker:*

Your standing Committee on Engrossment have compared Assembly Bill No. 4, "An Act to secure liens to mechanics and others;" also, the substitute for Assembly Bill No. 5, "An Act to fix the compensation of deputies in State offices," with the engrossed copies thereof, and beg leave to report the same correctly engrossed.

C. P. SOULE, Chairman.

## MOTIONS AND RESOLUTIONS.

By Mr. Barrett:

Assembly Concurrent Resolution No. 9—Granting leave of absence to G. T. Gorman, County Clerk of Lincoln County.

Read first time.

On motion of Mr. Bell, the rules were suspended, resolution read second time by title, rules further suspended, considered engrossed and referred to the Lincoln County delegation.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 18, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 11—Relating to

printing copies of the report of the Surveyor-General and State Land Register for the years 1879 and 1880, which was this day adopted by the Senate.

Also, Senate Concurrent Resolution No. 12—Relative to printing copies of the report of the Secretary of State for the years 1879 and 1880, which was this day adopted by the Senate.

Also, Senate Concurrent Resolution No. 13—Relative to printing copies of the report of the Superintendent of Public Instruction for the years 1879 and 1880, which was this day adopted by the Senate.

Also, Assembly Concurrent Resolution No. 8—Relative to the State University at Elko, which passed the Senate this day by the following vote: Yeas, 20; nays, none.

WM. HY. DOANE,

Assistant Secretary of the Senate.

#### NOTICE OF BILL.

Mr. Copeland gave notice that he would on some future day introduce a bill to amend Section 105 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

#### GENERAL FILE.

Assembly Bill No. 3—An Act defining misdemeanors in certain cases and prescribing penalties therefor.

On motion of Mr. Bell the bill was referred back to the Committee on Mines and Mining.

Assembly Bill No. 11—An Act to prohibit the use of firearms in public places.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Fallon, Mooney, Penton and Tuska.

Assembly Bill No. 10—An Act to provide for payment for services rendered by James Buckner in enrolling the militia in Humboldt County.

On motion of Mr. Shepard the rules were suspended, considered as referred to the Committee of the Whole and passage of the same recommended; rules further suspended and considered engrossed; rules further suspended, read third time, placed on final passage and passed by the following vote:



YEAS—Messrs. Adams, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, McBurney, Organ, Parker, Richards, Shepard, Shier, Soule and Mr. Speaker—31.

NAYS—Messrs. Copeland, Duffy, Mallon, May, McGowan, McKenzie, Moriarty, Newell, Penoyer, Plank, Smyth and Waldorf—12.

Absent—Messrs. Ballinger, Belding, Fallon, Mooney, Penton and Tuska.

Assembly Bill No. 4—An Act to amend an Act entitled “An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto,” approved March 2, 1875.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Fallon, Mooney, Penton and Tuska.

Substitute for Assembly Bill No. 5—An Act to fix the compensation of deputies in State offices.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Richards, Shepard, Smyth, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Coffin, Knight, Longley, Soule, Shier and Adams—6.

Absent—Messrs. Ballinger, Belding, Fallon, Mooney, Penton and Tuska.

#### UNFINISHED BUSINESS.

Senate Concurrent Resolution No. 3—Relative to printing report of Board of Directors of State Orphans' Home for the years 1879 and 1880.

Rules suspended, read second time by title and referred to the Committee on Public Printing.

Senate Concurrent Resolution No. 8—Relating to printing copies of the report of the Warden of the State Prison.

Rules suspended, read second time by title, rules further suspended and considered engrossed; rules further suspended, read

third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Bradshaw, Coffin, Condon, Corbett, Copeland, Duffy, Englis, Ernst, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Richards, Shepard, Shier, Smyth, Soule and Mr. Speaker—32.

NAYS—Messrs. Blair, Drexler, Green, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Plank and Waldorf—12.

Absent—Messrs. Ballinger, Belding, Fallon, Mooney, Penton and Tuska.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 24—An Act to amend “An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office and to enforce official duty,” approved March 9, 1866.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

Senate Bill No. 3—An Act to amend “An Act relating to elections,” approved March 12, 1873.

Rules suspended, read second time by title and referred to the Committee on Elections.

Senate Bill No. 1.—An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay.

Mr. Organ moved that the bill be laid on the table.

Mr. Coffin arose to speak to the motion.

Mr. Smyth arose to a point of order.

Point of order sustained by the Chair and the question to lay on the table put to the House and lost.

On motion of Mr. Bell the rules were suspended and the bill considered read first time.

Senate Joint Resolution No. 2—Relative to Act of Congress providing for the granting of pensions to surviving soldiers and sailors of the Mexican war.

Senate Concurrent Resolution No. 13—Relative to printing copies of the report of the Superintendent of Public Instruction for 1879 and 1880.

Senate Concurrent Resolution No. 12—Relative to printing copies of the report of the Secretary of State for 1879 and 1880.

Senate Concurrent Resolution No. 11—Relative to printing reports of Surveyor-General and State Land Register for 1879 and 1880.

On motion of Mr. Ernst the rules were suspended and resolution read second time by title ; rules further suspended and considered engrossed ; rules further suspended, read third time, placed on final passage and passed by the following vote :



YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—43.

NAYS—Mr. May.

Absent—Messrs. Ballinger, Belding, Fallon, Mooney, Penton and Tuska.

At 12:40, on motion of Mr. Englis, the House adjourned.

Approved : GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY.  
Chief Clerk of the Assembly.

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## EIGHTEENTH DAY.

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CARSON CITY (Thursday), January 20, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Kelly, May, McGowan, Mooney and Richards.

Mr. McBurney asked leave of absence for Mr. May for one day.  
Granted.

Mr. Johnson asked leave of absence for Mr. McGowan for one day.  
Granted.

Journal of yesterday read and approved.

### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your standing Committee on Trades and Manufactures have had under consideration Assembly Bill No. 25, "An Act to punish and prevent deception in the manufacture and sale of butter," and beg leave to report the same back to the Assembly with recommendation that it do pass.

W. B. NEWELL, Chairman.

*Mr. Speaker :*

Your Committee on Contingent Expenses and Accounts have examined Senate Bill No. 20, and the vouchers accompanying it, and

find that the vouchers are all correct, except that there is no voucher for the claim of G. T. Davis for the sum of \$1 50. We also find that the sum of \$28,351 20, as mentioned in Senate Bill No. 20, is not sufficient to pay the several claims mentioned in said bill by \$154 14, and recommend that the bill do pass as amended.

L. P. DREXLER, Chairman.

*Mr. Speaker :*

Your standing Committee on State Library have had under consideration Assembly Bill No. 28, "An Act to amend an Act in relation to the State Library." Your committee has also, as per instructions of a resolution of this honorable Assembly, acted in conjunction with, and consulted and advised with, the standing committee of the honorable Senate on State Library, and, as the result of our deliberations, with the unanimous concurrence of said committee of the honorable Senate, we herewith report a substitute for said Assembly Bill No. 28, and recommend that it do pass.

T. COFFIN, Chairman.

*Mr. Speaker :*

Your Committee on Mines and Mining have had under consideration Assembly Bill No. 31, "An Act amendatory of and supplementary to an Act entitled 'An Act to provide for the better preservation of the mining records in certain mining districts in this State,' " approved March 6, 1879, and beg leave to report favorably on the bill, and recommend its passage.

A. G. McKENZIE, Chairman.

#### MOTIONS AND RESOLUTIONS.

By Mr. Mallon :

Assembly Concurrent Resolution No. 10—Relative to the prevention of the ratification of the late Chinese treaties.

Read first time.

By Mr. Englis :

Assembly Concurrent Resolution No. 11—Relative to the claim of Mr. Randall for copying reports of the State officials.

Read first time.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, January 19, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return Assembly Bill No. 7—An Act to refund a portion of the bonded debt of Elko County, which passed the Senate this day by the following vote : Yeas, 21 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.



SENATE CHAMBER,  
CARSON CITY, January 19, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that, in accordance with Assembly Concurrent Resolution No. 8, the following committee was this day appointed, viz: Mr. Brumsey and Mr. Gallagher.

GEO. I. LAMMON,  
Secretary of the Senate.

#### NOTICES OF BILLS.

Mr. Coffin gave notice that he would on some future day introduce a bill to authorize fees and salaries of officers to be taken in attachment and execution and to prohibit assignments to defeat creditors.

Mr. Organ gave notice that he would on some future day introduce a bill to fix the salaries of Justices of the Peace and Constables in the several counties of this State.

#### SECOND READING OF BILLS.

On motion of Mr. Plank the rules were suspended and Assembly Concurrent Resolution No. 10—Relative to the prevention of the ratification of the late Chinese treaties, was read second time and referred to the Committee on Federal Relations.

Senate Bill No. 1—An Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and to establish their pay.

Senate Concurrent Resolution No. 13—Relative to printing copies of the report of the Superintendent of Public Instruction for the years 1879 and 1880.

Rules suspended, considered engrossed, rules further suspended, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Condon, Corbett, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Masel, McBurney, Newell, Organ, Parker, Penoyer, Penton, Shepard, Shier, Smyth, Tuska and Mr. Speaker—32.

NAYS—Messrs. Bradshaw, Coffin, Copeland, Drexler, Knight, Mallon, McKenzie, Moriarty, Plank, Soule and Waldorf—11.

Absent—Messrs. Ballinger, Belding, Kelly, May, McGowan, Mooney and Richards.

Senate Concurrent Resolution No. 12—Relative to printing copies of the report of the Secretary of State for the years 1879 and 1880.

Senate Joint Resolution No. 2—Relative to Act of Congress providing for the granting of pensions to the surviving soldiers and sailors of the Mexican war.

On motion of Mr. Bell the rules were suspended and resolution referred to the Committee on Federal Relations.

Substitute for Assembly Bill No. 28—An Act to amend an Act entitled "An Act relative to the State Library."

On motion of Mr. Coffin the substitute was adopted, rules suspended and considered engrossed.

#### SPECIAL ORDER.

At 12 m. the Speaker announced that the hour had arrived for the House going into Committee of the Whole to consider the special order of the day, viz: Senate Bill No. 20, "An Act to pay deficiencies in the appropriations for the fifteenth and sixteenth fiscal years."

House in Committee of the Whole.

Speaker *pro tem.* in the Chair.

In due time the committee arose and reported bill back and recommended the passage of the same with amendments.

Report of the Committee of the Whole adopted.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Tuska:

Assembly Bill No. 40—An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10, 1865; approved February 15, 1875.

Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

By Mr. Copeland:

Assembly Bill No. 41—An Act to amend Section 105 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

By Mr. Adams (by leave):

Assembly Bill No. 42—An Act to establish a uniform standard of weights and measures in this State and to provide inspectors of the same.

Rules suspended, read second time by title and referred to the Committee on Ways and Means.

#### GENERAL FILE.

Assembly Bill No. 25—An Act to punish and prevent deception in the manufacture and sale of butter.



On motion of Mr. Newell the rules were suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Longley, Mallon, Masel, McBurney, McKenzie, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—Mr. Lewers.

Absent—Messrs. Ballinger, Belding, Drexler, Kelly, May, Organ, Richards, McGowan and Mooney.

Senate Bill No. 20—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, McBurney, McKenzie, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Shepard, Shier, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Mallon, Masel and Smyth—3.

Absent—Messrs. Ballinger, Belding, Kelly, May, McGowan, Mooney, Organ and Richards.

When Mr. Mallon's name was called, in voting for Senate Bill No. 20, he desired to be excused from voting on the bill.

Objections were raised, and Mr. Plank put the motion before the House that he be excused from voting.

Motion lost.

Assembly Bill No. 31—An Act amendatory of and supplementary to an Act entitled "An Act to provide for the better preservation of the mining records in certain mining districts in this State," approved March 6, 1879.

On motion of Mr. Coffin the rules were suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, McBurney, McKenzie, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Kelly, May, Mooney, McGowan, Organ and Richards.

Substitute for Assembly Bill No. 6—An Act to prevent the unauthorized expenditure of the State moneys.



Read first time.

On motion of Mr. Bell the substitute was adopted and ordered engrossed.

In accordance with Assembly Concurrent Resolution No. 8, requiring the appointment of a committee to confer with the Elko delegation in relation to the State University at Elko, the Speaker announced the following persons as such committee: Messrs. Copeland, Shepard and Havenor.

At 1:28 P. M. Mr. Ford moved to adjourn.

Motion carried.

Approved:

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## NINETEENTH DAY.

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CARSON CITY (Friday), January 21, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Ballinger, Belding, May and Mooney.

Mr. Lewers asked leave of absence for Mr. Ballinger for one day  
Granted.

Mr. Coffin asked leave of absence for Mr. May for one day.  
Granted.

Journal of yesterday read and approved.

### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your Committee on Elections, to whom was referred Senate Bill No. 3, entitled "An Act to amend an Act relating to elections," have considered the bill, and beg leave to report unfavorably, and recommend that it do not pass.

H. H. PENOYER, Chairman.

*Mr. Speaker:*

Your standing Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 16, "An Act for the reapportionment of Senators and Assemblymen in the several



counties of this State," and beg leave to report a substitute for the same, with the recommendation that the substitute do pass.

JOHN SMYTH, Chairman.

*Mr. Speaker :*

Your standing Committee on Enrollment beg leave to report that they have carefully compared Assembly Concurrent Resolution No. 8 with the original and find it correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your standing Committee on Ways and Means have had under consideration Assembly Bill No. 39, "An Act concerning the allowances and payment of demands against the several counties of this State and barring the payment thereof in certain cases," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on Public Printing, to whom was referred Senate Concurrent Resolution No. 3, relative to printing five hundred copies of the report of the Board of Directors of the State Orphans' Home, beg leave to report that they have had the same under consideration and recommend that it do pass.

HENRY DUFFY, Chairman.

*Mr. Speaker :*

Your special committee, composed of the Lincoln County delegation, to whom was referred Assembly Concurrent Resolution No. 9, report favorably and recommend its adoption.

M. BARRETT.

#### MOTIONS AND RESOLUTIONS.

Mr. Drexler moved that the rules be suspended and that the House reconsider the vote by which Senate Bill No. 20 was passed.

Motion lost.

By Mr. Englis :

Assembly Concurrent Resolution No. 12—Relative to the care of the insane of this State and the formation of a committee to consider the same.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 20, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 9—An Act to amend Section 139 of an Act entitled "An Act concerning crimes and punishments," approved November 26,

1861, which was amended and passed the Senate this day by the following vote: Yeas, 23; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICE OF BILL.

Mr. Coffin, by leave, withdrew his notice of bill given yesterday.

Mr. Ernst gave notice that he would on some future day introduce a bill to fund certain indebtedness of Nye County.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Englis, by leave, withdrew Assembly Concurrent Resolution No. 11—Relative to paying the claim of Mr. Randall.

By Mr. Penoyer (by leave):

Assembly Bill No. 43—An Act to authorize the fees and salaries of officers to be taken in attachment and execution and to prohibit assignments to defraud creditors.

On motion of Mr. Waldorf the rules were suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Adams (by leave):

Assembly Bill No. 44—An Act to grant the right of way for a street railroad between two points in the town of Eureka, county of Eureka, and to protect the same.

On motion of Mr. Bell the rules were suspended, read second time by title, referred to the Eureka delegation and ordered printed.

By Mr. Moriarty (by leave):

Assembly Bill No. 45—An Act to define the duties and liabilities of pawnbrokers and pledgés.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

#### GENERAL FILE.

Senate Bill No. 1—An Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and to establish their pay.

Mr. Organ moved to strike out the enacting clause of the bill.

Motion lost.

Mr. Bradshaw moved, as an amendment, to strike out in Section 6 all words after the word "respectively."

Motion lost.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis,



Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—44.

NAYS—Mr. Organ.

Absent—Messrs. Ballinger, Belding, May, Mooney and Waldorf.

Senate Concurrent Resolution No. 12—Relative to printing copies of the report of the Secretary of State for the years 1879 and 1880.

Placed on final passage and lost by the following vote :

YEAS—Adams, Bailey, Barrett, Bell, Berry, Condon, Duffy, Englis, Ernst, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Penoyer, Plank and Mr. Speaker—18.

NAYS—Messrs. Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Fallon, Ford, Gignoux, Green, Lewers, Mallon, Masel, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Richards, Shepard, Shier, Smyth and Soule—25.

Absent—Messrs. Ballinger, Belding, May, Mooney, McGowan, Tuska and Waldorf.

Senate Bill No. 20—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years.

Mr. Drexler moved that a committee of one be appointed to strike out the amendment made in the Assembly yesterday.

Motion carried, and Mr. Drexler appointed as such committee.

At 12:20 Mr. Waldorf moved a recess until 1:30 p. m.

Motion lost.

In due time Mr. Drexler reported amendment made to the bill, which was read as amended, placed on final passage and passed by the following vote ;

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Masel, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Kelly, Mallon, May, McBurney, Mooney, Penoyer and Waldorf.

Substitute for Assembly Bill No. 28—An Act to amend an Act entitled "An Act in relation to the State Library."

Bill placed on final passage and passed by the following vote :

YEAS—Messrs. Bailey, Barrett, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Duffy, Englis, Ernst, Ford, Gignoux, Green, Johnson, Knight, Longley, McBurney, Moriarty, Organ, Parker, Penton, Plank, Richards, Shier and Smyth—26.

NAYS—Messrs. Adams, Bell, Berry, Fallon, Irvine, Lewers, Mallon, Masel, McGowan, Newell, Shepard, Soule, Tuska and Mr. Speaker—14.

Absent—Messrs. Ballinger, Belding, Drexler, Havenor, Kelly, May, McKenzie, Mooney, Penoyer and Waldorf.

Mr. Smyth gave notice of a reconsideration of the vote by which Senate Concurrent Resolution No. 12 was lost.

Mr. Organ, by leave, introduced the following resolution:

*Resolved*, That the members of the Third House have the use of the Assembly Chamber next Wednesday evening for the purpose of organization.

On motion of Mr. Organ the resolution was adopted by a vote of 17 to 15.

SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 21, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 4—Relative to the appointment of a joint committee for the apportionment of representation, which was this day adopted in the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Resolution read first time.

Mr. Englis moved that the rules be suspended, the resolution read second time by title, rules further suspended, read third time and placed on final passage.

Motion lost by a vote of 19 to 17.

On motion of Mr. Coffin, at 1:10 P. M., the House adjourned until Monday, the 24th instant.

Approved:

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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TWENTY-SECOND DAY.

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CARSON CITY (Monday), January 24, 1881.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding and Kelly.

Journal of nineteenth day read and approved.



## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bills Nos. 29, 32, 33 and 34, and Senate Bill No. 11, and beg leave to report the same back with the recommendation that they do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bill No. 23, and beg leave to report that they have proposed several amendments thereto, which they hereby respectfully submit to the Assembly for adoption, and do recommend that the bill, so amended, do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

The undersigned, of the Committee on Contingent Expenses and Accounts, begs leave to submit the following minority report on Assembly Bill No. 17, "An Act to amend an Act entitled 'An Act in relation to the compensation of members of the Legislature and State officers,'" approved January 16, 1865:

The Act of the Legislature regulating the compensation and mileage of the members thereof was passed at a period in the history of the State when traveling to and from the Capital was an expensive matter. At that time it was considered hardly adequate for the service to be performed. Since then the construction of railroads has rendered traveling to the Capital comparatively easy, and less expensive to the representatives of the State from the counties along the line of such railroads; but there are a large number of counties in the eastern part of the State which have no such facilities for traveling, being compelled to rely on the old expensive system of stages. The representatives from these counties, by reason of distance, are compelled to devote their whole time to the performance of their duties as legislators, while those from the western part of the State are enabled, by conveniences known to all, to return to their homes every afternoon and devote a portion of their time to private affairs.

Your minority, however, recognizes the importance of practicing rigid economy in all departments of the State Government, and appreciates the motives of the committee in their recommendations in regard to this bill, but in my judgment I do not believe the necessities of the case demand such a reduction. Twenty cents per mile will not pay the actual traveling expenses of a large number of the members from the eastern counties, and in consideration of that fact I recommend the striking out of "twenty cents," and insert in lieu thereof "twenty-five cents." Respectfully submitted,

JAMES ADAMS, of Committee.

*Mr. Speaker :*

Your Committee on Engrossment have compared the engrossed copy of Assembly Bill No. 2, entitled "An Act to regulate fees and



compensation for official and other services in the State of Nevada;" also, Substitute for Assembly Bill No. 6, entitled "An Act to prevent the unauthorized expenditure of State moneys," and beg leave to report the same correctly engrossed.

C. P. SOULE, Chairman.

*Mr. Speaker:*

Your Committee on Contingent Expenses and Accounts, to whom was referred Assembly Bill No. 17, "An Act to amend an Act entitled 'An Act in relation to the compensation of members of the Legislature and State officers,'" approved January 16, 1865, have had the same under consideration and respectfully recommend that the same do pass as amended.

L. P. DREXLER, Chairman.

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration Senate Bill No. 2, "An Act creating Boards of Examiners in the several counties in this State," and beg leave to report the same back to the Assembly with a substitute, and recommend that the substitute do pass.

T. J. BELL, Chairman.

#### MOTIONS AND RESOLUTIONS.

By Mr. Lewers:

Assembly Concurrent Resolution No. 13—Relative to investigation of the management of the State Orphans' Home and the appointment of a committee to report on the same.

Read first time, rules suspended, read second time by title, rules further suspended, considered engrossed, rules further suspended, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—48.

NAYS—None.

Absent—Messrs. Belding and Kelly.

By Mr. Bell:

Assembly Concurrent Resolution No. 14—Relative to memorializing our Senators and Representative in Congress in regard to patents on mines.

Rules suspended, read second time by title and referred to the Committee on Mines and Mining.

Mr. Smyth moved to reconsider the vote by which Senate Concurrent Resolution No. 12 was lost.

Motion carried.

At 11:28 A. M. Speaker *pro tem.* in the Chair.



## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 21, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 35—An Act to provide for the payment of the claim of Z. S. Eldredge, which passed the Senate this day by the following vote: Yeas, 19; nays, 3.

Also, Senate Bill No. 51—An Act to reimburse C. S. Young, which passed the Senate this day by the following vote: Yeas, 22; nays, none.

Also, Senate Concurrent Resolution No. 10—Relative to amending the Constitution, which passed the Senate this day by the following vote: Yeas, 14; nays, 10.

Also, Senate Concurrent Resolution No. 14—Relative to printing the report of the Fish Commissioner, which was this day adopted by the Senate.

Also, Assembly Bill No. 11—An Act to prohibit the use of firearms in public places, which passed the Senate this day by the following vote: Yeas, 25; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

## NOTICES OF BILLS.

Mr. Corbett gave notice that he would on some future day introduce a bill to prevent gaming.

Mr. Merrill gave notice that he would on some future day introduce a bill providing for the appointment of shorthand or phonographic reporters in certain criminal cases and examinations and defining their duties and fixing their compensations.

Mr. Merrill gave notice that he would on some future day introduce a bill to exempt \$50 of heads of families and laborers' wages from execution.

Mr. McBurney gave notice that he would on to-morrow introduce a bill to amend an Act entitled "An Act to provide for the registration of the names of electors and to prevent frauds at elections," approved March 5, 1869.

## SECOND READING OF BILLS.

Senate Joint Resolution No. 4—Relative to the appointment of a joint committee to report on the reapportionment of representation.

Assembly Concurrent Resolution No. 12—Relative to the care of indigent insane of this State.

Senate Concurrent Resolution No. 5—Relative to printing copies of the Biennial Report of the Adjutant-General for the years 1879 and 1880.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Waldorf (by leave):

Assembly Bill No. 46—An Act relative to railroads the termini of which are in the State of Nevada.

Mr. Waldorf moved that the rules be suspended, read second time by title, ordered printed and referred to the Committee on Corporations and Railroads.

Motion carried.

Mr. Tuska moved to amend the motion by giving the committee power to summon and examine witnesses and to compel attendance of witnesses.

Motion lost.

Mr. Merrill moved that the rules be suspended and Mr. Waldorf have leave to introduce a resolution out of order.

Motion carried.

By Mr. Waldorf :

*Resolved*, That the Committee on Corporations and Railroads be instructed to inquire into the subject of charges for carrying freight and passengers made by railroads the termini of which are within this State, to the end that the same may be regulated upon the basis of a fair income to the expenditure in construction and operation of such railroads.

*Resolved*, That said committee be instructed to make such investigation and to report thereon to the Assembly at as early a day as possible and not later than the tenth day of February, 1881.

*Resolved*, That said committee be authorized to take testimony and administer oaths to witnesses and to employ all necessary assistance for the purpose of making such investigation.

Mr. Merrill moved that the resolution be amended so that the committee have power to compel the attendance of witnesses and to send for persons and papers.

Motion carried.

Mr. Johnson moved that the resolution be laid on the table until February 8.

Mr. Ernst arose to discuss the motion.

Mr. Coffin arose to a point of order and was sustained by the Chair. Motion of Mr. Johnson put to the House and lost.

Messrs. Coffin, Gignoux and Smyth called for the yeas and nays. Resolution adopted as amended by the following vote :

YEAS—Messrs. Barrett, Bell, Blair, Bradshaw, Condon, Copeland, Duffy, Englis, Ernst, Fallon, Ford, Green, Mallon, Masel, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—29.



NAYS—Messrs. Adams, Bailey, Ballinger, Berry, Coffin, Corbett, Drexler, Gignoux, Havenor, Irvine, Johnson, Knight, Lewers, Longley, May, McBurney, Mooney, Penoyer and Soule—19.

Absent—Messrs. Belding and Kelly.

By Mr. Newell (by leave):

Assembly Bill No. 47—An Act amendatory of and supplementary to an Act entitled “An Act relating to elections,” approved March 12, 1865.

Rules suspended, read second time by title, ordered printed and referred to the Committee on Elections.

By Mr. Gignoux (by leave):

Assembly Bill No. 48—An Act to provide for the maintenance and supervision of public schools.

Rules suspended, read second time by title, referred to the Committee on Elections and ordered printed.

By Mr. Shepard (by leave):

Assembly Bill No. 49—An Act to amend an Act entitled “An Act to amend an Act in relation to highways,” approved March 15, 1875; approved March 2, 1877.

Rules suspended, read second time by title and referred to the Committee on Internal Improvements.

By Mr. Shepard (by leave):

Assembly Bill No. 50—An Act to amend an Act entitled “An Act to create a Board of County Commissioners in the several counties of this State and to define their duties and powers,” approved March 8, 1865.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

By Mr. Merrill (by leave):

Assembly Bill No. 51—An Act to detach a portion of the territory of White Pine County from said county and attach the same to Eureka County.

Rules suspended, read second time by title and referred to the Eureka and White Pine delegations.

By Mr. Bradshaw (by leave):

Assembly Bill No. 52—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 9, 1865; approved March 5, 1869.

Rules suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

At 12:20 P. M., on motion of Mr. Corbett, the House took a recess until 1 P. M.

## HOUSE IN SESSION.

At 1 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

By Mr. Merrill (by leave):

Assembly Bill No. 53—An Act to authorize the County Commissioners in the several counties of this State to loan or transfer surplus money from one fund to the other.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Merrill (by leave):

Assembly Bill No. 54—An Act to restore lost records.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

## GENERAL FILE.

Senate Bill No. 3—An Act to amend an Act entitled "An Act relating to elections," approved March 12, 1873.

Read third time, placed on final passage and lost by the following vote:

YEAS—Messrs. Ballinger and Organ—2.

NAYS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—44.

Absent—Messrs. Belding, Havenor, Kelly and Tuska.

Senate Concurrent Resolution No. 3—Relative to printing report of the Board of Directors of the State Orphans' Home for 1879 and 1880.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—48.

NAYS—None.

Absent—Messrs. Belding and Kelly.

Assembly Concurrent Resolution No. 9—Relative to granting leave of absence from the State to George T. Gorman, County Clerk of Lincoln County.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry,



Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—47.

NAYS—Mr. Green.

Absent—Messrs. Belding and Kelly.

Assembly Bill No. 39—An Act concerning the allowance and payment of demands against the several counties of this State and barring the payment thereof in certain cases.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—46.

NAYS—Messrs. Duffy and Moriarty—2.

Absent—Messrs. Belding and Kelly.

Substitute for Assembly Bill No. 2—An Act to regulate fees and compensations for official and other services in the State of Nevada.

On motion of Mr. Ernst the further consideration of the bill was referred to the Committee of the Whole and made the special order for to-morrow, the 25th, at 2 P. M.

Substitute for Assembly Bill No. 6—An Act to prevent the unauthorized expenditure of State moneys.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—48.

NAYS—None.

Absent—Messrs. Belding and Kelly.

#### INTRODUCTION AND FIRST READING OF BILL.

By Mr. Bell (by leave) :

Assembly Bill No. 55—An Act in aid of the construction of the State Prison of the State of Nevada.

Mr. Bell moved that the rules be suspended, read second time by title, referred to the Committee of the Whole and made the special order for the day after to-morrow (the 26th), at 2 P. M.

Mr. Adams moved that the bill be rejected.

Motion carried, and bill rejected by a vote of 24 to 20.

GENERAL FILE.

Senate Bill No. 35—An Act to provide for the payment of the claim of Z. S. Eldredge.

Rules suspended, read second time by title and referred to the Committee on Claims.

Senate Bill No. 51—An Act to reimburse C. S. Young, County Superintendent of Public Instruction of Storey County, State of Nevada.

Rules suspended, read second time by title and referred to the Committee on Claims.

Senate Concurrent Resolution No. 14—Relative to printing the report of the Fish Commissioner.

Rules suspended, read second time by title and referred to the Joint Committee on Printing.

Senate Concurrent Resolution No. 10—Relative to amendments to the Constitution.

Rules suspended, read second time and referred to the Committee on Judiciary.

Mr. Organ gave notice of a reconsideration of the vote by which Assembly Bill No. 55 was lost.

Assembly Bill No. 9—An Act to amend Section 139 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Amendments by Senate read by the Clerk.

On motion of Mr. Ballinger the amendments were adopted, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—48.

NAYS—None.

Absent—Messrs. Belding and Kelly.

Substitute for Senate Bill No. 2—An Act creating Boards of Examiners in the several counties of this State.

On motion of Mr. Ernst the substitute was adopted.

At 2:30 P. M., on motion of Mr. Gignoux, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.



## TWENTY-THIRD DAY.

CARSON CITY (Tuesday), January 25, 1881.

The House met pursuant to adjournment.

Roll called.

Absent—Messrs. Ballinger, Belding, Kelly and McKenzie.

Mr. Mallon asked leave of absence for Mr. McKenzie for one day.  
Granted.

Mr. Barrett, by leave, made a motion out of order that Assembly Bill No. 23 be engrossed.

Mr. Organ asked leave of absence for Mr. Ballinger for one day.  
Granted.

Journal of the twenty-second day read partially.

At 11:20 A. M. Mr. Knight moved that the further reading of the Journal be dispensed with.

Motion lost and Journal read and approved.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your Committee on Public Lands have had under consideration Assembly Concurrent Resolution No. 6, in relation to artesian wells and recommend that it do pass.

GEORGE ERNST, Chairman.

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Bill No. 7, "An Act to refund a portion of the bonded debt of Elko County," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 18, "An Act to prohibit County Commissioners from making advances to indigent sick or infirm persons until approved by the board," and beg leave to report the same back with a substitute and recommend that the substitute do pass.

Also, Assembly Bill No. 8, "An Act creating Boards of Examiners in the several counties of this State," and recommend that it do not pass, as the committee has acted on and reported back Senate Bill No. 2, which in our judgment covers the body of the bill.

T. J. BELL, Chairman.

## MOTIONS AND RESOLUTIONS.

Mr. Organ moved to reconsider the vote by which Assembly Bill No. 55 was rejected.

Mr. Coffin arose to speak the third time to the question.

Mr. Bell arose to a point of order, namely: that Mr. Coffin had exhausted his privilege of debate on the question.

On motion of Mr. Ernst Mr. Coffin was allowed to proceed.

Mr. Organ, by leave, arose to a question of privilege, relative to language used yesterday by him in regard to the State Prison.

The yeas and nays were called for by Messrs. Bell, Soule and Organ, and the motion to reconsider passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Duffy, Ernst, Fallon, Gignoux, Knight, Longley, Masel, May, McBurney, McGowan, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Smyth, Soule, Waldorf and Mr. Speaker—30.

NAYS—Messrs. Coffin, Copeland, Drexler, Englis, Ford, Green, Havenor, Irvine, Johnson, Lewers, Mallon, Mooney, Moriarty, Penoyer, Shier and Tuska—16.

Absent—Messrs. Ballinger, Belding, Kelly and McKenzie.

By Mr. Drexler:

Assembly Concurrent Resolution No. 15—Relative to the care of the insane of this State.

Read first time.

Mr. Bell moved to amend by inserting "fifth of February" instead of "tenth."

Amendment accepted, and Mr. Drexler appointed a committee of one to make such amendment.

In due time Mr. Drexler reported the amendment made.

On motion of Mr. Coffin the rules were suspended, read second time; rules further suspended, considered engrossed; rules further suspended, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—45.

NAYS—Mr. Waldorf.

Absent—Messrs. Ballinger, Belding, Kelly and McKenzie.

## NOTICE OF BILL.

Mr. Tuska gave notice that he would on some future day introduce a bill to regulate water rates in Storey County, Nevada.



SECOND READING OF BILLS.

Assembly Bill No. 55—An Act in aid of the construction of a State Prison of the State of Nevada.

Mr. Plank moved that the bill be laid on the table.

Motion lost.

On motion of Mr. Bell the rules were suspended, read second time by title and referred to the Committee on Ways and Means.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Drexler (by leave) :

Assembly Bill No. 56—An Act to disincorporate the town of Gold Hill and to repeal all other Acts touching its incorporation.

Rules suspended, read second time by title, referred to the Storey County delegation and ordered printed.

By Mr. Drexler (by leave) :

Assembly Bill No. 57—An Act to disincorporate the town of Virginia and to repeal all laws touching its incorporation.

Rules suspended, read second time by title, referred to the Storey County delegation and ordered printed.

By Mr. Drexler (by leave) :

Assembly Bill No. 58—An Act providing for the government of the towns and cities of this State.

On motion of Mr. Drexler the rules were suspended, read second time by title, referred to the Storey County delegation and ordered printed, with an extra edition of 175 copies.

By Mr. McBurney :

Assembly Bill No. 59—An Act to amend an Act entitled "An Act to provide for the registration of electors and to prevent fraud at elections," approved March 5, 1869.

Rules suspended, read second time by title and referred to the Committee on Elections.

By Mr. Corbett :

Assembly Bill No. 60—An Act to prevent gaming.

Rules suspended, read second time by title, referred to the Committee on Public Morals and ordered printed.

On motion of Mr. Soule, at 12:25, the House took a recess until 1:30 P. M.

HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

By Mr. Merrill:

Assembly Bill No. 61—An Act providing for the appointment of shorthand or phonographic reporters in certain criminal cases and examinations, and defining their duties and fixing their compensation.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Condon (by leave) :

Assembly Bill No. 62—An Act to amend an Act entitled “An Act to provide policemen in unincorporated cities, towns and villages,” approved March 11, 1865.

On motion of Mr. Englis, the rules were suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. McKenzie (by leave), as Chairman of the Committee on Mines and Mining :

Substitute for Assembly Bill No. 3—An Act defining misdemeanors in certain cases and prescribing penalties therefor.

Read first time and adopted.

#### GENERAL FILE.

On motion of Mr. Smyth Assembly Bill No. 23—An Act to create a State Board of Equalization was referred to the Committee of the Whole and made the special order for Friday next at 2 p. m., the 28th instant.

Assembly Concurrent Resolution No. 12—Relative to the insane of the State.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Blair, Ford, Kelly, Knight and May.

Substitute for Assembly Bill No. 16—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State.

Read first time and adopted.

At 2 p. m. the Speaker announced that the hour had arrived for the consideration of the special order of the day, viz : Substitute for Assembly Bill No. 2, “An Act to regulate fees and compensation for official and other services in the State of Nevada.”

House in Committee of the Whole.

Mr. Soule in the Chair.

At 4:15 p. m. the committee arose and made the following report :



*Mr. Speaker :*

Your Committee of the Whole have had under consideration substitute for Assembly Bill No. 2 and have made several amendments thereto, and recommend that it do not pass as amended.

At 4:19 P. M. Mr. Parker moved to adjourn.

Motion lost.

At 4:20 P. M., on motion of Mr. McGowan, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## TWENTY-FOURTH DAY.

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CARSON CITY (Wednesday), January 26, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Coffin, Kelly and McGowan.

Mr. Gignoux asked leave of absence for one day for Mr. Coffin.

Granted.

Mr. Smyth asked leave of absence for one day for Mr. McGowan.

Granted.

Journal of yesterday read and approved.

### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bills Nos. 9 and 11 and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration Senate Bill No. 35, "An Act to provide for the payment of the claim of Z. S. Eldredge," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

CHAS. GREEN, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration an Act to pay the claim of J. C. Powell, County Assessor of Eureka County, and beg leave to report the same back to the Assembly without recommendation.

CHAS. GREEN, Chairman.

SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, January 25, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 13, relative to appointing a committee to investigate the management of the Orphans' Home, which was this day concurred in by the Senate, and Mr. Schooling was appointed as such committee.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, January 25, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 10, "An Act to provide payment for services rendered by James Buckner in enrolling the militia of Humboldt County," which passed the Senate this day by the following vote: Ayes, 17 ; nays, 3.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

NOTICES OF BILLS.

Mr. Tuska gave notice that he would on some future day introduce a bill for the relief of insolvent debtors and protection of creditors.

Mr. Mooney gave notice that he would on some future day introduce a bill for the protection of workingmens' wages in certain cases.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Johnson (by leave) :

Assembly Bill No. 63—An Act to pay the claim of B. Edson.

Rules suspended, read second time by title and referred to the Committee on Claims.

By Mr. Tuska :

Assembly Bill No. 64—An Act to regulate, place and keep in repair water meters and establish the price and rates of water charges in towns and cities of a population of more than 8,000 inhabitants.



Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

By Mr. Longley:

Assembly Bill No. 65—An Act to protect the State Treasury.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

#### GENERAL FILE.

Substitute for Assembly Bill No. 2—An Act to regulate fees and compensations for official and other acts in the State of Nevada.

On motion of Mr. Smyth the bill was laid on the table.

Assembly Bill No. 29—An Act to amend Section 583 of "An Act entitled 'An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto,'" approved March 8, 1869.

On motion of Mr. Parker the bill was ordered engrossed.

Assembly Bill No. 33—An Act authorizing Boards of County Commissioners to transfer surplus money in the several funds of unincorporated towns from one fund to the other.

On motion of Mr. Smyth the rules were suspended, considered engrossed, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Belding, Kelly, McGowan, May and Coffin.

Assembly Bill No. 17—An Act to amend an Act entitled "An Act in relation to the compensation of members of the Legislature and State officers," approved January 16, 1865.

Mr. Newell moved that the amendments recommended in the minority report be adopted.

Motion carried.

Mr. Newell moved that the bill be ordered engrossed as amended.

Mr. Lewers arose to speak to the question.

Mr. Organ arose to a point of order and was sustained.

Motion put to the House and bill ordered engrossed.

Assembly Bill No. 32—An Act to amend an Act entitled "An Act to protect the wages of labor," approved February 21, 1873.

On motion of Mr. Waldorf the rules were suspended, considered engrossed, read third time, placed on final passage and passed by the following vote:



YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Belding, Coffin, Kelly and McGowan.

Assembly Bill No. 34—An Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14, 1865.

On motion of Mr. Gignoux the rules were suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Knight, Lewers, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Penoyer, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Adams, Copeland, Green, Longley, Organ, Parker and Penton—7.

Absent—Messrs. Belding, Coffin, Kelly and McGowan.

Substitute for Senate Bill No. 2—An Act creating Boards of Examiners in the several counties of this State.

Mr. Tuska moved to amend Section 2 by striking out the word "every" and inserting the words "once a" in lieu thereof.

Motion carried, and Mr. Tuska appointed a committee of one to make the amendments. In due time Mr. Tuska reported the amendments made.

Mr. McKenzie moved that the further consideration of the bill be made the special order for to-morrow at 2 p. m. and referred to the Committee of the Whole.

Motion lost.

On motion of Mr. Parker the rules were suspended, the bill considered engrossed, read third time, placed on final passage and passed by the following vote :

AYES—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Belding, Coffin, Gignoux, Kelly and McGowan.

At 12:15 Mr. Organ moved a recess for one hour.

Motion lost.



Senate Bill No. 11—An Act to amend an Act entitled “An Act fixing the salaries of the various county officers in the several counties in this State, and other matters relating thereto,” approved March 11, 1879.

At 12:16 Mr. Soule moved a recess until 1:30 P. M.

Motion lost.

Senate Bill No. 11 was read a third time, placed on final passage and passed by the following vote :

AYES—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—Messrs. Barrett, Bradshaw and Shepard—3.

Absent—Messrs. Belding, Coffin, Kelly, Organ and McGowan.

At 12:26, on motion of Mr. Waldorf, the House took a recess until 1:30 P. M.

### HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Senate Joint Resolution No. 4—Relative to amendments to the Constitution in regard to the apportionment of representation.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, May, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Shier, Smyth, Soule, Waldorf and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Belding, Coffin, Ernst, Kelly, Masel, McBurney, McGowan, Organ, Richards, Shepard and Tuska.

Senate Concurrent Resolution No. 5—Relative to printing copies of the Biennial Report of the Adjutant-General for 1879 and 1880.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Condon, Corbett, Copeland, Drexler, Duffy, Fallon, Ford, Gignoux, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Smyth, Waldorf and Mr. Speaker—33.

NAYS—Messrs. Bradshaw, Englis, Green, Havenor, Irvine and Shier—6.

Absent—Messrs. Belding, Coffin,\* Ernst, Kelly, McBurney, McGowan, Organ, Richards, Shepard, Soule and Shier.

Assembly Bill No. 8—An Act creating Boards of Examiners in the several counties of the State.

On motion of Mr. Englis the bill was laid on the table.

Substitute for Assembly Bill No. 16—An Act for the reapportionment of Senators and Assemblymen in the several counties of the State.

Ordered engrossed.

Substitute for Assembly Bill No. 3—An Act defining misdemeanors in certain cases and prescribing penalties therefor.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Irvine, Johnson, Lewers, Longley, Mallon, McKenzie, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—35.

NAYS—Messrs. Bailey, Ballinger, Gignoux, Havenor, Knight, Masel, May and Mooney—8.

Absent—Messrs. Belding, Coffin, Kelly, McBurney, McGowan, Organ and Shepard.

Substitute for Assembly Bill No. 18—An Act amendatory to an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers."

Mr. Plank moved to strike out in Section Three, lines five and six, the word "property."

Motion lost by a vote of 23 to 12.

On motion of Mr. Drexler the rules were suspended, the bill considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Mooney, Newell, Parker, Penoyer, Penton, Richards, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Englis, Fallon, Moriarty, Plank and Shier—5.

Absent—Messrs. Belding, Coffin, Kelly, McBurney, McGowan, Organ and Shepard.

Assembly Bill No. 35—An Act to pay the claim of J. C. Powell, Assessor of Eureka County.

On motion of Mr. Green ordered engrossed, referred to the Committee of the Whole and made a special order for Friday, the 28th, after the consideration of the previous special order for that day.



Senate Bill No. 35—An Act to provide for the payment of the claim of Z. S. Eldredge.

On motion of Mr. Green referred to the Committee of the Whole and made a special order for Monday, the 31st, at 2 p. m.

## MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, January 26, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 7, "An Act to refund a portion of the bonded debt of Elko County."

JOHN H. KINKEAD, Governor.

On motion of Mr. Smyth, Concurrent Resolution No. 12, relating to printing copies of the report of the Secretary of State for the years 1879 and 1880, was taken up, and on motion of Mr. Plank was referred to the Committee on Printing.

At 2 p. m., on motion of Mr. Moriarty, the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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TWENTY-FIFTH DAY.

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CARSON CITY (Thursday), January 27, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Barrett, Belding, Coffin and Shepard.

Mr. Gignoux asked leave of absence for Mr. Coffin for one day.

Granted.

Mr. Bradshaw asked leave of absence for Mr. Shepard for one day.

Granted.

Mr. Bell, out of order, moved that Assembly Bill No. 18 be withheld for reconsideration.

Motion carried.

Journal of yesterday read and approved.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bill No. 45, "An Act relating to pawnbrokers, etc." They have prepared a substitute for the same, which they beg leave to report to the Assembly with the recommendation that it be adopted and do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Senate Concurrent Resolution No. 10, "To amend Section 6 of Article XV. of the Constitution," and beg leave to report the same back to the Assembly with the recommendation that it do not pass, deeming it within the province of the Legislature to make the change aimed at without violating any part of the Constitution.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bill No. 41, "An Act concerning crimes and punishments;" "Assembly Bill No. 53, "An Act authorizing the County Commissioners in the several counties in this State to loan or transfer surplus moneys from one fund to another;" Senate Bill No. 24, "An Act to amend an Act relating to officers, their qualifications, etc.;" Assembly Bill No. 65, "An Act to protect the State Treasury," and beg leave to report the same back to the Assembly with the recommendation that the same do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your standing Committee on Corporations and Railroads have had under consideration Assembly Bill No. 40, "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved March 10, 1865; approved February 17, 1875; and beg leave to report the same back to the Assembly with the recommendation that it do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your standing Committee on Corporations and Railroads have had under consideration Assembly Bill No. 19, "An Act to insure the speedy and safe delivery of freight and baggage by common carriers and to provide for payment of the same in case of loss or damage," and recommend that Section One be amended as follows:

SECTION 1. All common carriers shall, upon the tender of payment or the payment of the amounts due them, deliver, or cause to be delivered, at the owner's or consignee's expense, without unnecessary delay, all freight or baggage carried by them for such owner or consignee, under a penalty of fifty (\$50) dollars per day for such unnecessary detention after the arrival of the freight or baggage at the



warehouse or depot, and after the demand of the owner or consignee for the delivery of the same.

Strike out Sections Two, Three and Four.

And report the same back to the Assembly and recommend that as amended the bill do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your standing Committee on Trades and Manufactures have had under consideration Assembly Bill No. 21, "An Act to license laundries and wash houses," have amended the same by striking out Section Two and substituting a new Section Two, and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

W. B. NEWELL, Chairman.

*Mr. Speaker :*

Your standing Committee on Trades and Manufactures have had under consideration Assembly Bill No. 37, "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 9, 1865; approved March 5, 1869; and beg leave to report the same back to the Assembly with the recommendation that it do not pass, it being detrimental to the best interests of the State.

W. B. NEWELL,  
O. H. BALLINGER,  
J. J. CORBETT,  
J. B. MALLON,  
P. H. FORD.

*Mr. Speaker :*

Your Joint Committee on Printing, to whom was referred Senate Concurrent Resolution No. 14, relative to printing the report of the Fish Commissioner, respectfully report that they have had the same under consideration and recommend that the resolution do pass.

E. T. PLANK, Chairman.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, January 26, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 25—An Act to punish and prevent deception in the manufacture and sale of butter, which was this day amended by adding Section Three, and passed the Senate by the following vote: Yeas, 19; nays, 4.

Also, Assembly Bill No. 39—An Act concerning the allowance and payment of demands against the several counties of this State

and barring the payment thereof in certain cases, which passed the Senate this day by the following vote: Yeas, 24; nays, none.

Also, substitute for Assembly Bill No. 6—An Act to prevent the unauthorized expenditure of State money, which passed the Senate this day by the following vote: Yeas, 23; nays, none.

Also, Assembly Concurrent Resolution No. 12—Relative to the insane of this State, which was concurred in by the Senate, and Messrs. Powning and Hammond appointed on said committee.

Also, Assembly Concurrent Resolution No. 15—Relative to the insane of the State, which was concurred in by the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, January 26, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No 4—An Act to amend an Act entitled "An Act to provide for the appointment of Notaries Public, etc.," which passed the Senate this day by the following vote: Yeas, 22; nays, none.

Also, substitute for Senate Bill No. 5—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this State and to repeal all other Acts in relation thereto," approved March 8, 1869, which passed the Senate this day by the following vote: Yeas, 24; nays, none.

Also, Senate Bill No. 16—An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada, which passed the Senate this day by the following vote: Yeas, 21; nays, 3.

Also, substitute for Senate Bill No. 31—An Act to amend an Act entitled "An Act relating to elections," approved March 12, 1873, which passed the Senate this day by the following vote: Yeas, 22; nays, none.

Also, Senate Bill No. 41—An Act to amend an Act entitled "An Act concerning conveyances," approved November 5, 1861, which passed the Senate this day by the following vote: Yeas, 22; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICES OF BILLS.

Mr. Johnson gave notice that he would on some future day introduce a bill to regulate proceedings in criminal cases in the Courts of Justice of this State.

Mr. Englis gave notice that he would on some future day introduce a bill to regulate the business of fire insurance companies and to define their duties and responsibilities.



## SECOND READING OF BILLS.

Assembly Concurrent Resolution No. 6—Relative to artesian wells.

Senate Concurrent Resolution No. 14—Relative to printing report of the Fish Commissioner.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Condon, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Blair, Bradshaw, Corbett, Fallon, Gignoux and Shier—6.

Absent—Messrs. Belding, Coffin, Kelly, Organ and Shepard.

Assembly Bill No. 25—An Act to punish and prevent deception in the manufacture and sale of butter.

Amendments made in Senate read and on motion of Mr. Gignoux adopted, rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Belding, Coffin, Johnson, Kelly and Shepard.

## GENERAL FILE.

Senate Bill No. 16—An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada.

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

Substitute for Senate Bill No. 31—An Act to amend an Act entitled "An Act relating to elections," approved March 12, 1873.

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

Substitute for Senate Bill No. 5—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 8, 1865.

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

Senate Bill No. 41—An Act to amend an Act entitled “An Act concerning conveyances,” approved November 5, 1861.

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

Senate Bill No. 4—An Act entitled “An Act to amend an Act entitled an Act to amend an Act entitled an Act to amend Section One of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled an Act to provide for the appointment of Notaries Public and defining their duties,” approved February 9, 1864; approved March 20, 1865; approved February 9, 1866; approved March 13, 1867; approved January 27, 1879.

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

Assembly Bill No. 19—An Act to insure the speedy and safe delivery of freight and baggage by common carriers and to provide for payment of the same in case of loss or damage.

On motion of Mr. Smyth the amendments made by the committee were adopted and the bill ordered engrossed.

Assembly Bill No. 21—An Act to license laundries.

On motion of Mr. Waldorf the consideration of the bill was indefinitely postponed by a vote of 27 to 8.

Assembly Bill No. 97—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 9, 1865; approved March 5, 1869.

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

Motion lost.

On motion of Mr. Waldorf the bill was ordered engrossed.

Assembly Bill No. 40—An Act to amend an Act entitled “An Act to amend an Act to provide for the formation of corporations for certain purposes,” approved March 10, 1865; approved February 15, 1875.

Mr. Bradshaw moved to strike out the word “daily” in lines twenty-seven, twenty-eight and twenty-nine, page two, and after the word “least,” page two, line twenty-eight, to insert “once a week for four weeks.”

Motion lost.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Condon, Corbett, Drexler, Duffy, Euglis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—Messrs. Bradshaw and Organ.

Absent—Messrs. Belding, Coffin, Copeland, Kelly, Shepard and Ballinger.



At 12:45 P. M. the House, on motion of Mr. Soule, took a recess until 2 P. M.

### HOUSE IN SESSION.

At 2 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The Speaker appointed as joint committee to report on the management of the Orphans' Home Messrs. Lewers and May.

Senate Concurrent Resolution No. 10—Relative to amending Section 6 of Article XV. of the Constitution.

On motion of Mr. Englis the resolution was laid on the table.

Assembly Bill No. 41—An Act to amend Section 105 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Coffin, Kelly, Knight, McGowan and Shepard.

Assembly Bill No. 53—An Act to authorize the County Commissioners in the several counties in this State to loan or transfer surplus money from one fund to another.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Coffin, Fallon, Kelly, Shepard and McGowan.

Senate Bill No. 24—An Act to amend An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office and to enforce official duty, approved March 9, 1866.

Read third time, placed on final passage and passed by the following vote :



YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Coffin, Fallon, McGowan, Shepard and Kelly.

Assembly Bill No. 65—An Act to protect the State Treasury.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Coffin, Fallon, Kelly, McGowan, Shepard and Waldorf.

Substitute for Assembly Bill No. 45—An Act to define the duties and liabilities of pawnbrokers and pledgés.

Mr. Johnson moved that the substitute be adopted.

Motion lost.

On motion of Mr. Drexler the rules were suspended and substitute considered engrossed.

Mr. Parker moved to amend Section Four, line three, by inserting after "county jail" the words "three months and not to exceed six months."

Motion carried and amendment made by the Clerk.

Mr. Soule moved that Section Two of substitute be stricken out.

Motion lost.

Mr. Soule moved to amend Section Two so as to read two per cent. on all sums over fifty dollars, and three per cent. on all sums less than fifty dollars.

Motion lost.

Mr. Knight moved that the bill be indefinitely postponed.

Motion lost.

On motion of Mr. Plank the bill was ordered re-engrossed.

Assembly Concurrent Resolution No. 6—Relative to artesian wells.

Rules suspended, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie,



Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Coffin, Kelly, McGowan and Shepard.

By leave the following report was received and accepted :

*Mr. Speaker :*

Your standing Committee on Enrollment have carefully compared Assembly Concurrent Resolution No. 13; also, Assembly Bill No. 10, to provide for the relief of James Buckner, and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

Mr. Bell gave notice that on to-morrow he would move for a reconsideration of the vote by which substitute for Assembly Bill No. 18 was passed.

At 5:50 P. M., on motion of Mr. Moriarty, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## TWENTY-SIXTH DAY.

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CARSON CITY (Friday), January 28, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Barrett, Belding, Coffin, Kelly and Knight.

Mr. Gignoux asked leave of absence for Mr. Coffin for one day.

Granted.

Mr. Adams asked leave of absence for Mr. Knight for one day.

Granted.

Journal of yesterday read and approved.

### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your standing Committee on Engrossment beg leave to report that they have carefully compared the following bills with the originals

and find the same correctly engrossed as amended: Assembly Bill No. 19, entitled "An Act to insure the speedy and safe delivery of freight and baggage by common carriers;" also, Assembly Bill No. 23, entitled "An Act to create a State Board of Equalization;" also, Assembly Bill No. 35, entitled "An Act to pay the claim of J. C. Powell, Assessor of Eureka County."

C. P. SOULE, Chairman.

*Mr. Speaker :*

Your standing Committee on Public Printing, to whom was referred Senate Concurrent Resolution No. 12, relative to printing five hundred copies of the report of the Secretary of State for the years 1879 and 1880, have considered the same and respectfully recommend that it do pass.

HENRY DUFFY, Chairman.

#### MOTIONS AND RESOLUTIONS.

Mr. Bell moved that substitute for Assembly Bill No. 18 be withheld until Monday for consideration.

Lost by a vote of 24 to 11.

Mr. Bell moved that the rules be suspended and that the vote by which substitute for Assembly Bill No. 18 was passed be taken up for reconsideration.

Objections made, and Messrs. Bell, Ernst and Plank called for the yeas and nays.

Motion lost by the following vote :

YEAS—Messrs. Bell, Blair, Bradshaw, Condon, Copeland, Duffy, Englis, Ernst, Moriarty, Newell, Parker, Plank, Richards, Shier, Smyth and Mr. Speaker—16.

NAYS—Messrs. Adams, Bailey, Ballinger, Berry, Drexler, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Organ, Penoyer, Penton, Soule, Tuska and Waldorf—26.

Absent—Messrs. Barrett, Belding, Coffin, Corbett, Ford, Kelly, Knight and Shepard.

#### PROTEST AND EXPLANATION.

We, the undersigned, hereby protest against the action of this House in refusing to suspend the rules for the purpose of reconsidering the vote by which substitute for Assembly Bill No. 18, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers,'" was passed on the 26th day of January, 1881, for several reasons, and more particularly the following, to wit:

First—After a full consideration, we believe the word "property" ought to be stricken from the bill, as, in our opinion, the bill as it is



impeaches a portion of our citizens, is favoritism, and class-legislation, to which we are unalterably opposed.

Second—We believe that there should be no legislation discriminating between the rich and poor citizens, but that all should have equal rights to have their recommendations heard before the Board to whom the subject matter of said bill is referred.

Third—We believe the bill, if in its present shape becomes a law, will infringe upon the spirit of Section 3, Article XIII. of the Constitution of this State, by denying just rights and privileges to those unfortunates who, by reason of age and infirmity or misfortune, may have claim upon the sympathy and aid of society.

GEO. W. MERRILL,  
JOHN SMYTH,  
W. B. NEWELL,  
J. W. RICHARDS,  
T. J. BELL,  
GEORGE ERNST,  
JOHN A. CONDON,  
GEO. G. BLAIR,  
E. T. PLANK,  
A. ENGLIS,  
JOHN SHIER,  
GEO. F. PARKER.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, January 27, 1881. }

*To the Honorable the Assembly :*

I have the honor to inform you that, in compliance with Senate Joint Resolution No. 4—Relative to a joint committee for the apportionment of representation, Messrs. Tolley, Meder and Thompson were appointed as said committee from the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, January 27, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 26—An Act to amend an Act entitled "An Act relating to the burial of the dead in incorporated cities in the State of Nevada," approved March 8, 1879, which passed the Senate this day by the following vote : Yeas, 21 ; nays, none.

Also, Senate Bill No. 43—An Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, and Acts amendatory thereto and supplemental thereto,

which passed the Senate this day by the following vote : Yeas, 17; nays, 4.

Also, Senate Bill No. 53—An Act for the relief of Kimball and Swallow, which passed the Senate this day by the following vote : Yeas, 16 ; nays, 9.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICES OF BILLS.

Mr. Moriarty gave notice that on to-morrow or some future day he would introduce a bill amending Section One of an Act regulating the sale or disposal of opium.

Mr. Organ gave notice that he would on to-morrow introduce a bill to erect a State Capitol at Reno and to provide for the removal of the State Prison to Pioche and the Orphans' Home to Tuscarora.

Mr. Copeland gave notice that he would on some future day introduce a bill to amend Section One Hundred and Thirty-one of 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 8, 1869.

#### INTRODUCTION AND FIRST READING OF BILL.

By Mr. Tuska :

Assembly Bill No. 66—An Act for the relief of insolvent debtors and protection of creditors.

Rules suspended, read second time by title, referred to the Committees on Judiciary and Trades and Manufactures, jointly, and ordered printed.

#### GENERAL FILE.

Assembly Bill No. 19—An Act to insure the speedy and safe delivery of freight and baggage by common carriers, and to provide for the payment of same in case of loss or damage.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Coffin, Kelly, Knight, Plank and Shepard.

Senate Concurrent Resolution No. 12—Relative to printing copies



of the report of the Secretary of State for the years 1879 and 1880.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Belding, Coffin, Kelly, Knight, Shepard and Englis.

Mr. Bradshaw, by leave, introduced Assembly Concurrent Resolution No. 16, relative to requesting the Governor to return to the Assembly Bill No. 9, for the purpose of correction.

Read first time, rules suspended, read second time by title, considered engrossed, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Coffin, Condon, Kelly, Knight and Plank.

At 12:18 p. m., on motion of Mr. Smyth, the House took a recess until 1 p. m.

## HOUSE IN SESSION.

At 1. p. m.

Roll called.

Quorum present.

Senate Bill No. 26—An Act to amend an Act entitled “An Act relating to the burial of the dead of incorporated cities in the State of Nevada,” approved March 8, 1879.

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

Senate Bill No. 43—An Act supplementary to an Act entitled “An Act concerning crimes and punishments,” approved November 26, 1861, and Acts amendatory of and supplemental thereto.

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

Mr. Gignoux moved as an amendment that it be referred to the Committee on Public Morals.

Motion carried by a vote of 15 to 13.



Senate Bill No. 53—An Act for the relief of Kimball and Swallow.

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

At 1:15 P. M., on motion of Mr. Smyth, the House went into Committee of the Whole and took up the special order of the day, viz: Assembly Bill No. 23, "An Act creating a State Board of Equalization, to define its powers and duties and fix the compensation of its members;" also, Assembly Bill No. 35, "An Act to pay the claim of J. C. Powell of Eureka County."

Mr. Ballinger in the Chair.

At 2:30 P. M. the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole have had under consideration Assembly Bill No. 23, "An Act creating a State Board of Equalization, to define its powers and duties and fix the compensation of its members," have made amendments thereto and recommend that the bill do pass as amended.

Also, Assembly Bill No. 35, "An Act to pay the claim of J. C. Powell," and after carefully considering the same do recommend that it do not pass, as the committee are unfavorable to its passage.

On motion of Mr. Plank Assembly Bill No. 35, "An Act to pay the claim of J. C. Powell of Eureka County," was placed at the bottom of the file.

Assembly Bill No. 23—An Act creating a State Board of Equalization, to define its powers and duties and fix the compensation of its members.

On motion of Mr. Drexler the rules were suspended, considered engrossed as amended, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—41.

NAYS—Messrs. Mallon and Mooney—2.

Absent—Messrs. Belding, Coffin, Kelly, Knight, Parker, Sheard and Waldorf.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, January 28, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 10, "An Act to provide payment for services rendered by James Buckner in enrolling the militia in Hum-



boldt County," and Assembly Bill No. 11, "An Act to prohibit the use of firearms in public places."

JOHN H. KINKEAD, Governor.

On motion of Mr. Gignoux, at 2:50 p. m., the House adjourned until Monday, the 31st instant.

Approved:

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,  
Chief Clerk of the Assembly.

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TWENTY-NINTH DAY.

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CARSON CITY (Monday), January 31, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Kelly, Knight and Penoyer.

Mr. Waldorf asked leave of absence for Mr. Penoyer for three days.  
Granted.

Mr. Organ asked indefinite leave of absence for Mr. Bradshaw.  
Granted.

Journal of the twenty-sixth day read and approved

REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your Committee on Elections have had Assembly Bill No. 59 under consideration and beg leave to report favorably on the same and recommend that it do pass.

H. H. PENOYER, Chairman.  
By ROSS LEWERS.

*Mr. Speaker:*

Your standing Committee on Judiciary have had under consideration Assembly Bill No. 43, have proposed several amendments thereto, which they respectfully submit for adoption, and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

Assembly Bill No. 50 they report back with the recommendation that it do not pass.

Assembly Bill No. 54 and Senate Bill No. 41 they report back with the recommendation that they do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your standing Committee on Corporations and Railroads have had under consideration Assembly Bill No. 22, "An Act concerning corporations and persons engaged in the business of banking," and beg leave to report the same back to the Assembly with certain amendments, which they submit for adoption, with the recommendation that it do pass as amended.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your standing Committee on Engrossment beg leave to report that they have carefully compared the following bills with the originals and found the same correctly engrossed :

Substitute for Assembly Bill No. 45, "An Act to define the duties and liabilities of pawnbrokers and pledgees," and Assembly Bill No. 17, "An Act in relation to the compensation of members of the Legislature and State officers."

C. P. SOULE, Chairman.

*Mr. Speaker :*

Your Committee on State Institutions have had under consideration Assembly Bill No. 26, "An Act to provide for the care of the indigent insane of this State," and beg leave to report the same back to the Assembly without recommendation.

JAMES McBURNEY, Chairman.

*Mr. Speaker :*

Your Committee on State Institutions have had under consideration Assembly Bill No. 36, "An Act to provide for the care of the indigent insane of this State and supplementary to an Act concerning the same," approved March 11, 1879, and beg leave to report the same back to the Assembly without recommendation.

JAMES McBURNEY, Chairman.

#### MOTIONS AND RESOLUTIONS.

By Mr. Barrett :

*Resolved,* That the honorable the Senate are respectfully requested to return to the Assembly, for the purpose of correction, substitute for Assembly Bill No. 18.

On motion of Mr. Smyth the resolution was adopted by a vote of 21 to 18.

By Mr. Smyth :

Concurrent Resolution No. 17—Relative to the exchange of printed bills between the Senate and Assembly.



On motion of Mr. Newell the resolution was adopted.

SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, January 28, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 57—An Act amendatory of an Act entitled “An Act to amend an Act entitled ‘An Act concerning juries,’ ” approved March 5, 1873; approved March 14, 1879; which passed the Senate this day by the following vote: Yeas, 21; nays 1.

Also, Senate Bill No. 58—An Act to amend an Act entitled “An Act concerning juries,” approved March 5, 1873; which passed the Senate this day by the following vote: Yeas, 19; nays, 1.

I also return Assembly Concurrent Resolution No. 16—To recall Assembly Bill No. 9 from the Governor, for amendments and correction; which was adopted this day by the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

NOTICE OF BILL.

Mr. Smyth gave notice that he would on some future day introduce a bill amendatory of and supplementary to an Act entitled “An Act to encourage the sinking of artesian wells,” approved March 6, 1879.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Ernst (by leave):

Assembly Bill No. 67—An Act to repeal an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879.

Rules suspended, read second time by title, referred to the Committee on Counties and County Boundaries and ordered printed.

By Mr. Johnson (by leave):

Assembly Bill No. 68—An Act amendatory of an Act entitled “An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada,” approved November 26, 1861.

Rules suspended, read second time by title and referred to the Committee on Judiciary and ordered printed.

By Mr. McGowan (by leave):

Assembly Bill No. 69—An Act to further amend an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada.”



Rules suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

By Mr. Copeland :

Assembly Bill No. 70—An Act to amend Section One Hundred and Thirty-one of 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 8, 1869.

Read first time partially.

Mr. Plank moved that the rules be suspended, the reading just had considered the first reading; rules further suspended, the bill read second time by title, referred to the Committee on Judiciary and ordered printed.

Motion lost and reading continued.

Mr. McGowan moved that the rules be suspended, the bill be considered read the first time; rules further suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

Motion lost and first reading finished.

On motion of Mr. Plank the rules were suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Coffin (by leave) :

Assembly Bill No. 71—An Act to amend an Act to regulate proceedings in civil cases in the courts of justice in this State, approved March 8, 1869.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

By Mr. Ballinger (by leave) :

Assembly Bill No. 72—An Act to govern the manufacture of boots and shoes at the Nevada State Prison.

Rules suspended, read second time by title, referred to the Committee on Trades and Manufactures and ordered printed.

#### GENERAL FILE.

Assembly Bill No. 22—An Act concerning corporations and persons engaged in the business of banking.

Amendments made by committee read and adopted.

On motion of Mr. Coffin the bill was ordered engrossed as amended.

Assembly Bill No. 54—An Act to restore lost records.

Amendments made by committee read and adopted.

On motion of Mr. Bell the rules were suspended, considered engrossed as amended, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Lewers, Longley, Mal-



lon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—41.

NAYS—None.

Mr. Johnson was excused from voting.

Absent—Messrs. Belding, Bradshaw, Gignoux, Kelly, Knight, McGowan, Penoyer and Organ.

Assembly Bill No. 36—An Act to provide for the care of the indigent insane of this State, and supplementary to an Act entitled "An Act concerning the insane of the State; whereas, it is the duty of the State, at some time in the near future, to provide and take care of its own insane at home," approved March 11, 1879.

On motion of Mr. Bell the further consideration of the bill was deferred.

Assembly Bill No. 26—An Act to provide for the care of the indigent insane of this State.

On motion of Mr. Coffin the further consideration of the bill was deferred.

Assembly Bill No. 59—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors and to prevent fraud at elections," approved March 5, 1869.

On motion the rules were suspended, considered engrossed, read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Gignoux, Kelly, Knight and Penoyer.

Mr. Coffin gave notice that on to-morrow he would move for a reconsideration of the vote by which the resolution recalling substitute for Assembly Bill No. 18 from the Senate was adopted.

At 12:25, on motion of Mr. Waldorf, the House took a recess until 1:30 P. M.

## HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Assembly Bill No. 50—An Act to amend an Act entitled "An Act to create Boards of County Commissioners in the several counties of

this State, and to define their duties and powers," approved March 8, 1865.

Read third time, and on motion of Mr. Ernst was laid on the table.

Assembly Bill No. 43—An Act to authorize fees and salaries of officers to be taken on attachment and executions, and to prohibit assignments to defraud creditors.

Amendments made by committee adopted, and ordered engrossed as amended.

Senate Bill No. 41—An Act to amend an Act entitled "An Act concerning conveyances," approved March 5, 1866.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Kelly, Knight, McGowan and Penoyer.

Assembly Bill No. 17—An Act to amend an Act entitled "An Act in relation to the compensation of members of the Legislature and State officers," approved January 16, 1865.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Coffin, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Plank, Shepard, Soule and Mr. Speaker—31.

NAYS—Messrs. Barrett, Blair, Condon, Copeland, Longley, Organ, Parker, Penton, Richards, Shier, Smyth, Tuska and Waldorf—13.

Absent—Messrs. Belding, Bradshaw, Kelly, Knight, McGowan and Penoyer.

Mr. Bell gave notice that he would move for a reconsideration of the vote by which Assembly Bill No. 17 was passed.

Substitute for Assembly Bill No. 45—An Act to define the duties and liabilities of pawnbrokers and pledgees.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Condon, Corbett, Copeland, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Johnson, Lewers, Longley, May, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—32.



NAYS—Messrs. Bell, Berry, Blair, Coffin, Drexler, Ernst, Irvine, Mallon, Masel, Mooney and Soule—12.

Absent—Messrs. Barrett, Belding, Bradshaw, Kelly, Knight, McGowan and Penoyer.

At 2 P. M. the Speaker announced that the hour had arrived for taking up the special order of the day, viz: Senate Bill No. 35, "An Act to provide for the payment of the claim of Z. S. Eldredge."

House in Committee of the Whole.

Mr. Tuska in the Chair.

The committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole, who have had under consideration Senate Bill No. 35, "An Act to provide for the payment of the claim of Z. S. Eldredge," beg leave to report that they have carefully considered the same and recommend that it do pass.

Senate Bill No. 35—An Act to provide for the payment of the claim of Z. S. Eldredge.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Mallon, Masel, May, McBurney, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Soule and Mr. Speaker—37.

NAYS—Messrs. Ballinger, Copeland, Longley, McKenzie, Smyth, Tuska and Waldorf—7.

Absent—Messrs. Belding, Bradshaw, Ford, Knight, McGowan and Penoyer.

Senate Bill No. 58—An Act to amend an Act entitled "An Act concerning jurors," approved March 5, 1873.

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

Senate Bill No. 57—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act concerning juries,'" approved March 14, 1879.

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

By leave the following committee report was accepted:

*Mr. Speaker:*

Your standing Committee on Enrollment have carefully compared Assembly Concurrent Resolution No. 12, Assembly Concurrent Resolution No. 15, Assembly Bill No. 39, substitute for Assembly Bill No. 6, and Assembly Bill No. 25, and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

The Speaker announced that he had appointed the following committees, agreeable to certain concurrent resolutions—Assembly Concurrent Resolution No. 12, and Senate Joint Resolution No. 4:

Committee on Apportionment, etc., as per Senate Joint Resolution No. 4—Messrs. Copeland, Condon, Ernst and May.

Committee on Insane, as per Assembly Concurrent Resolution No. 12—Messrs. Englis, McBurney and Havenor.

Mr. Coffin moved that all bills relating to the care of the insane be referred to the joint Committee on Insane.

Motion carried.

At 2:35 P. M., on motion of Mr. Condon, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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### THIRTIETH DAY.

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CARSON CITY (Tuesday), February 1, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Bradshaw, Knight and Penton.

Mr. Smyth asked leave of absence for Mr. Penton for one day.

Granted.

Mr. Shepard asked leave of absence for Mr. Organ for one day.

Granted.

Mr. Condon asked leave of absence for Mr. Tuska for one day.

Granted.

Journal of yesterday read and approved.

Mr. Mooney presented a petition relative to amending the Civil Practice Act, in order to exempt fifty dollars of laboring men's wages from attachment.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

A majority of your standing Committee on Judiciary have had under consideration substitute for Senate Bill No. 5 and report that



they have carefully considered the same and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. COFFIN,  
J. C. MASEL,  
GEORGE ERNST,  
JOHN A. CONDON,  
J. W. RICHARDS.

*Mr. Speaker :*

Your standing Committee on Judiciary have had under consideration Senate Bills Nos. 26 and 58 and Assembly Bills Nos. 61, 62 and 71 and beg leave to report the same to the Assembly with the recommendation that they do pass. We have also had under consideration Senate Bill No. 57 and recommend that it be amended as follows: In line five of the title of the said Senate Bill No. 57 strike out the word "March" and insert "February," and recommend that said bill do pass as amended.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your standing Committee on Judiciary have had under consideration substitute for Senate Bill No. 5, "An Act in relation to witnesses," and the undersigned, a minority of said committee, beg leave to report the same back to the Assembly with the recommendation that Section One of said bill do not pass, and that Sections Two, Three, Four and Five do pass.

WAL. J. TUSKA,  
J. E. GIGNOUX.

*Mr. Speaker :*

Your standing Committee on Federal Relations have had under consideration Senate Joint Resolution No. 2 and recommend that it do pass.

JAS. Z. KELLY, Chairman.

*Mr. Speaker :*

Your Committee on Federal Relations have had under consideration Assembly Concurrent Resolution No. 4 and recommend that it do not pass.

JAS. Z. KELLY, Chairman.

*Mr. Speaker :*

Your standing Committee on Federal Relations have had under consideration Senate Concurrent Resolution No. 7 and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAS. Z. KELLY, Chairman.

## MOTIONS AND RESOLUTIONS.

Mr. Coffin moved for a reconsideration of the vote by which the resolution requesting the Senate to return Assembly Bill No. 18 was passed.

Motion carried.

Mr. Bell moved for a reconsideration of the vote by which Assembly Bill No. 17 passed the House.

Motion carried.

By Mr. Johnson :

Assembly Joint Memorial and Resolution No. 1—Relative to a reservation for the Washoe Indians.

Read first time.

By Mr. Kelly :

Assembly Joint Memorial and Resolution No. 2—Relative to election of United States Senator.

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

## SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, January 31, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 17—Relative to officers and attachés of the State Prison, which was unanimously adopted in the Senate this day.

Also, Senate Bill No. 52—An Act reducing and regulating the salaries and compensation of certain State officers and attachés of the State government of Nevada, which passed the Senate this day by the following vote : Yeas, 20 ; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, January 31, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body substitute for Assembly Bill No. 3—An Act defining misdemeanors in certain cases, and prescribing penalties therefor, which was this day lost in the Senate : Yeas, 8 ; nays, 13.

Also, Assembly Bill No. 40—An Act to amend an Act entitled "An Act to amend an Act to provide for the formation of corporations for certain purposes," approved March 10, 1865 ; approved



February 15, 1875 ; which passed the Senate this day by the following vote : Yeas, 20 ; nays, none.

Also, Assembly Bill No. 53—An Act to authorize the County Commissioners in the several counties of this State to loan or transfer surplus money from one fund to another, which passed the Senate this day by the following vote : Yeas, 20 ; nays, none.

Also, Assembly Bill No. 65—An Act to protect the State Treasury, which passed the Senate this day by the following vote : Yeas, 20 ; nays, none.

Also, Assembly Concurrent Resolution No. 6—In relation to artesian wells, which passed the Senate this day by the following vote : Yeas, 20 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kelly (by leave):

Assembly Bill No. 73—An Act concerning Justices of the Peace in the several counties of this State.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

By Mr. Kelly (by leave):

Assembly Bill No. 74—An Act concerning marriages.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

By Mr. Ernst (by leave):

Assembly Bill No. 75—An Act to fund the Court House bonds of Nye County.

Rules suspended, read second time by title and referred to the Nye County delegation.

By Mr. Ernst (by leave):

Assembly Bill No. 76—An Act to prohibit the carrying of concealed weapons.

Rules suspended, read second time by title and referred to the Committee on Public Morals.

By Mr. Mooney (by leave):

Assembly Bill No. 77—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 8, 1869.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Moriarty :

Assembly Bill No. 78—An Act to amend an Act entitled "An Act to regulate the sale or disposal of opium and to prohibit the

keeping of places of resort for smoking or otherwise using that drug," approved February 9, 1877.

Rules suspended, read second time by title, referred to the Committee on Public Morals and ordered printed.

GENERAL FILE.

Substitute for Senate Bill No. 5—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 8, 1869.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Plank, Richards, Shepard, Shier, Smyth and Mr. Speaker—39.

NAYS—Messrs. Barrett and Englis—2.

Absent—Messrs. Belding, Bradshaw, Knight, Gignoux, Penton, Soule, Tuska, Waldorf and Organ.

Senate Joint Resolution No. 2—Relative to an Act of Congress providing for the granting of pensions to the surviving soldiers and sailors of the Mexican war.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Gignoux, Knight, Mooney, Soule, Tuska, Waldorf and Organ—9.

Senate Concurrent Resolution No. 7—Relative to amendments to the Constitution.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Plank, Richards, Shepard, Shier, Smyth and Mr. Speaker—38.

NAYS—Messrs. Blair and Green—2.

Absent—Messrs. Belding, Bradshaw, Gignoux, Knight, Organ, Soule, Tuska, Waldorf and Penton.



Senate Bill No. 58—An Act to amend an Act entitled “An Act concerning jurors,” approved March 5, 1873.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Plank, Richards, Shepard, Shier, Smyth and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Bailey, Ballinger, Belding, Bradshaw, Gignoux, Kelly, Knight, Organ, Penoyer, Penton, Soule, Tuska and Waldorf.

At 12:25, on motion of Mr. Newell, the House took a recess until 1:30 P. M.

### HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Drexler introduced, out of order, the following resolution :

*Resolved*, That the Clerk of the Assembly notify the Senate that the resolution calling for the return of Assembly Bill No. 18 for correction has been rescinded by this House.

Adopted.

At 1:35 P. M., on motion of Mr. Coffin, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

### THIRTY-FIRST DAY.

CARSON CITY (Wednesday), February 2, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Bradshaw, Knight, Mooney and Penoyer.

Mr. Waldorf asked leave of absence for Mr. Mooney for one day. Granted.

Mr. Shepard asked leave of absence for Mr. Organ for one day. Granted.

Journal of yesterday read and approved.

Mr. Tuska presented a petition from the merchants of Storey County, relative to a change in the present Insolvent law.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your standing Committee on Engrossment beg leave to report that they have carefully compared the following bill with the original and found the same correctly engrossed: Assembly Bill No. 43, "An Act to authorize fees and salaries of officers to be taken on attachment and execution."

C. P. SOULE, Chairman.

*Mr. Speaker:*

Your standing Committee on Engrossment beg leave to report that they have carefully compared the following bills with the originals and found the same correctly engrossed: Substitute for Assembly Bill No. 16, "An Act for the reapportionment of Senators and Assemblymen;" Assembly Bill No. 29, "An Act to amend Section Five Hundred and Eighty-three of an Act entitled 'An Act to regulate proceedings in civil cases in this State;'" Assembly Bill No. 37, "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.'"

C. P. SOULE, Chairman.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker:*

Your committee have had under consideration Assembly Bill No. 75, "An Act to fund the Court House bonds of Nye County," and recommend that the bill do pass.

T. J. BELL,  
GEORGE ERNST.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 1, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 17, relative to the exchange of printed bills, which was this day adopted by the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.



SENATE CHAMBER,  
CARSON CITY, February 1, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 54, "An Act in aid of the construction of the State Prison of the State of Nevada," which passed the Senate this day by the following vote: Yeas, 14; nays, 10.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICE OF BILL.

Mr. Green gave notice that he would on some future day introduce a bill to convert the State Capitol into an insane asylum and convene future Legislatures in the building now occupied by the State prisoners.

#### SECOND READING OF BILL.

Assembly Memorial and Joint Resolution No. 1—Relative to the Washoe Indians.

On motion of Mr. Johnson referred to the delegations from Ormsby, Washoe and Douglas Counties.

#### INTRODUCTION AND FIRST READING OF BILL.

By Mr. Lewers:

Assembly Bill No. 79—An Act amendatory of an Act entitled "An Act relating to elections," approved March 12, 1873.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

#### GENERAL FILE.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to provide policemen in unincorporated cities, towns and villages," approved March 11, 1865.

Read third time and on motion of Mr. Ernst further action was deferred and the bill placed back on the General File.

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice of this State and to repeal all other Acts in relation thereto," approved March 8, 1869.

On motion of Mr. Bell the rules were suspended and the bill considered engrossed.

Mr. Coffin moved to amend by striking out the word "three" and inserting "five."

Motion carried and Mr. Coffin appointed a committee to make the amendment.

In due time Mr. Coffin reported the amendment made.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—Mr. Smyth.

Absent—Messrs. Belding, Bradshaw, Mooney, Organ and Penoyer.

Assembly Bill No. 61—An Act to provide for the appointment of short-hand or phonographic reporters in certain criminal cases and examinations, and defining their duties and fixing their compensation.

Rules suspended, considered engrossed, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—Messrs. Barrett, Mallon and Smyth—3.

Absent—Messrs. Belding, Bradshaw, Mooney, Organ and Penoyer.

Assembly Concurrent Resolution No. 4—Relative to the ratification of the late Chinese treaties.

Read third time and on motion of Mr. Bell re-referred to the Committee on Federal Relations.

Mr. Bell arose to a question of privilege, relative to Assembly Bill No. 61, and asked that the bill be withheld.

Mr. Tuska also arose to a question of privilege, and objected to the withholding of the bill.

Mr. Bell gave notice of a reconsideration of the vote by which Assembly Bill No. 61 was passed.

Senate Bill No. 57—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act concerning juries,' " approved March 5, 1873; approved February 14, 1879.

On motion of Mr. Coffin the amendment made by the committee was adopted.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Moriarty, Newell, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—Mr. McKenzie.

Absent—Messrs. Belding, Bradshaw, Mooney, Penoyer, Organ and Shepard.



At 12:28, on motion of Mr. Moriarty, a recess was taken until 2 P. M.

## HOUSE IN SESSION.

At 2 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Waldorf introduced the following resolution, out of order:

*Resolved*, That the State Controller be, and he is hereby, authorized and directed to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of one hundred and eighty-six dollars, for contingent expenses as per vouchers, to be paid out of the Legislative Fund.

Adopted and referred to the Committee on Contingent Expenses and Accounts.

Mr. Richards, out of order, gave notice that he would on some future day introduce a bill to establish and locate an asylum for the care of the indigent insane of the State of Nevada, and to provide for the construction of the same.

Senate Bill No. 26—An Act to amend an Act relating to the burial of the dead of incorporated towns in the State of Nevada, approved March 8, 1879.

Read third time and passed by the following vote:

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Parker, Penton, Plank, Richards, Shepard, Shier, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Newell and Smyth—2.

Absent—Messrs. Belding, Bradshaw, Havenor, Knight, Moriarty, Organ and Penoyer.

Excused from voting—Messrs. Adams and Copeland.

Assembly Bill No. 75—An Act to fund the Court House bonds of Nye County.

On motion of Mr. Ernst the rules were suspended, considered engrossed, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Havenor, Knight, Mooney, Moriarty, Organ and Penoyer.

Assembly Bill No. 17—An Act to amend an Act entitled "An Act in relation to the compensation of members of the Legislature and State officers," approved January 16, 1865.

Mr. Drexler moved to amend by adding to Section One, "nothing in this Act shall be so construed as to affect the compensation of Senators or Assemblymen now in office."

Motion carried and amendment made by the Clerk.

Mr. Coffin moved as an amendment that Section Two be stricken out.

Motion carried and amendment made by the Clerk.

On motion of Mr. Newell the rules were suspended, considered engrossed as amended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Newell, Plank, Richards, Shepard, Smyth, Soule and Mr. Speaker—34.

NAYS—Messrs. Barrett, Blair, Condon, Parker, Penton and Shier—6.

Absent—Messrs. Belding, Bradshaw, Havenor, Knight, Mooney, Moriarty, Organ, Penoyer, Tuska and Waldorf.

Assembly Bill No. 29—An Act to amend Section Five Hundred and Eighty-three of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 8, 1869.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, Masel, May, McBurney, McGowan, McKenzie, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Mr. Mallon.

Absent—Messrs. Belding, Copeland, Havenor, Knight, Mooney, Moriarty, Penoyer, Organ and Bradshaw.

Substitute for Assembly Bill No. 16—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State.

On motion of Mr. Smyth referred to the Joint Committee on Reapportionment.

Assembly Bill No. 37—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 9, 1865; approved March 5, 1869.

Mr. Waldorf moved to amend by striking out in Section One, after the word "penalties," all the intervening words up to the word "and" in line eighteen.



Motion carried by a vote of 21 to 9, and the Clerk ordered to make the amendment.

Mr. Smyth moved to strike out in Section One the word "quart" and insert the word "barrel" in lieu thereof.

Motion lost.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Coffin, Condon, Drexler, Duffy, Englis, Ford, Gignoux, Irvine, Johnson, Lewers, Longley, Masel, May, McGowan, McKenzie, Parker, Penton, Plank, Shepard, Tuska, Waldorf and Mr. Speaker—28.

NAYS—Messrs. Barrett, Corbett, Fallon, Green, Kelly, McBurney, Newell, Richards, Shier and Smyth—10.

Absent—Messrs. Belding, Bradshaw, Copeland, Ernst, Havenor, Knight, Mooney, Moriarty, Organ, Soule and Penoyer.

Mr. Mallon was excused from voting.

Assembly Bill No. 43—An Act to authorize fees and salaries of officers to be taken on attachment and execution, and to prohibit assignments to defraud creditors.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Havenor, Mooney, Moriarty, Organ, Penoyer, Soule and Knight.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 75—An Act defining the duties of certain attachés of the State government, which passed the Senate this day by the following vote: Yeas, 20; nays, none.

Also, to return substitute for Assembly Bill No. 18—An Act amendatory to an Act entitled "An Act to create Boards of County Commissioners in the several counties of this State, and to define their duties and powers," which passed the Senate this day. Yeas, 18; nays, 5.

Also, Assembly Bill No. 31—An Act amendatory of and supplementary to an Act entitled "An Act to provide for the better preservation of the mining records in certain mining districts in this State," approved March 6, 1879, which passed the Senate this day. Yeas, 22; nays, none.

Also, Assembly Bill No. 33—An Act authorizing Boards of County Commissioners to transfer surplus money in the several funds of unincorporated towns from one fund to another, which passed the Senate this day. Yeas, 21; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 17—Relative to officers and attachés of the State Prison.

Read first time and on motion of Mr. Ernst was adopted.

Senate Bill No. 52—An Act reducing and regulating the salaries and compensation of certain State officers and attachés of the State government of Nevada.

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

Senate Bill No. 54—An Act in aid of the construction of the State Prison of the State of Nevada.

Read first time partially.

Mr. Green moved that further consideration of the bill be indefinitely postponed.

The yeas and nays on the motion were called for by Messrs. Englis, Newell and Johnson and the motion carried by the following vote:

YEAS—Messrs. Ballinger, Barrett, Blair, Condon, Coffin, Corbett, Drexler, Duffy, Englis, Ernst, Ford, Green, Irvine, Johnson, Lewers, Longley, Mallon, May, McBurney, McGowan, McKenzie, Newell, Parker, Penton, Shier, Smyth, Waldorf and Mr. Speaker—28.

NAYS—Messrs. Adams, Bailey, Bell, Berry, Fallon, Gignoux, Kelly, Masel, Plauk, Richards, Shepard, Soule and Tuska—13.

Absent—Messrs. Belding, Bradshaw, Copeland, Havenor, Knight, Mooney, Moriarty, Organ and Penoyer.

At 3:35 P. M., on motion of Mr. Englis, the House adjourned.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,  
Chief Clerk of the Assembly.



THIRTY-SECOND DAY.

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CARSON CITY (Thursday), February 3, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Bradshaw, Copeland, Kelly, Organ and Penoyer.

Mr. Waldorf asked leave of absence for one day for Mr. Penoyer.  
Granted.

Mr. Duffy asked leave of absence for one day for Mr. Copeland.  
Granted.

Mr. Shepard asked leave of absence for one day for Mr. Organ.  
Granted.

Journal of yesterday read and approved.

Mr. Green moved to expunge from the Journal the notice of the bill given by him yesterday.

Motion lost.

REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Contingent Expenses and Accounts have had under consideration the Assembly resolution authorizing the State Controller to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms, for the sum of one hundred and eighty-six dollars. We have also examined the accounts and vouchers accompanying the resolution and find them correct, and recommend that the resolution do pass.

L. P. DREXLER, Chairman.

*Mr. Speaker :*

Your standing Committee on Judiciary have had under consideration Assembly Bill No. 68, and recommend that the same do pass. Assembly Bill No. 13 they report back without recommendation. Assembly Bill No. 70 and Assembly Bill No. 73 they report back with the recommendation that they do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker:*

Your standing Committee on Mines and Mining have had under consideration Assembly Concurrent Resolution No. 14, and beg leave to report the same back to the Assembly without recommendation.

A. G. MCKENZIE, Chairman.

*Mr. Speaker:*

Your joint Committee on Trades and Manufactures and Judiciary have had under consideration Assembly Bill No. 66, and have prepared several amendments thereto, and beg leave to report the same back to the Assembly with the recommendation that it do pass as by them amended.

WAL. J. TUSKA,  
W. B. NEWELL.

*Mr. Speaker:*

Your committee, consisting of the Eureka and White Pine delegations, have had under consideration Assembly Bill No. 51, "An Act to attach a portion of White Pine County to Eureka County," and have amended the same, and recommend its passage as amended.

JAMES ADAMS, Chairman.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Englis (by leave):

Assembly Bill No. 80—An Act for the relief of W. S. Tolles.

Rules suspended, read second time by title and referred to the Committee on Claims.

By Mr. Havenor (by leave):

Assembly Bill No. 81—An Act entitled "An Act to provide for a new compilation of the statute laws of the State of Nevada, including the laws of 1881, and to properly index the same."

Rules suspended, read second time by title and referred to a select committee consisting of Messrs. Coffin, Tuska and Mr. Speaker.

By Mr. Drexler (by leave):

Assembly Bill No. 82—An Act to amend Sections Seventeen, Nineteen, Twenty-two and Seventy of an Act entitled "An Act to provide for organizing and disciplining the militia of the State."

Read first time partially.

Mr. Drexler moved that the rules be suspended, the bill considered read first time; rules further suspended, read second time by title and referred to the Committee on Military and Indian Affairs.

Motion lost.

First reading finished and on motion of Mr. Waldorf the rules were suspended, read second time by title, referred to the Committee on Military and Indian Affairs and ordered printed.



By Mr. Shepard (by leave):

Assembly Bill No. 83—An Act to provide more fully for the care and guardianship of destitute and abandoned children and to prevent the keeping of children in houses of ill-repute and in the association and companionship of prostitutes and other grossly immoral persons.

Rules suspended, read second time by title, referred to the Committee on Public Morals and ordered printed.

#### GENERAL FILE.

Assembly Bill No. 31—An Act amendatory of and supplementary to an Act entitled "An Act to provide for the better preservation of mining records in certain mining districts in this State," approved March 6, 1879.

On motion of Mr. Coffin the amendments made by the Senate were concurred in.

Substitute for Senate Bill No. 75—An Act defining the duties of certain attachés of the State government.

Read first time, rules suspended, read second time by title; rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Copeland, Kelly, Organ and Penoyer.

Assembly Bill No. 70—An Act to amend Section One Hundred and Thirty-one of an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto," approved March 8, 1869.

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

YEAS—Messrs. Bailey, Bell, Coffin, Condon, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Penton, Plank, Richards, Shepard, Smyth, Soule, Tuska, Waldorf and Mr. Speaker.—32.

NAYS—Messrs. Adams, Ballinger, Barrett, Blair, Corbett, Fallon, Knight, Longley and McBurney—9.

Absent—Messrs. Belding, Berry, Bradshaw, Kelly, Organ, Parker, Penoyer, Shier and Copeland.

Assembly Bill No. 73—An Act concerning Justices of the Peace in the several counties of this State.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Belding, Berry, Bradshaw, Copeland, Organ, Penoyer and Plank.

Assembly Bill No. 62—An Act to amend an Act entitled “An Act to provide policemen in unincorporated cities, towns and villages,” approved March 11, 1865.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Coffin, Condon, Corbett, Drexler, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Masel, May, McBurney, McGowan, McKenzie, Mooney, Parker, Penton, Richards, Shier, Soule, Tuska and Mr. Speaker—33.

NAYS—Messrs. Blair, Duffy, Longley, Mallon, Moriarty, Newell, Plank and Smyth—8.

Absent—Messrs. Belding, Bradshaw, Copeland, Ernst, Organ, Penoyer, Shepard and Waldorf.

Mr. Berry was excused from voting.

*Resolved.* That the State Controller be, and he is hereby, authorized and directed to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of one hundred and eighty-six dollars, for contingent expenses as per vouchers, to be paid out of the Legislative Fund.

Adopted.

At 12:16 P. M., on motion of Mr. McKenzie, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.



## THIRTY-THIRD DAY.

CARSON CITY (Friday), February 4, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Bailey, Bradshaw, Kelly, McBurney and McGowan.

Journal of yesterday read and approved.

## REPORT OF STANDING COMMITTEE.

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 42, "An Act to establish a uniform standard of weights and measures in this State, and to provide inspectors of the same;" also, Assembly Bill No. 15, "An Act to define a session of the Legislature of the State of Nevada," and beg leave to report the same back to the Assembly with the recommendation that they do not pass.

T. J. BELL, Chairman.

## REPORT OF SELECT COMMITTEE.

*Mr. Speaker:*

The Douglas, Ormsby and Washoe delegations, to whom was referred Assembly Memorial and Joint Resolution No. 1, in relation to the Washoe Indians, have had the same under consideration and beg leave to report the same back with the recommendation that it do pass.

J. A. JOHNSON, Chairman.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 3, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 37—An Act supplemental to an Act entitled "An Act to prevent the adulteration of milk, and to prevent traffic in impure and unwholesome milk," which passed the Senate this day. Yeas, 16; nays, 3.

Also, Senate Bill No. 39—An Act to license and regulate insurance

business in this State, which passed the Senate this day. Yeas, 21; nays, none.

Also, substitute for Senate Bill No. 71—An Act to provide for the omission of seals on instruments of writing, which passed the Senate this day. Yeas, 21; nays, none.

Also, Senate Bill No. 77—An Act in relation to the message of the Governor and the reports of certain State officers, which passed the Senate this day. Yeas, 21; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICES OF BILLS.

Mr. Lewers gave notice that he would on some future day introduce a bill for the care and maintenance of our insane patients within our own State.

Mr. Coffin gave notice that he would on some future day introduce a bill entitled "An Act to repeal 'An Act concerning official bonds,' approved March 14, 1865, and to abolish and do away with all official bonds."

Mr. Mooney gave notice that he would on some future day introduce a bill to appropriate funds for the relief of the several orphan asylums of this State.

At 11:15 A. M. Speaker *pro tem.* in the Chair.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Longley (by leave):

Assembly Bill No. 84—An Act supplementary to an Act entitled "An Act to provide for the support of the government of the State of Nevada," approved March 9, 1865, and the Acts amendatory and supplemental to said Act.

Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

By Mr. Merrill (by leave):

Assembly Bill No. 85—An Act to amend an Act entitled "An Act defining the rights of husband and wife," approved March 11, 1873.

Rules suspended, read second time by title and referred to the Committee on Federal Relations.

Senate Bill No. 77—An Act in relation to the message of the Governor and the reports of certain State officers.

Rules suspended, read second time by title and referred to the Committee on Public Printing.

Substitute for Senate Bill No. 71—An Act to provide for the omission of seals on instruments in writing.

Rules suspended, read second time by title and referred to the Committee on Judiciary.



Senate Bill No. 39—An Act to license and regulate insurance business in this State.

Read first time partially, rules suspended and the reading just had considered the first reading; rules further suspended, read second time by title and referred to the Committee on Ways and Means.

By Mr. Corbett (by leave):

Assembly Concurrent Resolution No. 18—Relative to the relief of Franktown sufferers.

Adopted.

Senate Bill No. 37—An Act supplemental to an Act entitled "An Act to prevent the adulteration of milk and to prevent traffic in impure and unwholesome milk," approved February 17, 1879.

On motion of Mr. Smyth the rules were suspended, read second time by title and referred to the Committee on Internal Improvements.

#### GENERAL FILE.

Assembly Bill No. 66—An Act for the relief of insolvent debtors and protection of creditors.

Mr. Merrill moved that the amendments by the committee be adopted and the bill ordered engrossed.

Mr. Coffin moved to amend by adopting all amendments excepting one, at the end of Section Nine.

Mr. Coffin arose to a question of privilege relative to the report of a committee when he, as a member of said committee, was absent.

Mr. Ernst arose to a question of privilege and explained that a motion to refer to a committee, according to the rules, had precedence of motions to amend.

Mr. Green moved to amend by referring the bill back to the Committees on Trades and Manufactures and Judiciary.

Lost by a vote of 23 to 15.

The question of referring the bill to the select committee consisting of Messrs. Tuska, Coffin and Merrill was put to the House and carried by a vote of 23 to 15.

Assembly Bill No. 68—An Act amendatory of an Act entitled "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada," approved November 26, 1861.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Mallon, Masel, May, McKenzie, Mooney, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Belding, Bradshaw, Kelly, Knight, Longley, McBurney, McGowan and Moriarty.

Assembly Concurrent Resolution No. 14—Relative to patenting mining claims.

Mr. Ernst moved that the resolution be ordered printed.

Motion carried.

At 12:15 P. M. Mr. Speaker in the Chair.

Assembly Bill No. 13—An Act for the relief of sureties on official bonds.

Mr. Tuska moved that the further consideration of the bill be postponed until Monday, February 7, and made the special order at 2 P. M.

Motion carried.

Assembly Bill No. 51—An Act to detach a portion of the territory of White Pine County and attach the same to Eureka County.

Mr. Parker moved that the bill be referred back to the committee.

Motion withdrawn.

Speaker *pro tem.* in the Chair.

Amendments made by committee read and adopted.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Blair, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Mallon, Masel, May, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Barrett, Belding, Berry, Bradshaw, Coffin, Kelly, Longley, McBurney, McGowan, Organ, Shepard and Waldorf.

Assembly Bill No. 35—An Act to pay the claim of J. C. Powell, Assessor of Eureka County

On motion of Mr. Merrill the bill was laid on the table.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 4, 1881. }

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 25, "An Act to punish and prevent deception in the manufacture and sale of butter." Also, Assembly Bill No. 39, "An Act concerning the allowance and payment of demands against the several counties of this State, and barring the payment thereof in certain cases."

JOHN H. KINKEAD, Governor.

Assembly Memorial and Joint Resolution No. 1—Relative to the Washoe Indians.



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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Masel, May, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Copeland and Mallon—2.

Absent—Messrs. Belding, Berry, Bradshaw, Kelly, Longley, McBurney, McGowan, Organ and Shepard.

Assembly Bill No. 15—An Act to define a session of the Legislature of the State of Nevada.

On motion of Mr. Bell the bill was laid on the table by a vote of 25 to 7.

Assembly Bill No. 42—An Act to establish a uniform standard of weights and measures in this State, and to provide for inspectors of the same.

On motion of Mr. Bell the bill was laid on the table.

The Speaker appointed Messrs. Corbett and Lewers as a committee to inquire into and report on the situation of the Franktown sufferers.

On motion of Mr. Coffin, at 12:47, the House adjourned until Monday, the 7th instant.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly

### THIRTY-SIXTH DAY.

CARSON CITY (Monday), February 7, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Kelly and Shepard.

Mr. Condon, by leave, introduced the following resolution :

*Resolved*, That the Senate be invited to attend and meet the Assembly in Joint Convention at 12 M. to-day, for the purpose of

proceeding to the election of a Warden for the Nevada State Prison.

Resolution adopted.

Mr. Bradshaw asked for an indefinite leave of absence for Mr. Shepard.

Granted.

Mr. Ballinger asked for leave of absence for Mr. McBurney for one day.

Granted.

Mr. Johnson asked leave of absence for himself for one week from to-day.

On motion of Mr. Newell the reading of the Journal was dispensed with.

By Mr. Smyth :

Relative to making changes in the City Charter of the city of Austin and prescribing a method for the election of Marshal and City Clerk of that city.

By Mr. Newell :

Relative to the disincorporation of the City of Austin.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your standing Committee on Enrollment have carefully compared Assembly Bill No. 53, "An Act to authorize Commissioners to transfer money from one fund to another;" Assembly Bill No. 65, "An Act to protect the State Treasury;" Assembly Bill No. 40, "An Act for the formation of Corporations;" Assembly Concurrent Resolution No. 6, "Relative to Artesian Wells;" and Assembly Concurrent Resolution No. 16, "To recall Assembly Bill No. 9," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your standing Committee on Trades and Manufactures have had under consideration Assembly Bill No. 72, "An Act to govern the manufacturing of boots and shoes at the Nevada State Prison," and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

W. B. NEWELL, Chairman.

*Mr. Speaker :*

Your standing Committee on Ways and Means have had under consideration Senate Bill No. 16, "An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada;" Senate Bill No. 52, "An Act reducing and regulating the salaries and compensations of certain State officers and attaches of the State government of Nevada," and beg leave to report the same back to the



Assembly with amendments, and recommend that they do pass as amended.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on State Prison affairs, in concert with a committee from the Senate, have had under consideration the present management of the State Prison of Nevada as evidenced by the condition of the buildings, the prisoners and the accounts, and beg leave to report as follows :

That we have examined the Biennial Report of the Warden of the State Prison for the years 1879 and 1880 ; that we have verified the same, and that we have found it to compare favorably with the report of former years in most all respects. Also, that the expense *per capita* compares favorably with the reports of other State Prisons, when taking our present isolated position into consideration. We have examined thoroughly into the system of discipline, the number and disposition of the guards, and the methods of punishment ; into all that relates to the commissary and medical departments, to the enforcement of hard labor in the stone quarry and to the operations of the several industries. We have found that the prisoners are treated in a humane manner ; that they are well provisioned and well clothed ; that the medical advice furnished them is equal to the best that the profession of the county affords. We have found all books, records and accounts to be correct. The manufacture and sale of boots and shoes, which has become a business of scarcely any or no profit, might be carried on more profitably than has been done during the past two years. The factory is an excellent stone structure built by convict labor under the direction of the present Warden. Full service is exacted of the free paid agents of the State employed in the prison. The precautions for the safe keeping of criminals are thorough and efficient. One attempt was made to fire the prison, but was promptly thwarted. Our investigation into all of the above matters has included the taking of testimony relating thereto. The guards, prisoners, attachés and officers have spoken alike in favorable terms of the good government of C. C. Batterman during his Wardenship. Which is the report of your Committee.

GEO. G. BLAIR, Chairman.

Mr. Bell (by leave):

Assembly Bill No. 86—An Act amendatory of an Act entitled “An Act to amend Sections One, Three, Four, Five and Twenty-two of an Act entitled ‘An Act to provide for the government of the State Prison of the State of Nevada,’ ” approved March 7, 1873 ; approved February 8, 1877.

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

## MOTIONS AND RESOLUTIONS.

By Mr. Newell :

Assembly Concurrent Resolution No. 19—Relative to expression of sympathy with the people of Ireland.

Read first time, rules suspended, read second time by title, considered engrossed ; rules further suspended, read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Longley, Mallon, Masel, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Blair, Lewers, May and McBurney—4.

Absent—Messrs. Belding, Kelly, Adams, McBurney, Penton, Shepard and Tuska.

## REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your special committee appointed to investigate the damage done by the recent disaster at Franktown and to ascertain if Legislative relief is needed by those injured, beg leave to submit the following report, without offering any recommendations :

We visited the ill-fated town and found it nearly a total wreck, but while many are heavy losers no case of actual suffering is known, the residents of adjoining towns and ranches supplying all necessary aid. We also ascertained the names and estimated losses of the following individuals, to wit :

C. A. Lee, store and house.....	\$1,200
George Murray, house and personal effects.....	250
Mrs. Rogers, house, furniture and land.....	300
Gildo Correcco, house, barn, out houses, dairy, orchard and ranch.....	6,000
J. H. Harcourt, house and land.....	300
E. Twaddel, damage to land.....	50
— Brost, house.....	250
J. Bosce, house.....	200
Good Templars' Hall, complete wreck.....	600
J. H. Dall, ranch, buildings, hay, etc.....	10,000
Mrs. Sandy Bowers, furniture.....	200
E. B. Toll, store, dwelling and personal effects.....	1,000
C. M. Cobb, house and land.....	200
Manuel Catina, house and land.....	200
John Duvall, hotel, furniture and land.....	1,000
Total.....	<u>\$21,750</u>



The loss of other parties, impossible to obtain, may swell the amount to \$50,000.

J. J. CORBETT,  
ROSS LEWERS,  
L. T. FOX.

On motion of Mr. Smyth the special order of the day, Assembly Bill No. 13, was made the special order for Wednesday, February 9, at 2 P. M.

Mr. Newell gave notice that he would on some future day introduce a bill to disincorporate the city of Austin, Lander County, State of Nevada.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Mooney :

Assembly Bill No. 87—An Act to appropriate funds for the relief of the several orphan asylums of this State.

Rules suspended, read second time by title, referred to the Committee on State Institutions and ordered printed.

By Mr. Organ (by leave):

Assembly Bill No. 88—An Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof and other matters relating thereto," approved March 22, 1865.

Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

By Mr. Coffin (by leave):

Assembly Bill No. 89—An Act to repeal an Act concerning official bonds, approved March 14, 1865, and to repeal all Acts and parts of Acts amendatory thereof or supplementary thereto, and to abolish and do away with all official bonds in this State.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Havenor:

Assembly Bill No. 90—An Act to provide for taking care of the insane of the State of Nevada.

Rules suspended, read second time by title, referred to the special Committee on Insane and ordered printed.

By Mr. Smyth (by leave):

Assembly Bill No. 91—An Act to prescribe the mode of electing the City Clerk and Marshal of the city of Austin.

Rules suspended, read second time by title and referred to the Lander delegation.

By Mr. Smyth:

Assembly Bill No. 92—An Act amendatory of and supplementary to an Act entitled "An Act to encourage the sinking of artesian wells," approved March 6, 1879.

Read second time by title, referred to the Committee on Agriculture and ordered printed.

By Mr. Mallon (by leave):

Assembly Bill No. 93—An Act to amend Section Fifty-two of an Act entitled "An Act concerning the courts of justice of this State and judicial officers," approved January 26, 1865.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

Senate Bill No. 16—An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada.

Amendments made by committee read by the Clerk.

Mr. Drexler moved that the amendments be adopted.

Yeas and nays called for by Messrs. Shier, Adams and Gignoux, and amendments adopted by the following vote:

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Irvine, Johnson, Lewers, Masel, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Waldorf and Mr. Speaker—34.

NAYS—Messrs. Adams, Ballinger, Gignoux, Longley, Mallon and Penoyer—6.

Absent—Messrs. Belding, Coffin, Havenor, Kelly, Knight, May, McBurney, Shepard, Soule and Tuska.

At 11:42 A. M. Mr. Newell moved a call of the House.

Motion carried, and on roll being called the following members answered to their names:

Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker.

Absent—Messrs. Belding, Kelly, Knight, McBurney and Shepard.

On motion of Mr. Smyth the further call of the House was dispensed with.

On motion of Mr. Coffin, at 11:57 A. M., the further consideration of Senate Bill No. 16 was deferred until to-morrow.

#### IN JOINT CONVENTION.

At 11:58 A. M.

The President of the Senate in the Chair.

The roll of the Senate was called and the following Senators answered to their names:

Messrs. Brumsey, Dayton, Doolin, Farrell, Fox, Gallagher, Gibson, Haines, Henderson, Hobart, Kaiser, King, McConnell, Meder, Perley, Powning, Rockhill, Schooling, Shepherd, Thompson, Westfield, Wheeler and Williams.

Absent—Messrs. Hammond and Tolley.



Assembly roll called and the following members answered to their names :

Messrs. Adams, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker.

Absent—Messrs. Bailey, Belding, Knight, McBurney and Shepard.

Mr. King introduced the following resolution :

*Resolved*, That thirty-eight votes shall be necessary for a choice of the joint convention.

Mr. Doolin moved that the resolution be adopted.

Yeas and nays called for by Messrs. Hobart, Ernst and King.

Mr. McConnell offered as an amendment to the resolution that "a majority of all those voting" be inserted in place of "thirty-eight votes."

Yeas and nays called for on motion to amend and motion lost by the following vote :

YEAS—Senators Henderson, McConnell, Rockhill, Schooling, Shepherd, Westerfield and Williams—7.

NAYS—Senators Brumsey, Dayton, Doolin, Fox, Farrell, Gallagher, Gibson, Haines, Hobart, Kaiser, King, Meder, Perley, Powning, Thompson and Wheeler—16.

Absent—Senators Hammond and Tolley.

YEAS—Assemblymen Ballinger, Barrett, Bell, Bradshaw, Condon, Corbett, Englis, Ernst, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, Masel, McGowan, Newell, Organ, Parker, Penton, Richards, Shier, Smyth and Mr. Speaker—25.

NAYS—Assemblymen Adams, Bailey, Berry, Coffin, Copeland, Drexler, Duffy, Ford, Havenor, Knight, Lewers, Longley, Mallon, May, McKenzie, Mooney, Moriarty, Penoyer, Plank, Soule, Tuska and Waldorf—22.

Absent—Assemblymen Belding, McBurney and Shepard.

Roll called on motion to adopt the resolution :

YEAS—Senators Brumsey, Dayton, Doolin, Farrell, Fox, Gallagher, Gibson, Haines, Hobart, Kaiser, King, Meder, Perley, Powning, Thompson and Wheeler—16.

NAYS—Senators Henderson, McConnell, Rockhill, Schooling, Shepherd, Westerfield and Williams—7.

Absent—Senators Hammond and Tolley.

YEAS—Assemblymen Adams, Berry, Condon, Copeland, Drexler, Duffy, Englis, Ford, Havenor, Knight, Lewers, Longley, Mallon, May, McKenzie, Mooney, Parker, Penoyer, Plank, Soule, Tuska and Waldorf—22.

NAYS—Assemblymen Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Corbett, Ernst, Fallon, Gignoux, Green, Irvine, John-

son, Kelly, Masel, McGowan, Moriarty, Newell, Organ, Penton, Richards, Shier, Smyth and Mr. Speaker—25.

Absent—Assemblymen Belding, McBurney and Shepard.

Resolution adopted by a vote of 38 to 32.

The President now declared nominations in order for Warden of the State Prison.

Mr. Shepherd placed in nomination William Garrard.

Mr. King placed in nomination C. C. Batterman.

Mr. McKenzie placed in nomination Thomas E. Kelly.

Mr. Lewers placed in nomination Joseph E. Jones.

Mr. Parker placed in nomination R. Gounond.

Mr. Drexler seconded the nomination of Joseph E. Jones.

Mr. Corbett seconded the nomination of Thomas E. Kelly.

Mr. Gibson seconded the nomination of C. C. Batterman.

Mr. Bell seconded the nomination of William Garrard.

Mr. King moved that as the roll was called each member arise to his feet and announce his choice for Prison Warden.

Motion carried.

The vote of the Joint Convention resulted as follows :

Senate—For William Garrard: Messrs. Fox, McConnell, Meder, Rockhill, Shepherd, Westerfield and Williams—7.

Senate—For C. C. Batterman: Messrs. Dayton, Doolin, Farrell, Gallagher, Gibson, Haines, Hobart, Kaiser, King, Perley, Powning, Thompson and Wheeler—13.

Senate—For J. E. Jones: Messrs. Henderson and Schooling—2.

Senate—For Thomas E. Kelly: Mr. Brumsey.

Assembly—For William Garrard: Messrs. Ballinger, Barrett, Bell, Bradshaw, Condon, Ernst, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, McBurney, McGowan, Newell, Organ, Penton, Richards, Shier, Smyth and Mr. Speaker—21.

Assembly—For C. C. Batterman: Messrs. Adams, Coffin, Havenor, Knight, Longley, May and Soule—7.

Assembly—For J. E. Jones: Messrs. Bailey, Berry, Drexler and Lewers—4.

Assembly—For Thomas E. Kelly: Messrs. Corbett, Copeland, Duffy, Englis, Ford, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Tuska and Waldorf—14.

Assembly—For R. Gounond: Messrs. Blair and Parker—2.

Mr. Bell introduced the following resolution :

*Resolved*, That the members of this Joint Convention who signed the caucus call be requested to support the nominee of the caucus.

On motion of Mr. Powning the Chair declared the resolution out of order.



There being no election the Convention proceeded to ballot, with the following result:

Senate—For William Garrard: Messrs. Fox, McConnell, Meder, Rockhill, Shepherd, Westerfield and Williams—7.

Senate—For C. C. Batterman: Messrs. Dayton, Doolin, Farrell, Gallagher, Gibson, Haines, Hobart, Kaiser, King, Perley, Thompson and Wheeler—12.

Senate—For Thomas E. Kelly: Mr. Brumsey.

Senate—For J. E. Jones: Messrs. Henderson, Powning and Schooling—3.

Assembly—For William Garrard: Messrs. Ballinger, Barrett, Bell, Bradshaw, Condon, Ernst, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, McBurney, McGowan, Newell, Organ, Penton, Richards, Shier, Smyth and Mr. Speaker—21.

Assembly—For C. C. Batterman: Messrs. Adams, Knight, Longley, May and Soule—5.

Assembly—For Thomas E. Kelly: Messrs. Corbett, Copeland, Duffy, Englis, Ford, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Tuska and Waldorf—14.

Assembly—For J. E. Jones: Messrs. Bailey, Berry, Coffin, Drexler, Havenor and Lewers—6.

Assembly—For R. Gounond: Messrs. Blair and Parker—2.

There being no election the Convention proceeded to ballot, with the following result:

Senate—For William Garrard: Messrs. Fox, McConnell, Meder, Rockhill, Shepherd, Westerfield and Williams—7.

Senate—For C. C. Batterman: Messrs. Doolin, Gallagher, Haines, Hobart, Kaiser and Thompson—6.

Senate—For Thomas E. Kelly: Messrs. Brumsey, Farrell, Gibson, Henderson, King, Perley and Wheeler—7.

Assembly—For William Garrard: Messrs. Barrett, Bell, Bradshaw, Condon, Ernst, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, Longley, May, McBurney, McGowan, Newell, Organ, Penton, Richards, Shier, Smyth and Mr. Speaker—22.

Assembly—For Thomas E. Kelly: Messrs. Corbett, Copeland, Duffy, Englis, Ford, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Tuska and Waldorf—14.

Assembly—For J. E. Jones: Messrs. Bailey, Ballinger, Berry, Coffin, Drexler, Havenor, Lewers, Parker and Soule—9.

Assembly—For R. Gounond: Messrs. Adams, Blair and Knight—3.

There being no election the Convention proceeded to ballot, with the following result:

Senate—For William Garrard: Messrs. Fox, McConnell, Meder, Rockhill, Shepherd, Westerfield and Williams—7.

Senate—For C. C. Batterman: Messrs. Gallagher, Haines, Hobart and Thompson—4.

Senate—For Thomas E. Kelly: Messrs. Brumsey, Doolin, Farrell, Gibson, Henderson, King, Perley and Wheeler—8.

Senate—For J. E. Jones: Messrs. Dayton, Kaiser, Powning and Schooling—4.

Assembly—For William Garrard: Messrs. Ballinger, Barrett, Bell, Blair, Bradshaw, Condon, Ernst, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Longley, May, McBurney, McGowan, Newell, Organ, Penton, Richards, Shier, Smyth and Mr. Speaker—25.

Assembly—For Thomas E. Kelly: Messrs. Adams, Corbett, Coffin, Copeland, Englis, Duffy, Ford, Havenor, Mallon, Masel, McKenzie, Mooney, Moriarty, Parker, Penoyer, Plank, Tuska and Waldorf—18.

Assembly—For J. E. Jones: Messrs. Bailey, Berry, Lewers, Soule and Drexler—5.

At 1:22 P. M. Mr. Doolin moved that the Joint Convention take a recess for one hour.

Motion lost.

There being no election the Convention proceeded to ballot, with the following result:

Senate—For William Garrard: Messrs. Gallagher, McConnell, Meder, Rockhill, Schooling, Shepherd, Westerfield and Williams—8.

Senate—For Thomas E. Kelly: Messrs. Brumsey, Doolin, Farrell, Fox, Gibson, Henderson, Hobart, Kaiser, King and Wheeler—10.

Senate—For C. C. Batterman: Messrs. Haines, Perley and Thompson—3.

Senate—For J. E. Jones: Messrs. Dayton and Brumsey—2.

Assembly—For William Garrard: Messrs. Adams, Ballinger, Barrett, Bell, Blair, Bradshaw, Condon, Ernst, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Longley, May, McBurney, McGowan, Newell, Organ, Parker, Penton, Richards, Shier, Smyth and Mr. Speaker—26.

Assembly—For Thomas E. Kelly: Messrs. Copeland, Duffy, Englis, Ford, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Tuska and Waldorf—13.

Assembly—For J. E. Jones: Messrs. Bailey, Berry, Coffin, Corbett, Drexler, Havenor, Lewers and Soule—8.



At 1:30 p. m. Mr. Moriarty moved that the Joint Convention take a recess for one hour.

Yeas and nays called for and motion carried by the following vote:

YEAS—Messrs. Brumsey, Doolin, Farrell, Fox, Gallagher, Gibson, Haines, Hobart, Kaiser, Perley, Thompson, Wheeler, Adams, Bailey, Berry, Coffin, Copeland, Drexler, Duffy, Englis, Ford, Kelly, Knight, Longley, Mallon, Masel, May, McKenzie, Mooney, Moriarty, Parker, Penoyer, Plank, Tuska and Waldorf—36.

NAYS—Messrs. Doolin, Henderson, McConnell, Meder, Powning, Rockhill, Schooling, Shepherd, Westerfield, Williams, Ballinger, Barrett, Bell, Blair, Bradshaw, Condon, Corbett, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, McBurney, McGowan, Newell, Organ, Penton, Richards, Shier, Smyth, Soule and Mr. Speaker—35.

### HOUSE IN SESSION.

At 2:32 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

At 2:35 p. m. the Senate entered the Chamber.

### IN JOINT CONVENTION.

At 2:36 p. m.

The President of the Senate in the Chair.

Senate roll called and the following members answered to their names:

Messrs. Brumsey, Dayton, Doolin, Farrell, Fox, Gallagher, Gibson, Haines, Henderson, Hobart, Kaiser, King, McConnell, Meder, Perley, Powning, Rockhill, Schooling, Shepherd, Thompson, Westerfield, Wheeler and Williams.

Absent—Messrs. Hammond and Tolley.

Roll of Assembly called and the following members answered to their names:

Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker.

Absent—Messrs. Belding, Fallon and Shepard.

The Joint Convention now proceeded to ballot for the election of a Warden of the State Prison, with the following result:

Senate—For William Garrard: Messrs. Dayton, McConnell,

Meder, Powning, Rockhill, Schooling, Shepherd, Thompson, Westerfield and Williams—10.

Senate—For Thomas E. Kelly : Messrs. Brumsey, Doolin, Farrell, Fox, Gallagher, Gibson, Haines, Henderson, Hobart, Kaiser, King, Perley and Wheeler—13.

Assembly—For William Garrard : Messrs. Adams, Ballinger, Barrett, Bell, Blair, Bradshaw, Condon, Ernst, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Longley, May, McBurney, McGowan, Newell, Organ, Parker, Penton, Richards, Shier, Smyth and Mr. Speaker—26.

Assembly—For Thomas E. Kelly : Messrs. Bailey, Berry, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ford, Havenor, Lewers, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Soule, Tuska and Waldorf—21.

Absent—Messrs. Hammond and Tolley from the Senate.

Absent—Messrs. Fallon, Belding and Shepard from the Assembly.

There being no election, the Convention proceeded to ballot, with the following result :

Senate—For William Garrard : Messrs. Dayton, Gallagher, McConnell, Meder, Powning, Rockhill, Schooling, Shepherd, Thompson, Westerfield and Williams—11.

Senate—For Thomas E. Kelly : Messrs. Brumsey, Doolin, Farrell, Fox, Gibson, Haines, Henderson, Hobart, Kaiser, King, Perley and Wheeler—12.

Assembly—For William Garrard : Messrs. Adams, Ballinger, Barrett, Bell, Blair, Bradshaw, Condon, Ernst, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Longley, May, McBurney, McGowan, Newell, Organ, Parker, Penton, Richards, Shier, Smyth and Mr. Speaker—26.

Assembly—For Thomas E. Kelly : Messrs. Bailey, Berry, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Havenor, Lewers, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Soule, Tuska and Waldorf—22.

Absent—Messrs. Hammond and Tolley from the Senate.

Absent—Messrs. Belding and Shepard from the Assembly.

At 2:58 P. M. Mr. Moriarty moved that the Convention take a recess for one hour.

Motion lost.

There being no election the Convention proceeded to ballot, with the following result :

Senate—For William Garrard : Messrs. Dayton, Gallagher, Haines, Kaiser, McConnell, Meder, Powning, Rockhill, Schooling, Shepherd, Thompson, Westerfield and Williams—13.

Senate—For Thomas E. Kelly : Messrs. Brumsey, Doolin,



Farrell, Fox, Gibson, Henderson, Hobart, King, Perley and Wheeler--10.

Assembly—For William Garrard: Messrs. Ballinger, Barrett, Bell, Blair, Bradshaw, Condon, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Longley, May, McBurney, McGowan, Newell, Organ, Parker, Penton, Richards, Shier, Smyth and Mr. Speaker—25.

Assembly—For Thomas E. Kelly: Messrs. Adams, Bailey, Berry, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Havenor, Lewers, Mallon, Masel, McKenzie, Mooney, Moriarty, Penoyer, Plank, Soule, Tuska and Waldorf—23.

Absent—Messrs. Hammond and Tolley from the Senate.

Absent—Messrs. Belding and Shepard from the Assembly.

For William Garrard ..... 38

For Thomas E. Kelly..... 33

William Garrard having received the required number of votes necessary to an election was declared by the President of the Joint Convention elected Warden of the State Prison of the State of Nevada for the ensuing two years, dating from February 14, 1881.

Mr. Shepherd of Elko introduced the following resolution :

*Resolved*, By the Senate and Assembly in Joint Convention assembled, that the Joint Convention do now proceed to the election of a Regent to the State University, to fill the vacancy in the Board of Regents thereof, caused by the resignation from said Board of W. W. Bishop, Esq.

Mr. Hobart moved that the resolution be adopted.

At 3:04 P. M. Mr. King moved that the Joint Convention do adjourn *sine die*.

Motion lost by a vote of 32 to 29.

Question on the adoption of the resolution put and lost by a vote of 31 to 24.

At 3:17 P. M., on motion of Mr. Waldorf, the Joint Convention adjourned *sine die*.

## HOUSE IN SESSION.

Mr. Speaker in the Chair.

At 3:20 P. M., on motion of Mr. Englis, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## THIRTY-SEVENTH DAY.

CARSON CITY (Tuesday), February 8, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Ernst, Kelly, Knight, McBurney and Shepard.

Mr. Bell asked leave of absence for Mr. Ernst for one day.

Granted.

Mr. Ballinger asked leave of absence for Mr. McBurney for one day.

Granted.

Journal of yesterday read partially, and on motion of Mr. Bell the further reading was dispensed with.

## REPORT OF STANDING COMMITTEE.

*Mr. Speaker :*

Your standing Committee on Engrossment beg leave to report that they have carefully compared the following bill with the original and found the same correctly engrossed: Assembly Bill No. 22, "An Act concerning corporations and persons engaged in banking."

C. P. SOULE, Chairman.

## SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 7, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly resolution in regard to the election of a Warden of the State Prison, which was this day adopted by the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 7, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 18—Relative to



appointing a committee to inquire into and investigate the cases of certain convicts in the State Prison, which was this day adopted by the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 4, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 69—An Act to provide for the taking care of the insane of the State of Nevada, which passed the Senate this day. Yeas, 20; nays, 3.

Also, return Assembly Concurrent Resolution No. 18, which was this day adopted by the Senate—Mr. Fox being appointed on said committee from the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Drexler (by leave):

Assembly Bill No. 94—An Act to amend "An Act fixing the salaries of the various county officers in the several counties of the State, and other matters relating thereto," approved March 11, 1879.

Mr. Adams moved that the bill be rejected.

Motion lost.

Mr. Plank moved that the rules be suspended, read second time by title and referred to the Storey County delegation.

Motion lost.

Mr. Coffin moved that the rules be suspended, read second time and referred to the Storey County delegation.

Motion carried.

Senate Bill No. 69—An Act to provide for the taking care of the insane of the State of Nevada.

Mr. Berry moved that the rules be suspended, the bill considered read first time, rules further suspended, read second time by title and referred to the Committee on Ways and Means.

Mr. Coffin moved to amend by referring to the special Committee on Insane.

Amendment accepted and motion carried.

Mr. Waldorf moved that the further consideration of the bill be indefinitely postponed.

No action taken.

Senate Concurrent Resolution No. 18—Relative to appointing a Commission to inquire into and investigate the cases of certain convicts in the State Prison.

Rules suspended, read second time and referred to a special committee of one, consisting of Mr. Drexler.

GENERAL FILE.

Senate Bill No. 16—An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada.

Read third time.

Mr. Coffin moved that the bill be amended by striking out the amendment made by the committee, that is, striking out "five thousand dollars" and inserting in place "six thousand dollars."

The yeas and nays were called for by Messrs. Bradshaw, Mooney and Coffin, and the motion lost by the following vote:

YEAS—Messrs. Adams, Coffin, Condon, Corbett, Copeland, Duffy, Fallon, Ford, Gignoux, Green, Havenor, Knight, Longley, Mallon, McGowan, McKenzie, Moriarty, Penoyer, Shier, Tuska and Mr. Speaker—21.

NAYS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Drexler, Englis, Irvine, Lewers, Masel, May, Mooney, Newell, Organ, Parker, Penton, Plank, Richards, Smyth, Soule and Waldorf—23.

Absent—Messrs. Belding, Ernst, Johnson, Kelly, McBurney and Shepard.

Placed on final passage, as amended, and resulted in a tie vote, as follows:

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Drexler, Englis, Irvine, Lewers, Masel, May, Mooney, Newell, Organ, Parker, Penton, Plank, Richards, Smyth, Soule and Waldorf—22.

NAYS—Messrs. Adams, Ballinger, Coffin, Condon, Corbett, Copeland, Duffy, Fallon, Ford, Gignoux, Green, Havenor, Knight, Longley, Mallon, McGowan, McKenzie, Moriarty, Penoyer, Shier, Tuska and Mr. Speaker—22.

Absent—Messrs. Belding, Ernst, Johnson, Kelly, McBurney and Shepard.

Mr. Bell gave notice that he would on to-morrow move for a reconsideration of the vote by which Senate Bill No. 16 was lost.

Mr. Tuska arose to a point of order, viz: that Mr. Bell, on account of his vote, had no right to give notice of a reconsideration.

Point of order not sustained.

Assembly Bill No. 72—An Act to govern the manufacture of boots and shoes in the Nevada State Prison.

On motion of Mr. Ballinger the bill was laid on the table.

Senate Bill No. 52—An Act reducing and regulating the salaries and compensation of certain State officers and attachés of the State government of Nevada.

The amendments made by the committee were read.

Mr. Waldorf moved that the amendments be adopted.

No action.



Mr. Smyth moved that the bill be referred to the Committee of the Whole and made the special order for to-morrow, immediately after consideration of the special order of the day is disposed of.

Motion carried.

Assembly Bill No. 22—An Act concerning corporations and persons engaged in the business of banking.

Mr. Coffin moved to amend by striking out, in line two, Section Two, "thirty thousand dollars," and inserting in place "fifteen thousand dollars."

Motion carried and amendment made by the Clerk.

On motion of Mr. Soule, at 12:30 P. M., the House took a recess for one hour.

### HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Assembly Bill No. 22 under consideration.

On motion of Mr. Coffin the previous amendments offered by him were stricken out.

Mr. Coffin moved to amend line eight, Section Two, of the engrossed bill, viz: after the word "dollars" insert "*provided*, that in towns having a population of fifteen hundred inhabitants or less, such corporation, association or bank may be organized and established with an aggregate capital stock of not less than fifteen thousand dollars."

The question on the amendment was put to the House and adopted.

Mr. Barrett asked leave of absence for Mr. Plank for the remainder of the day.

Granted.

Assembly Bill No. 22 read third time as amended and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penton, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Belding, Duffy, Ernst, Johnson, McBurney, McKenzie, Penoyer, Plank, Shepard and Waldorf.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 8, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 19, which was this day adopted by the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Condon, by leave, introduced the following resolution :

*Resolved,* That the members of the Third House have the use of the Assembly Chamber Wednesday evening, February 9, 1880.  
Adopted.

On motion of Mr. Condon, at 2:30 P. M., the House adjourned.

Approved : GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY,  
Chief Clerk of the Assembly.

### THIRTY-EIGHTH DAY.

CARSON CITY (Wednesday), February 9, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Copeland, Johnson, Kelly, Mallon, McBurney, Shepard and Waldorf.

Mr. McKenzie asked leave of absence for Mr. Mallon for one day.  
Granted.

Mr. Duffy asked leave of absence for Mr. Waldorf for one day.  
Granted.

Mr. Ballinger asked leave of absence for Mr. McBurney for one day.  
Granted.

Mr. Englis asked leave of absence for Mr. Copeland for one day.  
Granted.

Journal of yesterday read and approved.



## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your standing Committee on Enrollment beg leave to report that they have carefully compared substitute for Assembly Bill No. 18 ; Assembly Bill No. 31, "An Act for the preservation of mining records ;" also, Assembly Bill No. 33, "An Act to authorize Commissioners to transfer surplus money in the several funds of unincorporated towns from one fund to another," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Senate Bill No. 39, "An Act to license and regulate insurance business in this State," and recommend that it do pass ; also, Assembly Bill No. 69, "An Act to further amend 'An Act to provide revenue for the support of the government of the State of Nevada,'" and beg leave to report the same back to the Assembly with amendments and recommend that it do pass.

T. J. BELL, Chairman.

## REPORTS OF SELECT COMMITTEES.

*Mr. Speaker :*

Your special committee to whom was referred Senate Concurrent Resolution No. 18 and Assembly substitute therefor beg leave to report the same back and recommend the adoption of the substitute.

L. P. DREXLER.

*Mr. Speaker :*

Your special committee to whom was referred Assembly Bill No. 81, relative to a compilation of the laws of the State of Nevada, have had the same under consideration and beg leave to report the same back with a substitute bill and recommend that the substitute be adopted and that it do pass.

T. COFFIN, Chairman.

## MOTION AND RESOLUTION.

Mr. Bell moved to reconsider the vote by which Senate Bill No. 16 was lost yesterday.

Motion carried.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 8, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body, substitute for Senate Bill No. 15—An Act amenda-

tory and supplementary to an Act entitled "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada, approved March 5, 1873, and for fixing the price of State lands, and for providing for the classification and protection of timber lands and authorizing the State Land Register to perform certain duties and to use a seal," which passed the Senate this day. Yeas, 20; nays, 2.

Also, to return to your honorable body, Assembly Bill No. 75—An Act to fund the Court House bonds of Nye County, which passed the Senate this day. Yeas, 21; nays, none.

WM. HY. DOANE,

Assistant Secretary of the Senate.

#### NOTICES OF BILLS.

Mr. Organ gave notice that he would at an early day introduce a bill to make the Lieutenant-Governor *ex-officio* Warden of the State Prison from and after the fifth day of March, 1881.

Mr. Barrett gave notice that he would on some future day introduce a bill entitled "An Act to prevent minors from gambling."

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Merrill:

Assembly Bill No. 95—An Act to disincorporate the city of Austin and to repeal all other Acts touching its incorporation.

Rules suspended, read second time by title and referred to the Lander County delegation.

By Mr. Berry:

Assembly Bill No. 96—An Act supplementary to an Act entitled "An Act to authorize the School Trustees of School District No. 10, in Washoe County, to issue bonds for school purposes," approved February 18, 1879.

Rules suspended, read second time by title and referred to the Washoe County delegation.

By Mr. Plank:

Assembly Bill No. 97—An Act to amend an Act entitled "An Act to establish a State Printing Office and to create the office of Superintendent of State Printing," approved March 11, 1879, and to add certain sections thereto.

Rules suspended, read second time by title and referred to the Committee on Printing.

Assembly substitute for Senate Concurrent Resolution No. 18—Relative to inquiring into the cases of certain convicts at the State Prison.

On motion of Mr. Englis adopted.



Substitute for Assembly Bill No. 81—An Act to provide for a new compilation of all the Statute laws of the State of Nevada, including the laws of 1881, and to properly index the same.

On motion of Mr. Havenor adopted.

Substitute for Senate Bill No. 15—An Act amendatory of and supplementary to an Act entitled "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada," approved March 5, 1873, and for fixing the price of State lands, and for providing for the protection and classification of timber lands and authorizing the State Land Register to perform certain duties and to use a seal.

Rules suspended, read second time by title and referred to the Committee on Public Lands.

GENERAL FILE.

Assembly Substitute for Senate Concurrent Resolution No. 18—Relative to inquiring into the cases of certain prisoners in the Nevada State Prison.

Read first time, rules suspended, read second time by title, rules further suspended, read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Berry, Blair, Bradshaw, Condon, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Knight, Lewers, Longley, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Belding, Bell, Coffin, Corbett, Copeland, Ernst, Kelly, Mallon, McBurney, Shepard, Waldorf and Johnson.

Substitute for Assembly Bill No. 81—An Act entitled "An Act to provide for a new compilation of all the Statute laws of the State of Nevada, including the laws of 1881, and to properly index the same."

Mr. Coffin moved that the bill be referred to the Committee of the Whole, and made the special order immediately after the consideration of the special order of the day.

Motion carried.

Assembly Bill No. 69—An Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, amended March 1, 1866.

Amendments made by committee read by the Clerk, and on motion of Mr. McGowan adopted, and bill ordered engrossed.

Senate Bill No. 39—An Act to license and regulate insurance business in this State.

Read third time.

Mr. Lewers moved that the further consideration of the bill be deferred until Friday next, and made the special order of that day at 2 P. M.

Motion carried.

On motion of Mr. Coffin, Section Fourteen, line eight, was amended by striking out the words "organized in this State."

Mr. Lewers, by leave, introduced Assembly Bill No. 98—An Act for the relief of the sufferers by the breaking of the Little Valley Dam.

Read first time, and on motion of Mr. Smyth the rules were suspended, read second time by title and referred to the Committee of the Whole, with the Speaker in the Chair. In due time the committee arose and made the following report:

*Mr. Speaker :*

Your Committee of the Whole, who have had under consideration Assembly Bill No. 98, "An Act for the relief of the sufferers by the breaking of the Little Valley Dam," have carefully considered the same, and recommend that it do pass.

Mr. Lewers, also by leave, introduced the following report, and submitted it as an amended report of the special committee appointed by the Legislature :

*Mr. Speaker :*

Your special committee appointed to visit Franktown and inquire as to the destruction caused by the breaking of the Little Valley Dam, near that village, have made diligent inquiries, and have found that the following parties have sustained the losses set opposite their names :

John Dall.....	\$8,000
Manuel Rodgers.....	2,000
C. A. Lee.....	1,000
Gildo Corecco.....	3,000
George Murray.....	250
J. Boyce .....	50
Mrs. Sandy Bowers.....	100
E. B. Towl.....	500
Manuel Catina.....	50
John Duval.....	500

Total .....\$13,650

Also beg leave to present a bill for the relief of the sufferers.

ROSS LEWERS, Chairman.

Assembly Bill No. 98—An Act for the relief of the sufferers by the breaking of the Little Valley Dam.

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



YEAS—Messrs. Adams, Bailey, Barrett, Berry, Blair, Bradshaw, Coffin, Condon, Drexler, Duffy, Englis, Gignoux, Havenor, Irvine, Knight, Lewers, Longley, Masel, May, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Smyth, Soule, Tuska and Mr. Speaker—33.

NAYS—Messrs. Fallon, Green and Shier—3.

Absent—Messrs. Ballinger, Belding, Bell, Corbett, Copeland, Ernst, Ford, Johnson, Kelly, Mallon, McBurney, McKenzie, Shepard and Waldorf.

Mr. Coffin asked leave of absence for Mr. Bell for the remainder of the day and to-morrow.

Granted.

On motion of Mr. Condon, at 12:51, the House took a recess until 2 P. M.

### HOUSE IN SESSION.

At 2 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The Speaker announced that the hour had arrived for taking up the special order of the day, viz: Assembly Bill No. 13—An Act for the relief of sureties on official bonds.

On motion the rules were suspended and the bill considered engrossed.

Mr. Tuska moved a call of the House.

Motion carried.

Roll called and the following members answered to their names:

Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

Absent—Mr. Belding.

Absent by leave—Messrs. Ernst, Johnson, Mallon, McBurney and Shepard.

On motion of Mr. Smyth the further call of the House was dispensed with.

Assembly Bill No. 13—An Act for the relief of sureties on official bonds.

Mr. McKenzie moved the following amendments: Amend lines two, four and seven, Section One, by striking out the words "have failed," and insert in lieu thereof the words "shall fail." Also, adding another section as follows: Section Two. Any Board of County Commissioners who shall fail to comply with the provisions of Section One of this Act will be guilty of a misdemeanor, punish-

able individually as a Board of County Commissioners by a fine not exceeding one thousand dollars, individually, or imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment at the discretion of the District Court. This Act to take effect immediately after its passage.

Mr. Drexler moved that the amendments be adopted.

Mr. Coffin moved to amend amendments by adding in line two, Section One, of the original bill, after the word "failed" the words "or shall hereafter fail."

Motion lost by the following vote :

YEAS—Messrs. Adams, Barrett, Bell, Bradshaw, Coffin, Corbett, Englis, Fallon, Ford, Gignoux, Havenor, Irvine, Knight, Longley, May, McBurney, McGowan, Organ, Penton, Plank, Shier, Soule, Tuska and Waldorf—24.

NAYS—Bailey, Ballinger, Berry, Blair, Condon, Drexler, Duffy, Green, Kelly, Lewers, Masel, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Richards, Smyth and Mr. Speaker—20.

Absent—Messrs. Belding, Copeland, Ernst, Johnson, Mallon and Shepard.

On the question on the adoption of the amendment as amended the yeas and nays were called for by Messrs. Irvine, Plank and Moriarty.

Roll called and amendment adopted by the following vote :

YEAS—Messrs. Adams, Ballinger, Barrett, Bell, Berry, Bradshaw, Coffin, Corbett, Englis, Fallon, Ford, Gignoux, Havenor, Irvine, Kelly, Knight, Longley, Masel, May, McBurney, McGowan, Organ, Parker, Penton, Plank, Shier, Soule, Tuska and Waldorf—29.

NAYS—Messrs. Bailey, Blair, Condon, Drexler, Duffy, Green, Lewers, McKenzie, Mooney, Moriarty, Newell, Penoyer, Richards, Smyth and Mr. Speaker—15.

Absent—Messrs. Belding, Copeland, Ernst, Johnson, Mallon and Shepard.

Mr. Tuska moved the adoption of Section Two of the amendment offered by Mr. McKenzie.

Mr. Coffin moved to insert the words "shall hereafter fail" after the words "have failed" wherever the words "have failed" occur in the bill.

Mr. McKenzie desired to withdraw Section Two of amendment offered by him.

Objected to by the House.

The question on the adoption of the amendment by adding Section Two of amendment to the original bill put to the House and adopted.

Mr. Newell moved to amend Section One, on lines two and seven, by striking out "have failed or" and in place of the word "or" insert the word "that."

Motion put to the House.

Yeas and nays called for by Messrs. Condon, McKenzie and Coffin and motion lost by the following vote :

YEAS—Messrs. Condon, Drexler, Duffy, Green, Havenor, Lewers,



McKenzie, Moriarty, Newell, Richards, Shier, Smyth and Mr. Speaker—13.

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Englis, Fallon, Ford, Gignoux, Irvine, Kelly, Knight, Longley, Masel, May, McBurney, McGowan, Mooney, Organ, Parker, Penoyer, Penton, Plank, Soule, Tuska and Waldorf—31.

Absent—Messrs. Belding, Copeland, Ernst, Mallon, Johnson and Shepard.

Messrs. Tuska, Coffin and Gignoux moved that the main question be now put to the House and the motion carried by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Longley, Masel, May, McBurney, McGowan, Mooney, Newell, Organ, Parker, Penoyer, Penton, Plank, Shier, Smyth, Soule, Tuska and Waldorf—37.

NAYS—Messrs. Drexler, Duffy, Lewers, McKenzie, Moriarty, Richards and Mr. Speaker—7.

Absent—Messrs. Belding, Copeland, Johnson, Mallon, Shepard and Ernst.

Bill placed on final passage and passed as amended by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Fallon, Ford, Gignoux, Havenor, Irvine, Kelly, Knight, Longley, Masel, May, McBurney, McGowan, Organ, Parker, Penoyer, Penton, Plank, Soule and Tuska—29.

NAYS—Messrs. Condon, Drexler, Duffy, Englis, Green, Lewers, McKenzie, Mooney, Moriarty, Newell, Richards, Shier, Smyth, Waldorf and Mr. Speaker—15.

Absent—Messrs. Belding, Copeland, Ernst, Mallon, Johnson and Shepard.

Mr. Green protested against the vote of Mr. Ford.

Mr. Waldorf moved that the special orders set for to-day and not considered be made the special orders for to-morrow at 2 P. M.

Motion carried.

Mr. Drexler, by leave, introduced the following resolution :

*Resolved*, That the Speaker of the Assembly appoint a committee of one to notify the State Board of Commissioners for the care of the Indigent Insane of Nevada, that a concurrent resolution of the Senate and Assembly had been passed, requiring them to ascertain and receive bids for the care of the indigent insane for one, two, four and six years.

Resolution adopted, and Mr. Drexler appointed as such committee.

At 3:55 P. M., on motion of Mr. Corbett, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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### THIRTY-NINTH DAY.

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CARSON CITY (Thursday), February 10, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Berry, Copeland, Ernst, Johnson, Kelly and Shepard.

Mr. Tuska asked leave of absence for Mr. Copeland for one day.  
Granted.

Mr. Speaker asked leave of absence for Mr. Berry for one day.  
Granted.

Mr. Knight asked leave of absence for Mr. Adams until Monday.  
Granted.

Journal of yesterday read and approved.

Mr. Smyth presented a petition from the Board of County Commissioners of Lander County, relative to the repealing of the Salary Act, and praying that said law be repealed.

On motion of Mr. Bell the petition was referred to the Committee on Counties and County Boundaries.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Public Morals have had under consideration Assembly Bill No. 76, introduced by Mr. Ernst February 1st, 1881, "An Act to prohibit the carrying of concealed weapons," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. J. CORBETT, Chairman.

*Mr. Speaker :*

Your Committee on Public Morals have had under consideration



Senate Bill No. 43, "An Act supplementary to an Act entitled 'An Act concerning crimes and punishments, approved November 26, 1861,' and Acts amendatory thereto and supplementary thereof," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. J. CORBETT, Chairman.

*Mr. Speaker :*

Your Committee on Public Morals have had under consideration Assembly Bill No. 83, "An Act to provide more fully for the care and guardianship of destitute and abandoned children," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. J. CORBETT, Chairman.

*Mr. Speaker :*

Your Committee on Corporations and Railroads, to whom has been referred Assembly Bill No. 46, in reference to railroads whose termini are within the State, and also the resolution offered by Mr. Waldorf in reference to said Act, and delegating authority to the said committee to investigate the affairs of such railroad companies, beg leave to report that they have had the same under consideration, examined witnesses and documents, and are now duly deliberating upon the same; that they are not yet ready to report upon the bill, and request further time to make a full report.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration Senate Bill No. 51, "An Act to reimburse C. S. Young for money expended by him in defraying expenses of substitute to Teachers' Institute held in Virginia City, and beg leave to report the same back to the Assembly without recommendation.

CHARLES GREEN, Chairman.

*Mr. Speaker :*

Your standing Committee on Claims have had under consideration Senate Bill No. 53, "An Act for the relief of Kimball and Swallow," and would suggest the following amendment: 'In lines one and two, Section One, strike out the words "three hundred" and insert in lieu thereof "one hundred and fifty," and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

CHARLES GREEN, Chairman.

*Mr. Speaker :*

Your standing Committee on Elections, to whom was referred the substitute for Senate Bill No. 31, relating to elections, have consid-

ered the same and beg leave to report favorably, and recommend that the bill do pass.

We have also had under consideration Assembly Bill No. 47, relating to elections, and beg leave to report unfavorably on the same, with the recommendation that it do not pass.

H. H. PENOYER, Chairman.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your special committee, composed of the delegation from Lander County, have had under consideration Assembly Bill No. 95, "An Act to disincorporate the city of Austin, and to repeal all other Acts touching its incorporation," beg leave to report the same back to the Assembly, recommending that it do pass.

W. B. NEWELL,  
JOHN SMYTH,  
C. P. SOULE.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 9, 1881. }

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 53, "An Act to authorize the County Commissioners in the several counties in this State to loan or transfer money from one fund to another."

JOHN H. KINKEAD, Governor.

#### MOTION AND RESOLUTION.

Mr. Tuska moved that the Committee on Corporations and Railroads have until the 16th to make a report on Assembly Bill No. 46.  
Motion carried by a vote of 17 to 13.

#### SENATE MESSAGES.

SENATE CHAMBER, }  
CARSON CITY, February 9, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Memorial and Joint Resolution No. 15, relative to the erection of United States and Circuit Court buildings in Carson City, Nevada, which passed the Senate this day. Yeas, 20; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.



SENATE CHAMBER,  
CARSON CITY, February 9, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Memorial and Joint Resolution No. 3, relative to the regulation of fares and freights on inter-State railroads, which passed the Senate this day. Yeas, 13; nays, 9.

Also, Senate Bill No. 44—An Act amendatory of an Act entitled ‘An Act in relation to public highways,’ approved March 15, 1875, which passed the Senate this day. Yeas, 18; nays, 1.

Also, Senate Bill No. 73—An Act to amend an Act entitled ‘An Act to enable defendants to testify as witnesses in criminal prosecutions,’ approved February 18, 1867, which passed the Senate this day. Yeas, 20; nays, 1.

Also, Senate Bill No. 79—An Act supplementary to an Act entitled ‘An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,’ approved March 11, 1879, which passed the Senate this day. Yeas, 20; nays, 1.

Also to return to your honorable body Assembly Bill No. 73—An Act concerning Justices of the Peace in the several counties of this State, which was this day lost in the Senate. Yeas, 9; nays, 11.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Knight:

Assembly Bill No. 99—An Act to amend Section One Hundred and Twenty-eight of an Act entitled ‘An Act to regulate the settlement of the estates of deceased persons, and to provide a less expensive and more summary administration of certain estates of deceased persons,’ approved November 29, 1861.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Tuska (by leave):

Assembly Bill No. 100—An Act amendatory of an Act entitled ‘An Act to amend an Act entitled ‘An Act to amend an Act relative to attorneys and counselors at law,’ approved October 31, 1861; approved March 4, 1871; approved March 5, 1875.

Read first time partially; on motion of Mr. Corbett the rules were suspended, the reading just had considered the first reading; rules further suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Coffin (by leave):

Assembly Bill No. 101—An Act to amend an Act entitled ‘An Act to regulate the settlement of estates of deceased persons,’ approved November 29, 1861.

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

By Mr. Moriarty:

Assembly Bill No. 102—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State and other matters relating thereto," approved March 11, 1879.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

Substitute for Senate Joint Memorial and Resolution No. 3—Relative to the discrimination in fares and freights by inter-State railroads.

Mr. Waldorf moved that the rules be suspended, read second time by title; rules further suspended, read third time and placed on final passage.

Mr. Coffin moved to amend the motion by suspending the rules, reading the resolution second time by title, ordering it reprinted and referring it to the Committee on Federal Relations.

The yeas and nays were called for by Messrs. Coffin, Smyth and Waldorf on motion to amend the motion.

Roll called and motion to amend lost by the following vote:

YEAS—Messrs. Bailey, Coffin, Corbett, Havenor, Knight, Longley, May, McBurney and Soule—9.

NAYS—Messrs. Bell, Blair, Bradshaw, Condon, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Irvine, Lewers, Mallon, Masel, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Waldorf and Mr. Speaker—30.

Absent—Messrs. Adams, Ballinger, Barrett, Belding, Berry, Copeland, Ernst, Johnson, Kelly, Shepard and Tuska.

On motion of Mr. Waldorf the question was put to the House and carried.

Resolution read a third time.

Mr. Bradshaw moved a call of the House.

Motion carried, and the following members answered to their names:

Messrs. Bailey, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

Absent—Messrs. Ballinger, Barrett, Belding and Knight.

Absent (by leave)—Messrs. Adams, Berry, Copeland, Ernst, Johnson, Kelly and Shepard.

Mr. Englis moved that the further call of the House be dispensed with.

Motion withdrawn.



The Speaker instructed the Sergeant-at-Arms to bring the members who were absent without leave before the bar of the House.

Mr. Knight appeared at the bar of the House, and on motion of Mr. Waldorf was admitted.

Mr. Ballinger being brought before the bar of the House by the Sergeant-at-Arms, Mr. Englis moved that he be excused.

Motion lost.

On motion of Mr. Organ Mr. Ballinger was admitted.

Mr. Newell moved that the further call of the House be dispensed with.

Motion carried.

Resolution placed on final passage and passed by the following vote:

YEAS—Messrs. Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Bailey, Ballinger and McBurney—3.

Absent—Messrs. Adams, Barrett, Belding, Berry, Copeland, Ernst, Johnson, Kelly and Shepard.

At 12:37, on motion of Mr. Knight, the House took a recess until 1:30 P. M.

### HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Gignoux asked leave of absence for himself on Saturday and Monday next.

Granted.

Mr. Organ asked leave of absence for Mr. Ballinger for the remainder of the day.

Granted.

Senate Memorial and Joint Resolution No. 5—Relative to the erection of United States Circuit and District Court buildings in the city of Carson.

Read first time, rules suspended, read second time by title, rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Bailey, Barrett, Bell, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Green, Havenor, Irvine, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Soule, Waldorf and Mr. Speaker—34.

NAYS—Messrs. Bradshaw and Gignoux—2.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Johnson, Kelly, Knight, McGowan, Organ, Shepard, Smyth and Tuska.

Mr. Englis, by leave, introduced the following resolution :

*Resolved*, That the State Controller be and is hereby authorized and directed to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of one hundred and eighty-two dollars and eighteen cents, as appears from vouchers attached, the same to be paid out of the Legislative Fund.

Adopted and referred to the Committee on Contingent Expenses and Accounts.

Senate Bill No. 79—An Act supplementary to an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

Senate Bill No. 73—An Act to amend an Act entitled “An Act to enable defendants to testify as witnesses in criminal prosecutions,” approved February 18, 1867.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

Senate Bill No. 44—An Act amendatory of an Act entitled “An Act in relation to the public highways,” approved March 15, 1875.

Rules suspended, read second time by title and referred to the Committee on Internal Improvements.

#### GENERAL FILE.

Senate Bill No. 16—An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada.

On motion of Mr. Bell the amendments made by the committee in Section One, line two, were stricken out.

Bill read third time and passed by the following vote :

YEAS—Messrs. Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Knight, Lewers, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Bailey and May—2.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Johnson, Kelly, Shepard and Tuska.

At 2 P. M. the Speaker announced that the hour had arrived for the consideration of the special orders of the day, viz : Senate Bill No. 52, and substitute for Assembly Bill No. 81.



On motion of Mr. Waldorf Senate Bill No. 52 was made the special order for Tuesday next, February 10, at 2 P. M.

House in Committee of the Whole.

Mr. Smyth in the Chair.

In time the committee arose and made the following report :

*Mr. Speaker :*

Your Committee of the Whole who have had under consideration substitute for Assembly Bill No. 81, "An Act providing for a new compilation of all the Statute Laws of the State of Nevada, including the laws of 1881," have carefully considered the same and recommend that it do pass.

At 2:08 P. M. Mr. Speaker in the Chair.

On motion of Mr. Coffin the report of the Committee of the Whole was adopted, rules suspended, considered engrossed, read third time and passed by the following vote :

YEAS—Messrs. Bailey, Barrett, Bell, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—Mr. Bradshaw.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Johnson, McGowan and Shepard.

On motion of Mr. Bell Assembly Concurrent Resolution No. 14 was placed at the bottom of the file.

Assembly Bill No. 95—An Act to disincorporate the city of Austin and to repeal all other Acts touching its incorporation.

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

YEAS—Messrs. Bailey, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Green, Johnson, Shepard and Tuska.

Assembly Bill No. 47—An Act amendatory of and supplemental to an Act entitled "An Act relating to elections," approved March 12, 1875.

Mr. Newell moved that the rules be suspended and the bill considered engrossed.

Motion lost.

Mr. Parker moved that the bill be ordered engrossed.

Motion lost.

On motion of Mr. Smyth the bill was indefinitely postponed.

Substitute for Senate Bill No. 31—An Act to amend an Act entitled "An Act relating to elections," approved March 12, 1875.

Read third time and passed by the following vote :

YEAS—Messrs. Bailey, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—40.

NAYS—Mr. Gignoux.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Johnson, Shepard and Tuska.

Senate Bill No. 53—An Act for the relief of Kimball and Swallow. Amendments made by the committee read and adopted.

Mr. Smyth moved that the bill be referred to the Committee of the Whole and taken up at the discretion of the House.

Motion carried.

Senate Bill No. 51—An Act to reimburse C. S. Young.

On motion of Mr. Smyth referred to the Committee of the Whole, to be taken up at the discretion of the House.

Senate Bill No. 43—An Act supplementary to An Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, and Acts amendatory and supplemental thereto.

Read third time, placed on final passage and lost by the following vote :

YEAS—Messrs. Bailey, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Englis, Fallon, Ford, Green, Havenor, Knight, Mallon, May, McGowan, McKenzie, Mooney, Newell, Parker, Shier, Smyth and Mr. Speaker—24.

NAYS—Messrs. Barrett, Duffy, Gignoux, Irvine, Kelly, Lewers, Longley, Masel, Moriarty, Parker, Penoyer, Penton, Plank, Richards, Soule and Waldorf—16.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Johnson, McBurney, Shepard and Tuska.

Messrs. Corbett and Plank gave notice that they would on to-morrow move for a reconsideration of the vote by which Senate Bill No. 43 was lost.

Assembly Bill No. 83—An Act to provide more fully for the care and guardianship of destitute and abandoned children and to prevent keeping of children in houses of ill-repute or in the association and companionship of prostitutes and other grossly immoral persons.

On motion of Mr. Coffin the bill was placed at the bottom of the file.



Assembly Bill No. 76—An Act to prohibit the carrying of concealed weapons.

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

YEAS—Messrs. Bailey, Barrett, Blair, Bradshaw, Corbett, Drexler, Englis, Fallon, Gignoux, Green, Havenor, Irvine, Mallon, May, McGowan, McKenzie, Mooney, Newell, Parker, Penton and Smyth—21.

NAYS—Messrs. Bell, Coffin, Condon, Duffy, Ford, Kelly, Knight, Lewers, Longley, Masel, McBurney, Moriarty, Organ, Penoyer, Plank, Richards, Shier, Soule and Mr. Speaker—19.

Absent—Messrs. Adams, Ballinger, Belding, Berry, Copeland, Ernst, Johnson, Shepard, Tuska and Waldorf.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 10, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 31, "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the better preservation of the mining records in certain districts in this State,' approved March 6, 1879;" also Assembly Bill No. 33, "An Act authorizing Boards of County Commissioners to transfer surplus money in the several funds of unincorporated towns from one fund to another."

JOHN H. KINKEAD, Governor.

At 3:10 p. m., on motion of Mr. Condon, the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## FORTIETH DAY.

CARSON CITY (Friday), February 11, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Ballinger, Belding, Adams, Corbett, Ernst, Johnson, Kelly, McKenzie, Penoyer, Smyth and Shepard.

Mr. Gignoux asked leave of absence for Messrs. Corbett and Ballinger for one day.

Granted.

Mr. Corbett asked leave of absence for Mr. McKenzie for one day.

Granted.

Mr. Tuska asked indefinite leave of absence for Mr. Penoyer.

Granted.

Mr. Bell asked leave of absence for Mr. Ernst for one day.

Granted.

Mr. Newell asked leave of absence for Mr. Smyth for one day.

Granted.

Journal of yesterday read partially, and on motion of Mr. Organ the further reading was dispensed with.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Public Printing, who were instructed to ascertain why Assembly Concurrent Resolution No. 14 has not been printed, beg leave to report that said resolution has been printed, and was delivered to the Sergeant-at-Arms on Monday, February 7th, 1881.

HENRY DUFFY, Chairman.

*Mr. Speaker :*

Your Committee on Engrossment beg leave to report that they have carefully compared the following bill with the original and found the same correctly engrossed—Assembly Bill No. 69, "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

C. P. SOULE, Chairman.



## REPORTS OF SELECT COMMITTEES.

*Mr. Speaker :*

Your committee, consisting of the Storey County delegation, have had under consideration Assembly Bill No. 58, "An Act providing for the government of the towns and cities of this State," have made several amendments thereto, and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

L. P. DREXLER, Chairman *pro tem*.

*Mr. Speaker :*

Your joint Committee on Insane, having had under consideration the subject matter pertaining to the care of our insane, recommend the passage of Senate Bill No. 69, with amendments, reported in connection therewith.

A. ENGLIS,  
JAMES McBURNEY,  
W. M. HAVENOR.

Mr. Plank moved that the vote by which Senate Bill No. 43 was lost be reconsidered.

Motion carried.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 10, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 81—An Act to amend an Act entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty," approved March 9, 1866, which passed the Senate this day. Yeas, 22 ; nays, none.

Also, to return to your honorable body Assembly Bill No. 29—An Act to amend Section Five Hundred and Eighty-three of 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 8, 1869, which was amended, and as amended passed the Senate this day. Yeas, 20 ; nays, none.

Also, Assembly Bill No. 32—An Act to amend an Act entitled "An Act to protect the wages of labor," approved February 21, 1873, which passed the Senate this day. Yeas, 22 ; nays, none.

Also, Assembly Bill No. 43—An Act to authorize fees and salaries of officers to be taken on attachment and execution, and to prohibit assignments to defraud creditors, which passed the Senate this day. Yeas, 14 ; nays, 8.

Also, Assembly Bill No. 51—An Act to detach a portion of White Pine County from said county and attach the same to Eureka

County, which was amended, and as amended passed the Senate this day. Yeas, 21; nays, 1.

Also, Assembly Bill No. 54—An Act to restore lost records, which was amended, and as amended passed the Senate this day. Yeas, 21; nays, 1.

Also, substitute for Assembly Bill No. 45—An Act to define the duties and liabilities of pawnbrokers and pledgees, which was this day lost in the Senate. Yeas, 6; nays, 16.

Also, Assembly Bill No. 70—An Act to amend Section One Hundred and Thirty-one of 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 8, 1869, which was this day lost in the Senate. Yeas, none; nays, 20.

Also, Assembly Bill No. 71—An Act to amend an Act to regulate proceedings in civil cases in the courts of justice in this State, approved March 8, 1869, which was this day lost in the Senate. Yeas, none; nays, 21.

WM. HY. DOANE,

Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Knight (by leave):

Assembly Bill No. 103—An Act to amend an Act entitled "An Act to provide for the government of the State prison of the State of Nevada," approved March 7, 1873.

Rules suspended, read second time by title, referred to the Committee on State Prison and ordered printed.

By Mr. Barrett (by leave):

Assembly Bill No. 104—An Act to prevent minors from gambling.

Rules suspended, read second time by title and referred to the Committee on Public Morals.

By Mr. Bell (by leave):

Assembly Bill No. 105—An Act making appropriations for the support of the civil government of the State of Nevada for the seventeenth and eighteenth fiscal years.

Read first time partially, the reading just had considered the first reading, rules suspended, read second time by title, referred to the Committee of the Whole and ordered printed.

By Mr. Organ (by leave):

Assembly Bill No. 106—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Rules suspended, read second time by title, referred to the Committee on Counties and County Boundaries and ordered printed.

By Mr. Smyth (by leave):

Assembly Bill No. 107—An Act to regulate the charges for carry-



ing, receiving, handling and storing of property and for carrying passengers by inter State Railroads within the State of Nevada and prescribing penalties for the violation of its provisions.

Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

At 11:45 A. M. Speaker *pro tem.* in the Chair.

Assembly Bill No. 54—An Act to restore lost records.

Amendments made in the Senate read and on motion of Mr. Merrill were adopted and concurred in.

Assembly Bill No. 51—An Act to detach a portion of the territory of White Pine County from said county and attach the same to Eureka County.

Amendments made in the Senate read and on motion of Mr. Merrill referred to the Eureka and White Pine delegations.

Senate Bill No. 81—An Act to amend an Act entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office and to enforce official duty," approved March 9, 1866.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

Assembly Bill No. 29—An Act to amend Section Five Hundred and Eighty-three of 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 8, 1869.

Amendments made in Senate read and on motion of Mr. Merrill the amendments were concurred in.

#### GENERAL FILE.

Assembly Concurrent Resolution No. 14—Relative to patenting mining claims.

Mr. Gignoux moved that the consideration of the resolution be deferred until Tuesday next.

Motion carried.

Assembly Bill No. 83—An Act to provide more fully for the care and guardianship of destitute and abandoned children and to prevent the keeping of children in houses of ill-repute or in the companionship of prostitutes and other grossly immoral persons.

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

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Adams, Ballinger, Belding, Corbett, Ernst, Johnson, Kelly, McKenzie, Penoyer, Shepard and Smyth.

Assembly Bill No. 58—An Act providing for the government of the towns and cities of this State.

Amendments made by the committee read and adopted.

Mr. Drexler moved to strike out in line two, Section Twelve, the word “shall” and insert the word “may.”

Motion carried and the Clerk made the amendment.

Mr. Duffy moved to amend the amendment by inserting after the word “receive,” in line six, Section Twelve, the words “shall not exceed.”

Motion carried and amendment made by the Clerk as per instructions.

Mr. Parker moved that the bill be engrossed.

Motion lost by a vote of 17 to 10.

Mr. Plank moved that the rules be suspended and that the House reconsider the vote by which Assembly Bill No. 58 was refused engrossment.

Motion carried.

On motion of Mr. Newell the rules were suspended and the bill considered engrossed.

On motion of Mr. Moriarty the further consideration of the bill was deferred until Monday.

Assembly Bill No. 69—An Act to further amend an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada.”

Bill read third time and passed by the following vote:

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Adams, Ballinger, Belding, Corbett, Ernst, Johnson, Kelly, Knight, McKenzie, Penoyer and Shepard.

Mr. Bell moved that the special order of the day, viz: Senate Bill No. 39, be continued until Monday, the 14th instant, at 2 p. m.

Motion carried.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 11, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 98—An Act for the relief of the sufferers by the



breaking of the Little Valley dam, which was amended, and as amended passed the Senate this day. Yeas, 20; nays, 3.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Assembly Bill No. 98—An Act for the relief of the sufferers by the breaking of the Little Valley dam.

Amendments made in Senate read, and on motion of Mr. Smyth were concurred in.

MESSAGES FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 11, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 40, "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,' " approved March 10, 1865; approved February 17, 1875.

JOHN H. KINKEAD, Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 11, 1881. }

*To the Honorable the Assembly:*

I have the honor to return herewith, without my approval, Assembly Bill No. 65, entitled "An Act to protect the State Treasury." The provisions of this bill I am forced to regard as inimical to the best interests of the State, and if enacted into law, liable to involve great complications. Under existing laws, commissions having supervision of the management of the State Prison and Orphans' Home, care of the insane, State printing, etc., are established. These commissions are composed of officers of the State Government. All expenditures made are subject to the approval of these several boards, and are thereafter passed upon by the Board of Examiners. Finally, if approved by that Board, they are still subject to objection and disapproval by the State Controller. It would seem that all necessary safeguards are thus thrown around the disbursements of the public funds. Under our State Constitution and existing laws, no money in excess of a specific appropriation can be paid out, nor is any State officer or commission of State officers authorized to contract and bind the State in excess of any appropriation. All such contracts, if made, can only be valid when confirmed by the ensuing Legislature. Under the provisions of this bill, in the not unusual event of an insufficient appropriation for the support of the State Prison, Orphans' Home or the insane, no course would be left to the officers in charge but to turn loose the convicts and throw unpro-

tected orphans upon the charity of the public. Not an insane person could be sent to Stockton or elsewhere by the State after the appropriation became exhausted. Not a pound of flour, not a stick of fuel could be purchased, for this bill not only declares that for articles so furnished the indebtedness incurred shall not constitute a valid claim against the State, but that the officer or commission of officers purchasing or contracting such indebtedness in excess of an appropriation shall be guilty of a misdemeanor and subject to fine and imprisonment. It seems improbable that the effect of this bill has been made apparent to its author and supporters. Emergencies may arise whereby the appropriation made for a specific purpose must be exhausted long before the assembling of the Legislature. Under this bill, if approved, provision for all possible contingencies must be made by the appropriation of sums largely in excess of ordinary and probable needs. This, in my judgment, would be unwise and tend to extravagance. For the reasons herein set forth, and many others of similar nature not necessary to detail here, I am reluctantly constrained to withhold my assent to the bill.

JOHN H. KINKEAD, Governor.

Mr. Bell moved that the House defer action on the Governor's message until Tuesday next, the 15th instant.

Motion carried.

Mr. Smyth moved that the name of Mr. Belding be dropped from the roll.

Motion lost by a vote of 20 to 13.

On motion of Mr. Coffin, at 12:54 p. m., the House adjourned until Monday, the 14th instant.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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### FORTY-THIRD DAY.

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CARSON CITY (Monday), February 14, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Ballinger, Barrett, Belding, Gignoux and Penoyer.

Mr. Green asked leave of absence for Mr. Corbett for one day.

Granted.



Mr. Shier asked leave of absence for Mr. Barrett for one day.  
Granted.

Mr. Richards asked leave of absence for one day.  
Granted.

Mr. McGowan asked leave of absence for Mr. Ballinger for one day.  
Granted.

Mr. McGowan moved that the reading of the Journal be dispensed with.

Motion lost by a vote of 19 to 16.

Journal of the fortieth day read and approved.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Corporations and Railroads have had under consideration Assembly Bill No. 84, "An Act supplementary to an Act entitled 'An Act to provide for the support of the government of the State of Nevada,'" approved March 9, 1865, and the Acts amendatory and supplemental to said Act, and beg leave to report the same back to the Assembly, together with a substitute for the same, and recommend that the substitute be adopted and do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary, to whom was referred Senate Bill No. 4, "An Act entitled 'An Act to amend Section One of an Act passed by the Legislative Assembly to provide for Notaries Public,'" have prepared a substitute, recommend its adoption and that it do pass. Also, Assembly Bill No. 74, "An Act concerning marriages," and recommend that it do pass. Also, Assembly Bill No. 100, "An Act amendatory of an Act entitled 'An Act in relation to attorneys and counselors at law,'" and recommend that it do pass. Also, Assembly Bill No. 77, "An Act entitled 'An Act to regulate proceedings in civil cases in courts of justice in this State, and repeal all other Acts in relation thereto,'" and recommend that it do not pass. Also, substitute for Senate Bill No. 71, "An Act to provide for omission of seals on instruments in writing," and recommend that it do not pass. Also, Assembly Bill No. 73, "An Act to amend an Act entitled 'An Act to enable defendants to testify as witnesses in criminal cases,'" and recommend that it do not pass. Also, Assembly Bill No. 79, "An Act amendatory of an Act entitled 'An Act relating to elections,'" approved March 12, 1873, have carefully considered the same and a majority recommend that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bill No. 79, "An Act amendatory of an Act entitled 'An

Act relating to elections,''' approved March 12, 1873, and a minority thereof beg leave to report the same back and recommend that it do pass.

T. COFFIN,  
J. C. MASEL.

*Mr. Speaker :*

Your Committee on Agriculture have had under consideration Assembly Bill No. 92, "An Act supplementary of and amendatory to 'An Act to encourage the sinking of artesian wells,''' approved March 6, 1879, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BRADSHAW, Chairman.

*Mr. Speaker :*

Your Committee on Federal Relations, to whom was referred Assembly No. 85, "An Act to amend an Act entitled 'An Act defining the rights of husband and wife,''' approved March 10, 1873, have had the same under consideration and respectfully recommend that it do pass.

JAS. Z. KELLY, Chairman.

*Mr. Speaker :*

Your Committee on Contingent Expenses and Accounts, to whom was referred Assembly resolution authorizing the State Controller to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms, for the sum of one hundred and eighty-two (\$182 18) and  $\frac{18}{100}$  dollars, and the vouchers accompanying said resolution, and respectfully report that we have examined said vouchers and found them correct, and recommend that the resolution do pass.

L. P. DREXLER, Chairman.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your special committee, appointed to notify the Commissioners for the Care of the Indigent Insane of Nevada that a concurrent resolution of Senate and Assembly had been passed requiring them to advertise for bids and receive proposals for taking care of the indigent insane for one, two, four and six years, respectfully report that I have given the proper notification, and herewith return bids from S. T. Swift, W. H. Corbett, Asa Clark, Dawson & White, Ed. Vesey & Co., J. E. Jones & Co., and Wm. Thompson & Co.

L. P. DREXLER, Committee.

By request of Mr. Drexler the bids offered as per report were read.

At 11:37 A. M. Speaker *pro tem.* in the Chair.



## MOTIONS AND RESOLUTIONS.

*Resolved*, That the State Controller be and is hereby authorized and directed to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of one hundred and eighty-two  $\frac{18}{100}$  dollars for contingent expenses, the same to be paid out of the Legislative Fund as appears from vouchers attached.

On motion of Mr. Moriarty the resolution was adopted.

By Mr. Richards :

*Resolved*, That the Committee on Enrollment be and is hereby empowered to employ extra help in enrolling whenever the same becomes necessary.

Adopted.

By Mr. Richards :

*Resolved*, That the Sergeant-at-Arms is hereby instructed to keep his office open from eight o'clock A. M. until nine o'clock P. M. during the present session.

Adopted.

By Mr. Merrill :

Assembly Memorial and Joint Resolution No. 3—Relative to late Chinese new treaties.

Resolution read first time.

Mr. Ernst moved that the rules be suspended, read second time by title ; rules further suspended, read third time and placed on final passage.

Mr. Coffin moved as an amendment that the resolution be ordered printed.

Motion lost.

Mr. Ernst's motion put to the House.

Yeas and nays called for by Messrs. Coffin, Smyth and Newell and motion carried by the following vote :

YEAS—Messrs. Bell, Berry, Blair, Bradshaw, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Adams, Bailey, Coffin and Soule—4.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Corbett, Gignoux and Penoyer.

Resolution read second time by title, rules suspended, considered engrossed, read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Corbett, Gignoux and Penoyer.

SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 11, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 82—An Act for the commutation, for good behavior, of the time of prisoners confined in the Nevada State Prison; which passed the Senate this day: Yeas, 15; nays, 7.

Also, to return to your honorable body Assembly substitute for Senate Concurrent Resolution No. 18; which was adopted by the Senate this day.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

NOTICE OF BILL.

Mr. Smyth gave notice that he would on some future day introduce a bill for an Act providing for the taxation of mines that produce ten hundred pounds or less of ore per day, and to encourage prospecting.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Moriarty:

Assembly Bill No. 108—An Act concerning weights and measures.

Rules suspended, read first and second time by title, referred to the Committee on Trades and Manufactures and ordered printed.

By Mr. Moriarty:

Assembly Bill No. 109—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto," approved March 8, 1869.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Lewers (by leave):

Assembly Bill No. 110—An Act amendatory to an Act entitled "An Act to provide for the maintenance and supervision of Public Schools."

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

By Mr. Coffin (by leave):

Assembly Bill No. 111—An Act for the relief of insolvent debtors



and for the protection of creditors and for the punishment of fraudulent debtors.

Rules suspended, read first and second time by title, referred to the Committee on Judiciary and ordered printed.

Senate Bill No. 82—An Act for the commutation, for good behavior, of the time of prisoners confined in the Nevada State Prison.

Rules suspended, read second time by title and referred to the Committee on State Prison.

Mr. Lewers asked leave of absence for himself and Mr. May for the remainder of the day.

Granted.

At 12:14 Mr. Speaker in the Chair.

By Mr. Bell (by leave):

Assembly Bill No. 112—An Act concerning convict labor.

Rules suspended, read second time by title and placed on the bottom of the file.

#### GENERAL FILE.

Assembly Bill No. 58—An Act providing for the government of towns and cities of this State.

At 12:25 P. M. Mr. Soule moved a recess until 1:30 P. M.

Motion lost by a vote of 18 to 17.

Mr. Bell moved to amend by striking out in line five, Section Sixteen, after the word thereof "three-fifths taxable property," and insert "three-fifths of the citizens."

Motion lost.

Mr. Havenor moved that in Section Fifteen, line eleven, all after the word "receive" be stricken out.

Motion lost.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Green, Irvine, Johnson, Longley, Mallon, Masel, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—31.

NAYS—Messrs. Bell, Fallon and Richards—3.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Corbett, Gignoux, Kelly, Lewers, May, McBurney, McGowan, Penoyer and Shepard.

Excused from voting—Messrs. Havenor, Knight and Shier.

On motion of Mr. Green the special order of the day was deferred until 2:30 P. M.

At 1:25 P. M., on motion of Mr. Englis, the House took a recess for one hour.

## HOUSE IN SESSION.

At 2:25 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

At 2:30 P. M. the Speaker announced that the hour had arrived for considering the special order for the day, viz: Senate Bill No. 39, "An Act to license and regulate insurance business in this State."

Bill having been read third time, was placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Corbett, Gignoux, Knight, Lewers, May and Penoyer.

Senate Bill No. 43—An Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Mr. Bell moved that the bill be placed on the bottom of the file. Motion carried by a vote of 23 to 12.

Mr. McKenzie, by leave, introduced Assembly Bill No. 113—An Act to aid the Nevada Benevolent Association in providing means for the care and maintenance of the insane of Nevada, and for other charitable purposes.

Rules suspended, bill read first and second time by title and referred to the Committee on Public Morals and ordered printed.

Senate Bill No. 69—An Act to provide for taking care of the insane of the State of Nevada.

Mr. Englis moved that the bill be made the special order to-morrow. No action.

Mr. Havenor moved that the House go into Committee of the Whole at once for the consideration of Senate Bill No. 69.

Lost by a vote of 26 to 7.

Mr. Organ moved that Senate Bill No. 69 be made the special order for Wednesday at 2 P. M.

Motion carried.

Assembly Bill No. 92—An Act supplementary of and amendatory to an Act entitled "An Act to encourage the sinking of artesian wells," approved March 6, 1879.

On motion of Mr. Smyth the rules were suspended, bill considered engrossed and read third time.

At 3:07 P. M. Mr. Kelly in the Chair.



On motion of Mr. Bell further action on Assembly Bill No. 92 was deferred until to-morrow.

At 3:17 p. m. Mr. Speaker in the Chair.

Assembly Bill No. 85—An Act to amend an Act entitled “An Act defining the rights of husband and wife.”

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

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Longley, Mallon, Masel, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Corbett, Gignoux, Knight, Lewers, May, McBurney, Penoyer and Waldorf.

Assembly Bill No. 79—An Act to amend an Act entitled “An Act relating to elections.”

On motion of Mr. Bell the bill was placed on the bottom of the file.

Senate Bill No. 73—An Act to amend an Act entitled “An Act to enable defendants to testify as witnesses in criminal prosecutions,” approved February 18, 1867.

Read third time, and on motion of Mr. Organ was indefinitely postponed.

Assembly Bill No. 100—An Act amendatory of an Act entitled “An Act to amend an Act entitled ‘An Act to amend an Act relative to attorneys and counselors at law,’ ” approved October 31, 1861; approved March 4, 1871; approved March 5, 1875.

Rules suspended, considered engrossed, read third time and placed on the bottom of the file.

Assembly Bill No. 77—An Act to amend an Act entitled “An Act to regulate proceedings in civil cases in courts of justice of this State, and to repeal all other Acts in relation thereto,” approved March 8, 1869.

Mr. Smyth moved that the further consideration of the bill be indefinitely postponed.

Mr. Bell arose to a question of privilege relative to the postponement of the bill.

Mr. Organ also arose to a question of privilege, and said that an explanation from the committee would be in order.

Mr. Tuska arose to a question of privilege, and said that after the reading of the bill he, as chairman of the committee, would explain the action of the committee.

Mr. Kelly arose to a point of order, which was not sustained.

Mr. Coffin arose to a question of privilege, relative to the merits of the bill.

Mr. Smyth wished to withdraw his motion.

Objections made, and question put to the House on the motion to indefinitely postpone and lost.

Mr. Organ moved that the bill be considered engrossed.

Mr. Bell moved that the bill be indefinitely postponed.

At the request of Mr. Mooney the petition relative to urging the passage of the bill was read.

The previous question, to indefinitely postpone, was put to the House.

The yeas and nays were called for by Messrs. Smyth, Mooney and Englis, and the motion carried by the following vote:

YEAS—Messrs. Barrett, Berry, Blair, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Green, Irvine, Johnson, Kelly, Knight, Mallon, Masel, McBurney, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Richards, Shepard and Shier—27.

NAYS—Messrs. Adams, Bailey, Bell, Bradshaw, Fallon, Havenor, Longley, Mooney, Organ, Plank, Smyth, Soule, Tuska and Mr. Speaker—14.

Absent—Messrs. Ballinger, Belding, Condon, Corbett, Gignoux, Lewers, May, Penoyer and Waldorf.

Assembly Bill No. 74—An Act concerning marriages.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Condon, Corbett, Gignoux, Lewers, May, Penoyer and Waldorf.

Senate Bill No. 4—An Act relating to the appointment of Notaries Public.

At 4:03 P. M. Mr. McGowan moved to adjourn.

Motion lost.

Substitute for Senate Bill No. 4 reported by the committee and read, and on motion of Mr. Ernst was adopted.

On motion of Mr. Coffin the rules were suspended, the substitute considered engrossed, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—41.

NAYS—None.



Absent—Messrs. Ballinger, Belding, Condon, Corbett, Gignoux, Lewers, May, Penoyer and Waldorf.

Mr. Organ moved a call of the House.

Motion lost.

Mr. Ernst moved that when the House adjourn it adjourn to meet hereafter each day at 10 A. M. instead of 11.

Motion lost.

Assembly Bill No. 84—An Act supplementary to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1885, and the Acts amendatory of and supplementary to said Act.

The substitute reported by the committee was read, and Mr. Organ moved that the consideration of the bill be deferred and made the special order for Wednesday, immediately after the special order of that day is disposed of.

Mr. Shepard requested the Clerk to read a certain letter from the Assistant Superintendent of Wells, Fargo & Co.

Pending the reading of the letter Mr. Ernst moved that the further reading be dispensed with.

Motion lost and the letter was read through.

The question on Mr. Organ's motion was put to the House and lost by a vote of 19 to 15.

Mr. Smyth moved that the substitute reported by the committee be adopted.

Motion lost by a vote of 20 to 11.

On motion of Mr. Waldorf the bill and substitute were indefinitely postponed.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 14, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State substitute for Assembly Bill No. 18, "An Act amendatory of and supplementary to an Act entitled 'An Act to create Boards of County Commissioners in the several counties of this State, and to define their duties and powers.'"

JOHN H. KINKEAD, Governor.

Substitute for Assembly Bill No 71—An Act to provide for the omission of seals on instruments in writing.

Read third time, and on motion of Mr. Havenor was indefinitely postponed.

The Speaker announced that he had appointed the following persons as a committee to visit the State Prison, as per Senate Concurrent Resolution No. 18: Messrs. Drexler, Shepard and Bell.

At 4:50 P. M., on motion of Mr. Organ, the House adjourned.

Approved:

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,  
Chief Clerk of the Assembly.

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### FORTY-FOURTH DAY.

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CARSON CITY (Tuesday), February 15, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Condon, McGowan, Penoyer and Penton.

Mr. Newell asked leave of absence for Mr. Penton for one day.  
Granted.

Mr. Blair asked leave of absence for Mr. Condon for one day.  
Granted.

Journal of yesterday read partially, when Mr. Knight moved that the further reading be dispensed with.

Motion lost and Journal read through and approved.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your Committee on Judiciary have had under consideration Senate Bill No. 79, "An Act supplemental to an Act entitled 'An Act fixing the salaries of various county officers,' " and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker:*

Your Committee on Judiciary have had under consideration Assembly Bills Nos. 99 and 101, and find that both of said bills are upon the same subject and amend the same section of the Probate Act, to wit: Section 128; and beg leave to report the same back to the Assembly with the recommendation that Assembly Bill No. 99 do pass and that Assembly Bill No. 101 do not pass.

WAL. J. TUSKA, Chairman.



*Mr. Speaker:*

Your Committee on Judiciary have had under consideration Assembly Bill No. 93, "An Act to amend Section Fifty-two of an Act concerning courts of justice in this State and judicial officers," and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker:*

Your Committee on Corporations and Railroads, to whom has been referred Assembly Bill No. 46, "An Act relating to railroads the termini of which are within the State of Nevada," and also the resolution in connection therewith introduced by Mr. Waldorf January 24, 1881, a copy of which is hereto annexed marked "Exhibit A," beg leave to report that they have had the same under consideration, and in conformity with said resolution, have made the investigation and examination called for by this Act; that on the 27th day of January, 1881, they caused a notice to be issued to the Nevada Central Railway Company, the Eureka and Palisade Railroad Company, the Virginia and Truckee Railroad Company, the Carson and Colorado Railroad Company, and Central Pacific Railroad Company, a copy of which is hereto annexed marked "Exhibit B;" that on the 27th of January, 1881, the Virginia and Truckee Railroad Company notified your committee that they were ready to comply with the request contained in their said notice. We respectfully refer you to their letter of January 27, 1881, hereto annexed marked "Exhibit C." We also refer you to the letter of the Eureka and Palisade Railroad Company dated January 29, 1881, hereto annexed marked "Exhibit D;" also to the letter of the Nevada Central Railway Company, dated January 31, 1881, hereto annexed marked "Exhibit E;" also to telegram bearing date February 3, 1881, of C. W. Hinchcliffe, Secretary of the Nevada Central Railway Company, hereto annexed marked "Exhibit F;" also telegram of our Chairman dated February 3, 1881, a copy of which is hereto annexed marked "Exhibit G."

We further beg leave to report that we have examined the several statements of the above-mentioned companies filed with the Secretary of State, true copies of which are hereto annexed, marked "Exhibits H, I, J, K, and L."

We have also caused to appear before us witnesses for examination upon the subject matter of said resolution and Assembly Bill No. 46; for the purpose of inquiring into the feasibility and expediency of recommending the adoption of the provisions contained in the said bill, or recommending the passage of some law modifying the now existing laws prescribing the maximum rates of fares and freights to be charged by railroad companies within this State.

The witnesses who have appeared before us and have been examined are P. Everts, Superintendent of the Eureka and Palisade Railroad Company; C. W. Hinchcliffe, Secretary of the Nevada



Central Railway Company; H. M. Yerington, Superintendent of the Virginia and Truckee Railroad Company, and D. A. Bender, General Freight Agent. The said witnesses were duly sworn to testify in the said matter by your committee, and notes of their testimony are to be found hereto annexed and marked "Exhibit M."

Your committee have also examined the books of account and other books used by the Nevada Central Railway and the Virginia and Truckee Railroad Companies; also, into the charges made by all of the said companies for freights and fares, and other documents relating to that subject, and beg leave to refer you to "Exhibits N, O, P and Q." Citizens of this State not interested in the management and conduct of railroad companies have also appeared before us for the purpose of giving us any and all information throwing light upon the subject under investigation, and to these parties your committee has extended the privilege to propound questions to the several witnesses, of which they have availed themselves.

And we do here state that the examination made has been most thorough and searching, and the several witnesses have made full and unequivocal answers to all questions.

In no case have any of the companies mentioned made charges greater than the maximum rates allowed by law.

The Nevada Central Railway charges for through freight a small fraction below twenty cents per ton per mile, and as low as ten cents per ton per mile, and for passenger fares nearly ten cents per mile, as will appear by reference to "Exhibit O."

We find that in two instances the said company has made special rates, which they claim have been made in San Francisco, viz: They charge upon all through freight carried by them to Grantsville \$4 per one hundred pounds, and to Belmont \$4 10 per one hundred pounds.

The Eureka and Palisade Railroad Company charges for through freight a fraction over eighteen cents per ton per mile, and as low as five and one-half cents per ton per mile, and for passengers a fraction below ten cents per mile.

The Virginia and Truckee Railroad Company charges for through freight as high as fifteen and one-half cents per ton per mile, and as low as eight cents per ton per mile.

Some changes have been made in the regular freight tariff, of all of which due notice has been given, as required by law, as will be found by reference to "Exhibit P."

Upon one class of articles only does the said company charge the full rate of twenty cents per ton per mile, viz: gunpowder.

The highest passenger fare charged by the company is about seven and one-half cents per mile.

During the past year the Virginia and Truckee Railroad Company has carried freight amounting to over 343,000 tons.

A great part of the freight so carried by them consisted of



materials and supplies to be used, and used in, and for the construction of the road of the Carson and Colorado Company.

These materials so carried were charged against that company, in the same manner as freight for other persons carried upon their road, except that the rates for carrying such materials were charged by the Virginia and Truckee Railroad Company against the Carson and Colorado Railroad Company at lower figures by at least one-half than rates charged to others.

Under the law of February 12, 1879, an Act entitled "An Act to prevent discrimination in fares and freights by railroad companies, whose railroads run through the State of Nevada, or by railroad companies, the terminus or termini of whose railroads are within the State of Nevada," the railroad companies are permitted to charge lower rates of freight than to the general public when they are engaged in the transportation of materials and supplies for the construction of other railroads within the State. (See Section 9 of said Act.)

According to the statement filed by the Nevada Central Railway Company, and their books, we find the amount paid out by it to be \$996,790 19; the amount expended for operating the road from the first day of March to the thirty-first of December, 1880 (which is the period of time it has existed previous to 1881), to be \$106,477 66; the amount received for transportation, etc., was \$108,484 79, and the net profits for the same period, \$2,007 13.

By reason of mishaps occurring on the road, damaging the track and road-bed, the expenses were somewhat higher than they will be hereafter; but we are informed, and the witness so testified, that it will take but little short of \$10,000 per month for operating expenses upon that road.

The average freight charge during the past ten months, exclusive of the company's freight, was fifteen and three-tenths cents per ton per mile.

The length of this road is 93 miles.

From the statement filed by the Eureka and Palisade Railroad Company, it appears that the amount expended for construction, etc., was \$1,556,616 73.

Amount received for transportation, etc., was \$444,552 38.

The current expenses for operating the road for the past year, \$196,299 44. The total profits were \$248,232 94, being a fraction over fifteen per cent. upon the investment during the past year.

The length of this road is 90 miles.

From the annual report of the Virginia and Truckee Railroad Company it appears that \$4,856,042 25 were expended for construction; of this, over \$1,000,000 were advanced by the counties of Storey and Ormsby, and mining companies, consequently leaving the expenses for construction actually paid out by the company at about \$3,500,000. We have had no means of satisfying ourselves on this subject, as they claim their books are burnt. The amount received by it for transportation, etc., during the past year, is



\$1,124,300 32. The amount expended by it during the same period, for operating expenses, was \$674,553 38.

The apparently high figures charged upon their annual report by this company led your committee to make a most thorough and searching examination in reference to the items, classed by the company under operating expenses, and to that end we have examined the books and monthly statements of this company and found, after such investigation, that the amount so charged has been actually expended in and about the operating of the said road during the twelve months ending on the thirty-first of December, 1880. They have also found that no moneys for construction were expended by the said company during the past year.

The amount charged is for station service, train service, locomotive service, telegraph service, water service, repair of cars, track, engines, bridges, buildings, tunnels and fences, for stationery, printing, advertising, loss and damage to freight, damages to persons and property, taxes paid during the year, teaming, loading, legal expense and sundries.

The length of this road is 52 miles and a fraction.

The net profits of the said company, as shown in their statement during the past year, were \$449,746 94, being about  $9\frac{1}{2}$  per cent. upon their investment of \$4,000,000, as shown by said statement, or about 13 per cent. upon the investment of \$3,500,000, after deducting the sums of money advanced by the several counties and mining companies as above stated.

Your committee has caused notice to be given in the newspapers that all persons who had any grievance against any railroad company within this State should appear before the committee, at its stated meeting, and present the same to them.

No complaints have been made to the committee by any person or persons, as against any of the railroad companies above mentioned in respect to over-charges or discrimination.

The Carson and Colorado Railroad being in the course of construction, and not yet engaged in transporting passengers or freights, we did not examine into its affairs.

We notified the Central Pacific Railroad Company of our meetings, but have received no reply from it.

Upon comparison of the annual reports of the Nevada Central Railway Company, the Eureka and Palisade Railroad Company, and the Virginia and Truckee Railroad Company, we find that there is a marked difference between the maximum charges made by each of those companies, the Nevada Central verging on twenty cents per ton per mile, the Eureka and Palisade Railroad Company on nineteen cents per ton per mile, and the Virginia and Truckee Railroad Company a little less than fifteen and one-half cents per ton per mile.

These maximum charges are made by the companies upon what they call first-class freights, which they explain to be general merchandise, carried in so-called box-cars, all such merchandise being classed by them under the head of first-class freight, and no distinc-



tion made as between silks, clothing, dry goods and other goods. From the tariffs hereto attached, you will perceive that other articles, such as flour, grain, wood, lumber, iron, salt, ores, etc., are carried at much lower figures. Each company having a tariff of its own in reference to such goods, differing somewhat in price from the other, to which tariffs we respectfully refer you.

We do not incorporate in our report any statement or items in reference to passenger traffic upon the three roads in question, because, from our investigation, we conclude that that branch of the business cuts scarcely any figure in the revenues and earnings of those companies, that is to say, with the Nevada Central and the Eureka and Palisade Railroad Companies the receipts from the passengers at present fall below the expenses of the running of the passenger trains, and the receipts of the Virginia and Truckee Railroad Company for passengers a little more than cover the expenses of running the passenger trains.

The expenses for operating the several railroads, as charged by the companies upon their respective annual statements, and which compare with their books, seem almost exorbitant, but each item, however, is properly accounted for, and found to be legitimate.

It may be a question whether or not the expenses cannot be reduced upon all the railroads, and the same still be properly managed and operated, and thus the net earnings of the several companies assume larger proportions. We respectfully submit this question to the consideration of the Assembly.

In the short time allotted to your committee for investigation, they have worked diligently, earnestly and faithfully, to obtain information from any and all sources, to assist them in their deliberations upon the subject matter under investigation—nothing that lay in their power to gain such information has been left undone.

We have gathered all the facts which we have deemed best calculated to aid the Honorable Assembly in a fair investigation of the matters called for by the resolution above referred to. The briefness of time has precluded us from going into greater details, yet we are confident that nothing has escaped our attention that could assist us or have any bearing upon the matter called for in the resolution, and in properly carrying out the instructions of the Honorable Assembly, nor have we met with any opposition from any quarter to a fair and impartial inquiry into the subject of freight and passenger charges and expenses of the railroads, the termini of which are within this State.

All information gained, and facts so gathered by us, we have laid before you in detail in this report.

While acting under the resolution referred to, we have had under consideration Assembly Bill No. 46, and Assembly Bill No. 88—this later bill, which seeks to amend Section Fifty-one of the Act of 1865, in reference to railroad corporations, discriminates between narrow-gauge and wide-gauge railroads, permitting the former to charge two



cents more per ton per mile for freight than the latter, and one cent more per mile for passengers.

Our investigations have shown us, and the Honorable Assembly will observe by a reading of this report and a comparison of the exhibits annexed thereto, that the cost of construction and the cost of operating a railroad, and the cost of the necessary stock, is greater upon wide-gauge railroads than upon narrow-gauge railroads. We therefore cannot perceive why a narrow-gauge railroad should be more favored by legislation than the other, and upon what principle it can be reconciled that the more expensive institution should be granted smaller emoluments than the one whose actual cost and expenses are less.

Aside from this, we do not believe that the proposed legislation (referring to Assembly Bill No. 88) would bear inspection in the courts of law, being unequal in its provisions as to subjects of the same character.

In reference to Assembly Bill No. 46, we are not prepared to say whether its provisions are or are not feasible or expedient at the present time, and upon all the facts in relation to this subject which we have herein presented, respectfully report the same back without recommendation, believing that the Honorable Assembly, in its just wisdom, aided by the information we have now laid before it, will take such action thereon as will be most beneficial to the people of this State.

WAL. J. TUSKA, Chairman.

The following exhibits were attached to the report of the committee :

Exhibit "A"—Relative to power of committee to aid in the making of a complete report. Exhibit "B"—Letter from committee to the various railroad companies, notifying them to produce witnesses, papers, books, etc., in order to facilitate the work of the committee. Exhibit "C"—Letter from Virginia and Truckee Railroad Company. Exhibit "D"—Letter from Eureka and Palisade Railroad Company. Exhibit "E"—Letter from Nevada Central Railroad Company. Exhibit "F"—Telegram from Nevada Central Railroad Company. Exhibit "G"—Telegram from committee to Nevada Central Railroad Company. Exhibit "H"—Annual report of the Nevada Central Railroad Company ending December 31, 1880. Exhibit "I"—Annual report of the Eureka and Palisade Railroad Company ending December 31, 1880. Exhibit "J"—Annual report of the Central Pacific Railroad Company ending December 31, 1880. Exhibit "K"—Annual report of the Ruby Hill Railroad ending December 31, 1880. Exhibit "L"—Annual report of the Virginia and Truckee Railroad Company ending December 31, 1880. Exhibit "M"—Sworn statement of P. Everts in reference to the Eureka and Palisade Railroad and of certain other witnesses, all relating to the different roads. Exhibit "N"—Freight and passenger tariff of the Eureka and Palisade Railroad Company. Exhibit "O"—Freight and passenger tariff of the Nevada Central Railroad Company.



Exhibit "P"—Freight tariff of the Virginia and Truckee Railroad Company. Exhibit "Q"—Tonnage of the Nevada Central Railroad Company from March 1 to December 31, 1880.

Mr. Corbett moved that the report of the committee be ordered printed.

Motion carried by a vote of 28 to 5.

Report of committee read partially and Mr. Green moved that the further reading be dispensed with.

Motion lost and reading continued.

Mr. Corbett moved that the further reading of the report be dispensed with.

Mr. Ernst arose to a point of order, to wit: that the motion was out of order, having been made twice before.

Point not sustained.

Motion put to the House and lost and the reading of the report was finished.

*Mr. Speaker:*

Your Committee on Public Morals, to whom was referred Assembly Bill No. 104, "An Act to prevent minors from gambling," have carefully considered the same and have amended it by striking out Section Two and would recommend that it do pass as amended.

J. J. CORBETT, Chairman.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker:*

Your select committee consisting of the Storey County delegation have had under consideration Assembly Bill No. 94, an Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State and other matters relating thereto," approved March 11, 1879, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

ALEX. G. McKENZIE, Chairman.

*Mr. Speaker:*

Your select committee consisting of the Storey County delegation have had under consideration Assembly Bill No. 57, "An Act to disincorporate the city of Virginia and repeal all laws touching its incorporation," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

ALEX. G. McKENZIE, Chairman.

*Mr. Speaker:*

Your select committee consisting of the Storey County delegation have had under consideration Assembly Bill No. 56, "An Act to disincorporate the town of Gold Hill and to repeal all other acts touching its incorporation," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

ALEX. G. McKENZIE, Chairman.

*Mr. Speaker :*

Your special committee to whom was referred Assembly Bill No. 96, relative to authorizing the School Trustees of School District No. 10 in Washoe County to issue bonds for school purposes, beg leave to report the same back with the recommendation that it do pass.

W. F. BERRY,  
E. Z. BAILEY,  
ROSS LEWERS.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared the following bills and find them correctly enrolled: Assembly Bills Nos. 29, 43, 54 and 98; also, Assembly Concurrent Resolution No. 18.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 52, "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 9, 1865; approved March 5, 1869, which we have amended and beg leave to report the same back to the Assembly and recommend that it do pass as amended; also, Assembly Bill No. 86, "An Act amendatory of an Act entitled 'An Act to amend Sections One, Three, Four, Five and Twenty-two of an Act entitled an Act to provide for the government of the State Prison of the State of Nevada,'" approved March 7, 1873; approved February 8, 1877; and beg leave to report the same back to the Assembly with a substitute, and recommend that the substitute do pass.

T. J. BELL, Chairman.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 14, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 46—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in courts of justice in this State, and to repeal all other Acts in relation thereto,'" approved March 8, 1869; approved March 5, 1877; approved February 26, 1879; which passed the Senate this day. Yeas, 21; nays, none.

Also, Senate Bill No. 61—An Act providing for the payment of such portion of the expenses incurred in the suppression of the so-called Italian coal burners' outbreak in Eureka County, during the



year 1879, as is justly chargeable to the State, which passed the Senate this day. Yeas, 17; nays, 5.

Also, Senate Bill No. 62—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto," approved March 8, 1869, which passed the Senate this day. Yeas, 19; nays, none.

Also, Senate Bill No. 63—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada," approved November 26, 1861, which passed the Senate this day. Yeas, 22; nays, none.

Also, Senate Bill No. 72—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, which passed the Senate this day. Yeas, 21; nays, none.

Also, to return to your honorable body Assembly Bill No. 4—An Act to amend an Act entitled "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," approved March 2, 1875, which passed the Senate on the 11th instant. Yeas, 14; nays, 8.

Also, Assembly Bill No. 59—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," approved March 5, 1869, which passed the Senate this day. Yeas, 13; nays, 6.

Also, Assembly Bill No. 68—An Act amendatory of an Act entitled "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada," approved November 26, 1861, which passed the Senate this day. Yeas, 20; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Green (by leave):

Assembly Bill No. 114—An Act to prevent the granting of free passes, or passes at a discount, by railroads and other transportation companies.

Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

By Mr. Coffin (by leave):

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to amend an Act to incorporate Carson City," approved February 25, 1875; approved March 5, 1879.

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

By Mr. Bradshaw (by leave):

Assembly Bill No. 116—An Act to amend Section One Hundred

and Thirty-nine of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Rules suspended, read first and second time by title and placed on the bottom of the file.

Senate Bill No. 46—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto,'" approved March 8, 1869; approved February 26, 1879.

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

Senate Bill No. 62—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto," approved March 8, 1869.

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

Senate Bill No. 63—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada," approved November 26, 1861.

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

Senate Bill No. 72—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

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

Senate Bill No. 61—An Act providing for the payment of such portion of the expenses incurred in the suppression of the so-called Italian coal burners' outbreak in Eureka County, during the year 1879, as is justly chargeable to the State.

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

At 12:27, on motion of Mr. McBurney, the House took a recess until 1:30 p. m.

#### HOUSE IN SESSION.

At 1:30 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

#### GENERAL FILE.

Assembly Concurrent Resolution No. 14—Relative to patenting mining claims.

Read third time.



Mr. Bell moved to amend in line four by striking out, after the word "claims," the word "patented," and inserting in lieu thereof the words "hereafter patented."

Motion carried and amendment made by the Clerk.

At 2 P. M. the Speaker announced that the hour had arrived for taking up the special order of the day, viz: Senate Bill No. 52.

On motion of Mr. Bell the consideration of the special order was deferred until after Assembly Concurrent Resolution No. 14 was disposed of.

Mr. Bell moved to amend line five of the resolution by striking out the word "five" and inserting in lieu thereof the word "ten."

Motion carried by a vote of 19 to 15, and amendment made by the Clerk.

Mr. Coffin moved to amend line four by striking out the words "two thousand dollars" and inserting in place thereof the words "five hundred dollars," in writing and figures.

Motion carried and Mr. Ernst appointed a committee of one to make the amendment.

In due time Mr. Ernst reported the amendment made.

Resolution placed on final passage and lost by the following vote:

YEAS—Messrs. Bell, Berry, Bradshaw, Coffin, Corbett, Duffy, Englis, Gignoux, Irvine, Johnson, Mallon, Masel, May, McKenzie, Moriarty, Organ, Penton, Plank, Richards, Shepard and Smyth—21.

NAYS—Messrs. Adams, Bailey, Ballinger, Barrett, Blair, Copeland, Drexler, Ernst, Fallon, Ford, Green, Havenor, Kelly, Lewers, Longley, McBurney, Mooney, Newell, Shier, Soule, Tuska, Waldorf and Mr. Speaker—23.

Absent—Messrs. Belding, Condon, Knight, McGowan, Penoyer and Parker.

Mr. Merrill gave notice that on to-morrow he would move for a reconsideration of the vote by which the resolution was lost.

At 2:31 the House went into Committee of the Whole.

Mr. Coffin in the Chair.

In due time the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole, who have had under consideration Senate Bill No. 52, "An Act reducing and regulating the salaries and compensations of certain State officers and attachés of the government of the State of Nevada," have carefully considered the same, and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

On motion of Mr. Moriarty, the House proceeded to the consideration of Senate Bill No. 52.

Amendments made in Committee of the Whole read by the Clerk and adopted.

Mr. Green moved to amend Section Two, line four, by adding

"and he shall also receive his actual expenses in going to and returning from the Capital when called on active duty."

Motion lost.

Mr. Smyth moved as an amendment a substitute for Section Two.

Motion lost.

Mr. Bradshaw moved as an amendment to Section Three, line four, to strike out "twenty-four hundred dollars" and insert in lieu thereof "two thousand dollars."

Motion lost.

Mr. Plank moved as an amendment that after the word "Legislature," in Section Two, line four, the following be inserted: "and such mileage as is provided by law for members of the Legislature in going to and returning from his duties as President of the Senate."

Motion carried by a vote of 18 to 9.

Mr. Corbett moved to strike out Sections Two and Six, and offered a substitute therefor.

Motion lost.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—Messrs. Green and Organ.

Absent—Messrs. Ballinger, Belding, Condon, Longley, Mallon, Penoyer, Penton and McGowan.

The House took up for consideration the Governor's message relative to Assembly Bill No. 65—An Act to protect the State Treasury, and vetoing the same.

Message read by the Clerk.

The question was put to the House: "Shall the bill pass notwithstanding the Governor's veto?" and the veto was sustained by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—41.

NAYS—Messrs. Englis and Waldorf—2.

Absent—Messrs. Belding, Condon, Knight, Longley, McGowan, Penoyer and Shier.

At 4:30 P. M., on motion of Mr. Ernst, the House adjourned to meet at 10 A. M. to-morrow.

Approved:

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,  
Chief Clerk of the Assembly.



## FORTY-FIFTH DAY.

CARSON CITY (Wednesday), February 16, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Mr. Tuska asked leave of absence for Mr. Mooney for one day.

Granted.

Mr. Ballinger asked leave of absence for Mr. McGowan for one day.

Granted.

Mr. Parker asked leave of absence for Mr. Condon for the remainder of the day.

Granted.

Journal of yesterday read partially, and on motion of Mr. Bell the reading of the report of the Committee on Corporations and Railroads was dispensed with and the remainder of the Journal read and approved.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on State Prison affairs, to whom was referred Senate Bill No. 82, "An Act for the commutation for good behavior of the time of prisoners confined in the Nevada State Prison," have had the same under consideration, and beg leave to report favorably upon the same, with the recommendation that it do pass.

GEO. G. BLAIR, Chairman.

*Mr. Speaker :*

Your Committee on Internal Improvements, who have had under consideration Senate Bill No. 44, "An Act amendatory of an Act entitled an Act in relation to public highways," approved March 15, 1875, beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. A. JOHNSON, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration Senate Bill No. 61, in reference to the coal burners' war in Eureka county, and beg leave to suggest the following amendments: In Section One, lines one and two, strike out the words "three hundred and forty-

nine" and insert in lieu thereof the words "two hundred and nine;" also, in lines six and seven, in Section One, strike out the words "three hundred" and insert in lieu thereof "one hundred and sixty." With these amendments your committee recommend that the bill do pass.

CHARLES GREEN, Chairman.

*Mr. Speaker:*

Your Committee on Claims have had under consideration Assembly Bill No. 63, "An Act to pay the claim of Benjamin Edson," and beg leave to report unfavorably on the same and recommend that it do not pass.

Also, Assembly Bill No. 81, "An Act for the relief of Walter Tolles," and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

CHARLES GREEN, Chairman.

*Mr. Speaker:*

Your Committee on Public Morals have had under consideration Assembly Bill No. 60, "An Act to prevent gaming." Believing that the evil of gambling cannot be effectually stopped by legislation, and that the revenue of the State will suffer from not receiving the money paid for licenses, we therefore beg leave to report the same back to the Assembly with the recommendation that it do not pass.

S. V. MOONEY,  
O. H. BALLINGER.

#### MINORITY REPORT.

*Mr. Speaker:*

Your Committee on Public Morals have had under consideration Assembly Bill No. 60, "An Act to prevent gaming," and the undersigned, a minority of said committee, express the belief that gambling can and should be prohibited by law, and that such prohibition would result in a benefit to the entire people of the State; also, believe that the revenue now derived by the State from licensing gambling would be more than equaled by the increase of taxable property resulting from the increased economy, industry and thrift of those who are now addicted to gambling, and it is a well known and deplorable fact that the gambling table has a most demoralizing and ruinous effect on the youths of our State; also, that by passing such a law we would be only following the policy of our older and more advanced States. I therefore recommend that the bill do pass as amended.

J. J. CORBETT.

*Mr. Speaker:*

Your Committee on Public Morals, to whom was referred Assembly Bill No. 113, "An Act to aid the Nevada Benevolent Association in providing means for the care and maintenance of the insane of Nevada, and for other charitable purposes," introduced by Mr. McKenzie, have carefully considered the same, and believing that



the finances of the State would be materially benefited by the passage of said Act, we would most respectfully recommend that it do pass.

J. J. CORBETT, Chairman.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker :*

Your special committee appointed to notify the State Board of Commissioners for the Care of the Indigent Insane that a concurrent resolution had been passed requiring them to advertise and receive bids for the care of indigent insane, beg leave to further report that another bid for taking care of the insane has been received from Louis Epstein, and herewith attached to this report.

L. P. DREXLER, Committee.

*Mr. Speaker :*

The Humboldt delegation, to whom was referred Assembly Bill No. 30, for the relief of J. F. Abel, have duly considered the same and report it back, with Section Two added, and recommend that it do pass as amended.

JOSEPH ORGAN,  
A. J. SHEPARD.

#### MOTIONS AND RESOLUTIONS.

Speaker *pro tem.* in the Chair.

By Mr. Smyth :

*Resolved*, That after this date this House will meet at 10:30 o'clock A. M. each day.

No action.

Mr. Merrill moved for a reconsideration of the vote by which Assembly Concurrent Resolution No. 14 was lost yesterday.

Motion carried by a vote of 19 to 12.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 15, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 100—An Act fixing the compensation of the various county officers (deputies) and jailors in the several counties of this State, which passed the Senate this day. Yeas, 20 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 15, 1881. }

To the Honorable the Assembly:

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 6—In relation to establishment of a daily mail service between the town of Wells, in Elko County, via Cherry Creek, to the town of Ely, in White Pine County, which passed the Senate this day: Yeas, 22; nays, none.

Also, Senate Bill No. 74—An Act fixing the fees to be allowed and collected in the several counties of this State, in the settlements of estates of deceased persons, and in the management of the estates of minors and other persons under legal guardianship, which passed the Senate this day: Yeas, 21; nays, none.

Also, Senate Bill No. 94—An Act fixing the rates for official advertising, which passed the Senate this day: Yeas, 22; nays, none.

Also, Senate Bill No. 98—An Act to amend an Act entitled "An Act to provide for the election of the Board of Regents, to fix their term of office and prescribe their duties," approved March 5, 1869, which passed the Senate this day: Yeas, 20; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Tuska (by leave):

Assembly Bill No. 117—An Act to provide for taking care of the insane of the State of Nevada.

Rules suspended, read second time by title, referred to the select Committee on Insane and ordered printed.

By Mr. Organ (by leave):

Assembly Bill No. 118—An Act to make the Lieutenant-Governor *ex-officio* Warden of the State Prison.

Rules suspended, read second time by title and referred to the Committee on State Prison.

By Mr. Merrill (by leave):

Assembly Bill No. 119—An Act to amend an Act entitled "An Act to create a fire department fund," approved March 9, 1865.

Rules suspended, read second time by title and placed on the bottom of the file.

By Mr. Merrill (by leave):

Assembly Bill No. 120—An Act to amend Section Thirty-nine of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865.

Rules suspended, read second time by title and placed on the bottom of the file.

Senate Bill No. 100—An Act fixing the compensation of the



various county officers (deputies) and of jailors in the several counties of this State.

Rules suspended, read second time by title and referred to the Eureka and Elko delegations.

Senate Bill No. 94—An Act fixing the rates of official advertising.

Rules suspended, read second time by title and referred to the Committee on Public Printing.

Senate Joint Resolution No. 6—Relative to the establishment of a daily mail service between the town of Wells, in Elko County, via Cherry Creek, to the town of Ely, in White Pine County.

Rules suspended, read second time by title; rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Belding, Condon, Havenor, Kelly, McBurney, McGowan, Mooney and Penoyer.

Mr. Waldorf was excused from voting.

Senate Bill No. 74—An Act fixing the fees to be allowed and collected in the several counties in this State in the settlement of the estates of deceased persons, and in the management of the estates of minors and other persons under legal guardianship.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

Senate Bill No. 98—An Act to amend an Act entitled "An Act to provide for the election of the Board of Regents, to fix their term of office and prescribe their duties," approved March 5, 1869.

Rules suspended, read second time by title, referred to the Committee on State Institutions and ordered printed.

#### GENERAL FILE.

Assembly Bill No. 79—An Act amendatory of an Act entitled "An Act relating to elections," approved March 12, 1873.

Mr. Merrill moved that the rules be suspended and the bill be considered engrossed.

Motion carried and bill read third time.

Mr. Ernst moved that the bill be referred back to the committee.

Motion withdrawn.

Placed on final passage and lost by the following vote:

YEAS—Messrs. Berry, Bradshaw, Coffin, Corbett, Copeland, Drexler, Englis, Green, Havenor, Irvine, Johnson, Lewers, Masel, May, McKenzie, Parker, Soule and Waldorf—18.

NAYS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Duffy, Ernst, Fallon, Ford, Gignoux, Knight, Longley, Mallon, Moriarty, Newell, Organ, Penton, Plank, Richards, Shepard, Shier, Smyth, Tuska and Mr. Speaker—25.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Assembly Bill No. 104—An Act to prevent minors from gambling. Amendment made by the committee read and rejected.

Mr. Smyth moved that the rules be suspended and the bill be considered engrossed.

Motion carried.

Read third time and on motion of Mr. Barrett the consideration of the bill was postponed until Tuesday, the 18th instant, for the purpose of allowing the author to make amendments.

Assembly Bill No. 112—An Act concerning convict labor.

Mr. Ernst moved that the rules be suspended and the bill be considered engrossed.

Motion carried.

At 12 m. Mr. Speaker in the Chair.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Soule, Tuska, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Duffy and Moriarty—2.

Absent—Messrs. Barrett, Belding, Condon, Kelly, McBurney, McGowan, Mooney, Penoyer, Shepard and Smyth.

At 12:04 P. M., on motion of Mr. Newell, the House took a recess for one hour.

## HOUSE IN SESSION.

At 1 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Senate Bill No. 43—An Act supplementary to An Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, and Acts amendatory thereof and supplemental thereto.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Green, Havenor, Johnson, Knight, Longley, Mallon, May, Newell, Parker, Penton, Plank, Richards, Smyth, Tuska and Mr. Speaker—28.

NAYS—Messrs. Barrett, Duffy, Gignoux, Irvine, Lewers, Masel, McKenzie, Moriarty, Shier, Soule and Waldorf—11.



Absent—Messrs. Ballinger, Belding, Coffin, Condon, Kelly, McBurney, McGowan, Mooney, Organ, Penoyer and Shepard.

Assembly Bill No. 56—An Act to disincorporate the town of Gold Hill, and to repeal all Acts touching its incorporation.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Belding, Coffin, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Assembly Bill No. 57—An Act to disincorporate the city of Virginia, and to repeal all laws touching its incorporation.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney, Penoyer and Penton.

Assembly Bill No. 46—An Act relating to railroads the termini of which are within the State of Nevada.

On motion of Mr. Waldorf the further consideration of the bill was deferred until Friday, the 18th instant, and made the special order for that day at 2 P. M.

Assembly Bill No. 96—An Act supplementary to an Act entitled "An Act to authorize the School Trustees of School District No. 10, in Washoe County, to issue bonds for school purposes," approved February 18, 1879.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney, Parker, Penoyer and Tuska.

Assembly Bill No. 94—An Act to amend an Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto.

On motion of Mr. Drexler the bill was considered engrossed and placed on the bottom of the file.

At 1:29 P. M. Speaker *pro tem.* in the Chair.

Assembly Bill No. 88—An Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865.

On motion of Mr. Coffin the bill was made the special order for Friday, the 18th, to be considered immediately after the disposal of the previous order of the day.

Assembly Bill No. 52—An Act to amend an Act entitled "An Act to amend an Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865; approved March 5, 1869.

At 1:35 P. M. Mr. Speaker in the Chair.

The amendments made to Assembly Bill No. 52 in committee were read and adopted.

Mr. Parker moved that the bill be ordered engrossed.

Mr. Organ moved that the bill be indefinitely postponed.

The yeas and nays on motion to indefinitely postpone were called for by Messrs. Organ, Shepard and Bradshaw and motion lost by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Corbett, Duffy, Englis, Ernst, Ford, Kelly, Knight, Longley, Mallon, Masel, McKenzie, Moriarty, Newell, Organ, Richards, Shier, Smyth and Tuska—22.

NAYS—Messrs. Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Lewers, May, Parker, Plank, Shepard, Soule and Mr. Speaker—20.

Absent—Messrs. Belding, Condon, McBurney, McGowan, Mooney, Penoyer, Penton and Waldorf.

The question on ordering the bill engrossed was put to the House and lost by a vote of 20 to 15.

Assembly Bill No. 116—An Act to amend Section One Hundred and Thirty-nine of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—40.

NAYS—Mr. Lewers.



Absent—Messrs. Belding, Condon, McBurney, McGowan, Mooney, Penoyer, Richards and Waldorf.

Assembly Bill No. 101—An Act to amend an Act entitled “An Act to regulate the settlement of estates of deceased persons,” approved November 29, 1861.

On motion of Mr. Ernst the bill was indefinitely postponed.

Assembly Bill No. 93—An Act to amend Section Fifty-two of an Act entitled “An Act concerning the courts of this State and judicial officers,” approved January 26, 1865.

On motion of Mr. Mallon the bill was indefinitely postponed.

Senate Bill No. 79—An Act supplementary to an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State and other matters relating thereto,” approved March 11, 1879.

On motion of Mr. Bell the bill was laid on the table.

Substitute for Assembly Bill No. 86—An Act amendatory of an Act entitled “An Act to amend Sections One, Three, Four, Five and Twenty-two of an Act entitled ‘An Act to provide for the government of the State Prison of the State of Nevada,’ ” approved March 7, 1873; approved February 8, 1877.

Substitute taken up and, pending the reading, at 2 p. m., the Speaker announced that the hour had arrived for considering the special order of the day, viz.: Senate Bill No. 69—An Act to provide for the taking care of the insane of the State of Nevada.

On motion of Mr. Bell the House resolved itself into Committee of the Whole for the consideration of the bill.

At 2:04 p. m. House in Committee of the Whole.

Mr. Bell in the Chair.

In due time the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole, who have had under consideration Senate Bill No. 69, “An Act to provide for the taking care of the insane of the State of Nevada,” have carefully considered the same and beg leave to report the same back to the House with amendments and recommend that it do pass as amended.

By leave the following minority report was presented:

*Mr. Speaker:*

The undersigned, the minority of your Committee on Corporations and Railroads, to whom was referred Assembly Bill No. 46, “An Act relating to railroads the termini of which are within the State of Nevada;” also, the resolution of Mr. Waldorf relating to said matter, beg leave to report that he differs with the majority of the committee for the following reasons:

First—The majority report places the cost of construction of the Virginia and Truckee Railroad at \$4,856,042 25, when, according to

the evidence of the officers of said road, there is no record of the amount of capital stock paid in, and no positive testimony that any portion of it was ever paid in, it being claimed by the company that their books were destroyed by fire.

Second—In the matter of freight tariffs the agents of said company admitted that, having other freight to carry, they could afford to carry the freight for the Carson and Colorado Railroad Company at one-half the rates charged to the general public. If, on any conditions, they could afford to carry freight for any party at half rates, their present full rates must appear to be too high, and I believe that the present rates for freight are higher than they should be. I do not understand the testimony to be that the receipts of the regular passenger trains have not more than paid the running expenses, but I understand that all trains, including local trains, run as much for the convenience of the company as for the traveling public, the expenses have not more than covered the receipts.

My belief is, that the passenger fares on all regular trains can be placed at lower rates with profit to the company.

From the testimony of C. W. Hincheliffe of the Nevada Central Railway, it appears that freight for points beyond Austin (the terminus) is carried over that road at less rates than to Austin, in plain violation of an Act passed by the Legislature of Nevada, approved February 12, 1879.

I fully coincide with the report of the majority of the committee in relation to the affairs of the Eureka and Palisade Railroad.

In conclusion, I would recommend that either Assembly Bill No. 46, by amending it, or some bill similar in its provisions, be passed by this Legislature, to the end that the railroad corporations of this State may be compelled to do justice to a long-suffering people, and to learn them that they are not above the law-making power of the State. Respectfully,

JOHN SMYTH.

By leave the following report was presented :

*Mr. Speaker :*

The undersigned, member of the Humboldt delegation, to whom was referred Assembly Bill No. 30, "An Act for the relief of J. F. Abel," beg to submit the following minority report: Having had the same under careful consideration, and heard petitions adverse to the passage of said Act, and having heard arguments and statements, written and otherwise, in relation thereto, I am compelled, after mature deliberation, to differ from the majority report of said delegation, and finding that J. F. Abel has performed no work for Humboldt County for which he has not received full compensation; and further, that said Abel furnishes no evidence to show that he ever qualified to perform the services for which he claims said relief. I recommend that the said Act do not pass.

THOMAS J. BRADSHAW.



On motion of Mr. Soule Senate Bill No. 69 was taken up for consideration.

Mr. Ernst moved that the report of the minority of the Committee on Corporations and Railroads be ordered printed.

Motion carried.

Senate Bill No. 69—Amendments made in Committee of the Whole were read and adopted.

Mr. Parker moved to amend Section Nine, line two, by inserting after the words "create" the words "except as hereinafter provided."

Motion carried and amendment made by the Clerk.

Mr. McKenzie moved to amend by striking out in Section One, line seven, the words "or would."

Motion carried and amendment made by the Clerk.

Mr. Organ moved, as an amendment to Section One, to strike out "on the State land near the town of Reno" and insert in place thereof "on land donated to the State by the citizens of Lyon County suitable for the purpose."

Motion lost.

Mr. Corbett moved to amend by striking out at every place where they occur the words and figures "eighty thousand dollars" and inserting in place "forty thousand dollars."

Motion lost.

Mr. Ernst moved to amend by adding to amendment of Section Four the following: "Unless by the unanimous consent of the Board of Commissioners, and the consent of the contractor, and without additional expense to the State."

Amendment adopted and Mr. Ernst appointed a committee of one to make the amendment, and in due time he reported it made.

Mr. Kelly moved to amend Section Four, line three, by striking out the word "drafts" and inserting in place the word "specifications."

Amendment adopted and Mr. Kelly appointed a committee of one to make the amendment, and in due time he reported it made.

Mr. Moriarty moved to amend Section Four, line two, after the word "State," and before the word "for," by striking out the words "and one in California."

Motion lost.

At 4:20 P. M. the previous question was called for by Messrs. Waldorf, Englis and Gignoux.

Question put to the House and carried by the following vote:

YEAS—Messrs. Bailey, Barrett, Berry, Blair, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, McKenzie, Moriarty, Newell, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—37.

NAYS—Messrs. Adams, Bell, Bradshaw, May and Organ—5.

Absent—Messrs. Ballinger, Belding, Condon, McBurney, McGowan, Mooney, Penoyer and Shepard.

Bill placed on final passage and lost by the following vote :

YEAS—Messrs. Bailey, Berry, Bradshaw, Copeland, Drexler, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Masel, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth and Soule—24.

NAYS—Messrs. Adams, Barrett, Bell, Blair, Coffin, Corbett, Duffy, Englis, Fallon, Knight, Longley, Mallon, May, McKenzie, Moriarty, Organ, Tuska, Waldorf and Mr. Speaker—19.

Absent—Messrs. Ballinger, Belding, Condon, McBurney, McGowan, Mooney and Penoyer.

Mr. Merrill gave notice that he would on to-morrow move for a reconsideration of the vote by which Senate Bill No. 69 was lost.

Mr. Englis gave notice to the same effect.

Mr. Smyth gave notice that he would on to-morrow move for the adoption of the resolution offered by him to-day.

At 4:28 P. M., on motion of Mr. Coffin, the House adjourned to meet at 10 A. M. to-morrow.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## FORTY-SIXTH DAY.

CARSON CITY (Thursday), February 17, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Journal of yesterday read partially, and on motion of Mr. Organ the further reading was dispensed with.

Mr. Merrill presented a petition from the citizens of Eureka County relative to the Salary Act, and desiring the repeal of the same.



## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Enrollment beg leave to submit the following report: We have carefully compared Assembly Bill No. 68, "An Act to regulate proceedings in criminal cases," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 67, "An Act to repeal an Act entitled 'An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,' " approved March 11, 1879, and the majority of said committee beg leave to report the same back to the Assembly with the recommendation that it do pass.

JOHN SMYTH, Chairman.

*Mr. Speaker :*

Your Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 67, "An Act to repeal an Act entitled 'An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,' " approved March 11, 1879, and the minority of said committee beg leave to report the same back to the Assembly with the recommendation that it do not pass.

GEO. F. PARKER,  
THOMAS IRVINE.

## MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 16, 1881. }

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 29, "An Act to amend Section Five Hundred and Eighty-three of an Act entitled 'An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto,' " approved March 8, 1869; also, Assembly Bill No. 54, "An Act to restore lost records;" also, Assembly Bill No. 98, "An Act for the relief of the sufferers by the breaking of the Little Valley Dam."

JOHN H. KINKEAD, Governor.

## REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your special committee on Senate Bill No. 100, which was referred to the Elko and Eureka delegations, have had under consideration said bill, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

O. H. BALLINGER, Chairman.

## MOTIONS AND RESOLUTIONS.

Mr. Smyth moved that the resolution offered by him fixing the hour of convening the House at 10:30 A. M. each morning be adopted.

Mr. Ernst moved to amend by making it at 10 A. M.

Amendment carried.

Question on adoption of resolution as amended adopted by a vote of 22 to 9.

By Mr. Ernst:

*Resolved*, That inasmuch as the State is about to issue its bonds for the amount of two hundred thousand dollars for a term of five years bearing six per cent. interest, the Governor is hereby requested to inquire at what figures such bonds can be placed and to report to this body as soon as practicable.

Adopted.

## SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 16, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body substitute for Senate Bill No. 4—An Act to amend an Act entitled "An Act to amend Section One of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada entitled 'An Act to provide for the appointment of Notaries Public and to define their duties,'" approved February 9, 1864; approved February 9, 1869; approved March 13, 1867; approved January 27, 1879, which passed the Senate this day: Yeas, 21; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

## INTRODUCTION AND FIRST READING OF BILL.

By Mr. Lewers (by leave):

Assembly Bill No. 121—An Act amendatory of an Act entitled "An Act relating to elections," approved March 12, 1873.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

## GENERAL FILE.

Substitute for Assembly Bill No. 86—An Act amendatory of an Act entitled "An Act to amend Sections One, Three, Four, Five and Twenty-two of an Act" entitled 'An Act to provide for the government of the State Prison of the State of Nevada,' approved March 7, 1873; approved February 8, 1877.

On motion of Mr. Parker the substitute was adopted.



On motion of Mr. Bell the substitute was considered engrossed.

Bill read third time.

Mr. Bell moved to amend Section Four by striking out "twenty-four hundred dollars" and inserting in place thereof "two thousand dollars."

Motion carried and Mr. Bell appointed a committee to make amendment and in due time he reported amendment made.

Bill placed on final passage and lost by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Blair, Bradshaw, Coffin, Drexler, Ernst, Johnson, Masel, May, Richards, Shepard, Soule and Mr. Speaker—15.

NAYS—Messrs. Bailey, Ballinger, Corbett, Copeland, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Kelly, Lewers, Longley, Mallon, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Shier, Smyth, Tuska and Waldorf—25.

Mr. Knight was excused from voting.

Absent—Messrs. Belding, Berry, Condon, Irvine, Knight, McBurney, McGowan, Penoyer and Mooney.

Assembly Bill No. 99—An Act to amend Section One Hundred and Twenty-eight of an Act entitled "An Act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, and to provide a less expensive and more summary administration of certain estates of deceased persons.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Assembly Bill No. 113—An Act to aid the Nevada Benevolent Association in providing means for the care of the insane of Nevada and other charitable purposes.

Mr. Organ moved that further action on the bill be deferred until Monday, the 21st instant.

No action.

Mr. McKenzie asked leave to withdraw the bill for the purpose of making amendments thereto.

Agreed to.

Assembly Bill No. 30—An Act to compensate J. F. Abel for money and labor expended on roads in Humboldt County.

Amendments made in committee read.

Senate Bill No. 61—An Act to provide for the payment of such

portion of the expenses incurred in the suppression of the so-called Italian coal-burners' outbreak in Eureka County during the year 1879 as is justly chargeable to the State.

On motion of Mr. Smyth the bill was referred to the Committee of the Whole, to be taken up at the discretion of the House.

Assembly Bill No. 63—An Act to pay the claim of Benjamin Edson.

On motion of Mr. Gignoux the bill was referred to the Committee of the Whole, to be taken up at the discretion of the House.

Senate Bill No. 44—An Act amendatory of an Act entitled "An Act in relation to public highways," approved March 15, 1875.

Read third time and passed by the following vote:

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Moriarty, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Soule, Tuska, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Gignoux, Newell and Smyth—3.

Absent—Messrs. Belding, Condon, Coffin, Copeland, Kelly, Mooney, McBurney and Penoyer.

Mr. Adams was excused from voting.

Assembly Bill No. 30 under consideration.

Mr. Bradshaw offered the following amendment to the amendment of Section Two, to insert the word "qualified" in line nine after the word "duly."

Motion lost.

Question on adoption of amendment offered by committee put to the House and adopted.

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

YEAS—Messrs. Bailey, Ballinger, Green, Bell, Coffin, Englis, Gignoux, Irvine, Johnson, Knight, Masel, Organ, Plank, Richards, Shepard and Mr. Speaker—16.

NAYS—Messrs. Barrett, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Havenor, Lewers, Longley, Mallon, May, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Shier, Smyth, Soule and Tuska—26.

Absent—Messrs. Adams, Belding, Condon, Kelly, McBurney, Mooney, Penoyer and Waldorf.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 17, 1881. }

*To the Honorable the Assembly:*

In reply to your resolution of to-day requesting me "to inquire at what figures" Nevada State Bonds, to the amount of \$200,000, run-



ning for five years, bearing six per cent. interest per annum, can be placed, I have the honor to state, that anticipating a contingency of this kind, I have already inquired both in New York and San Francisco as suggested in your resolution. My information is that they can certainly be negotiated at par and possibly at a premium.

JOHN H. KINKEAD, Governor.

At 12:01 P. M., on motion of Mr. Coffin, the House took a recess for one hour.

### HOUSE IN SESSION.

At 1 P. M.

Speaker *pro tem.* in the Chair.

Roll called.

Quorum present.

On motion of Mr. Ballinger Senate Bill No. 100—An Act fixing the compensation of the various county officers (deputies) and jailors in the several counties of this State, was taken up for consideration.

Mr. Parker moved that the bill be indefinitely postponed.

Mr. Drexler arose to speak to the motion.

Mr. Smyth arose to a point of order: that a motion to indefinitely postpone is not debatable.

Point not sustained by the Chair.

Question to indefinitely postpone put to the House and motion lost by a vote of 20 to 14.

Bill read third time.

Mr. Smyth moved that the bill be placed on the bottom of the file.

Motion lost.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Knight, Longley, Masel, May, McKenzie, Moriarty, Organ, Plank, Shepard, Shier, Smyth, Soule and Mr. Speaker—32.

NAYS—Messrs. Blair, Green, Lewers, Mallon, Newell, Parker, Penton, Richards, Tuska and Waldorf—10.

Absent—Messrs. Belding, Berry, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Mr. Smyth gave notice that he would on to-morrow move for a reconsideration of the vote by which Senate Bill No. 100 was passed.

At 1:35 P. M. Mr. Speaker in the Chair.

Mr. Englis desired to make a motion out of order.

Objections made to granting Mr. Englis the privilege.

Mr. Smyth moved that Mr. Englis be allowed to make a motion out of order.

Motion withdrawn.

Mr. Tuska claimed that Mr. Smyth was out of order in making the motion.

Mr. Soule moved that Mr. Englis be allowed to make a motion out of order.

Mr. Tuska claimed that Mr. Soule was out of order, and appealed to the Chair to decide the question.

The Speaker decided that the motion was proper, but that a two thirds vote was necessary for it to prevail.

The yeas and nays on the question to permit Mr. Englis to make a motion were called for by Messrs Havenor, Coffin and Soule, and the motion lost by the following vote:

YEAS—Messrs. Bailey, Bell, Berry, Bradshaw, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Lewers, Mallon, Masel, Moriarty, Newell, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—26.

NAYS—Messrs. Adams, Ballinger, Barrett, Blair, Coffin, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Longley, May, McKenzie, Organ, Parker and Tuska—17.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Mr. Smyth moved to reconsider the vote by which Senate Bill No. 69 was lost yesterday.

Mr. Coffin arose to a point of order and claimed that Mr. Smyth's motion was out of order and not allowed by the rules of the House.

The point was sustained by the Chair.

Assembly Bill No. 92—An Act supplementary to and amendatory of an Act entitled "An Act to encourage the sinking of artesian wells," approved March 6, 1879.

Mr. Bradshaw moved to amend Section Six by adding the following: "No person, firm, company, corporation or association disposing of water for a valuable consideration shall be entitled to the benefits of this Act." Also, to Section Seven the following: "All Acts and parts of Acts, so far only as they conflict with the provisions of this Act, are hereby repealed.

Amendments adopted and bill considered engrossed.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Belding, Condon, Kelly, McBurney, McGowan, Mooney and Penoyer.

Assembly Bill No. 100—An Act relative to attorneys and counselors at law.



Recommitted back to the Committee on Judiciary, on motion of Mr. Coffin.

Assembly Bill No. 80—An Act for the relief of W. S. Tolles. Laid on the table, on motion of Mr. Englis.

Senate Bill No. 82—An Act for the commutation of the time of prisoners confined in the Nevada State Prison, for good behavior.

Read third time, placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Masel, May, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Mr. Bradshaw.

Absent—Messrs. Belding, Berry, Condon, Ford, Kelly, Mallon, McBurney, McGowan, Mooney and Penoyer.

Assembly Bill No. 60—An Act to restrict gaming.

Amendments made in committee read and adopted, and on motion of Mr. Corbett the bill was ordered engrossed.

Assembly Bill No. 120—An Act to amend Section Thirty-nine of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865; approved March 6, 1869.

Considered engrossed and read third time.

Mr. Ernst moved to amend by striking out "sixty," before the word "days," and to insert in lieu thereof the words "one hundred and twenty."

Motion carried and amendment made by the Clerk.

At 2:21 P. M. Speaker *pro tem.* in the Chair.

Mr. Lewers moved that the bill be referred to the Committee on Education.

Motion lost.

Placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Knight, Lewers, Longley, Masel, May, Moriarty, Organ, Penton, Plank, Richards, Shepard, Shier, Soule, Waldorf and Mr. Speaker—32.

NAYS—Messrs. Berry, Havenor, Newell, Parker and Smyth—5.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Englis, Kelly, Mallon, McBurney, McGowan, McKenzie, Mooney, Penoyer and Tuska.

#### EXPLANATIONS OF VOTES.

*Mr. Speaker:*

My objection to Assembly Bill No. 120 is that it had not been

printed nor been before a committee, so I could not vote advisedly on the bill by hearing only one reading.

GEO. F. PARKER.

*Mr. Speaker:*

We, the undersigned, object to hasty and inconsiderate legislation, and do not believe in this House passing any bills until after said bills have been referred to proper committees and reported on by them.

JOHN SMYTH,  
W. B. NEWELL.

Assembly Bill No. 119—An Act to amend an Act entitled "An Act to create a fire department fund," approved March 9, 1865.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Knight, Longley, Masel, May, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Condon, Copeland, Drexler, Kelly, Lewers, Mallon, McBurney, McGowan, McKenzie, Mooney, Penoyer, Tuska and Waldorf.

Assembly Concurrent Resolution No. 14—Relative to patenting mining claims.

Placed on the bottom of the file, on motion of Mr. Merrill.

Assembly Bill No. 67—An Act to repeal an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

Mr. Ernst asked permission to withdraw the bill and introduce a substitute therefor.

Agreed to, and substitute read and adopted.

Mr. Ernst moved that the substitute be placed on the bottom of the file and ordered printed.

Motion carried.

Assembly Bill No. 94—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

Considered engrossed, and on motion of Mr. Tuska the further consideration of the bill was deferred until Monday next.

Mr. Merrill moved that the House go into Committee of the Whole, to consider all bills referred to said committee, on Monday evening, the 21st instant, at 7 o'clock.

Mr. Tuska asked leave of absence for Mr. Mooney for the day.  
Granted.



At 2:56 P. M., on motion of Mr. Organ, the House adjourned.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest: ROBT. E. LOWERY,  
Chief Clerk of the Assembly.

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### FORTY-SEVENTH DAY.

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CARSON CITY (Friday), February 18, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Condon, Knight, Penoyer and Penton.

Journal of yesterday read partially, when Mr. Bradshaw moved to dispense with the further reading.

Motion lost and Journal read through and approved.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Public Morals, to whom was referred Assembly Bill No. 78, "An Act to amend an Act entitled 'An Act to regulate the sale or disposal of opium,'" introduced by Mr. Moriarty, have carefully considered the same and recommend that it do pass as amended.

J. J. CORBETT, Chairman.

*Mr. Speaker :*

Your Committee on State Institutions have had under consideration Assembly Bill No. 87, "An Act to appropriate funds for the relief of the several orphan asylums of this State," and have made the following amendment thereto: Section One, line six (printed bill, line four), after the word "for" insert "regardless of creed or sect." The majority of said committee beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

JAMES MCBURNEY, Chairman.

*Mr. Speaker :*

Your Committee on Corporations and Railroads have had under consideration Assembly Bill No. 114, "An Act to prevent the granting of free passes or passes at a discount by railroads or other trans-

portation companies," and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker:*

Your Committee on Corporations and Railroads have had under consideration Assembly Bill No. 107, "An Act to regulate the charges for carrying, receiving, handling and storing of property and for carrying passengers by inter-State railroads within the State of Nevada, and prescribing penalties for the violation of its provisions," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker:*

Your Committee on State Prison, to whom was referred Assembly Bill No. 103, "An Act to amend an Act entitled 'An Act to provide for the government of the State Prison of the State of Nevada,'" approved March 7, 1873, would beg leave to report the same back with the recommendation that it be indefinitely postponed, as its object is entirely covered by Senate Bill No. 82, which passed the House yesterday, February 17, 1881.

GEO. G. BLAIR, Chairman.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker:*

Your special committee on reapportionment, consisting of four from the Assembly and three from the Senate, have had under consideration substitute for Assembly Bill No. 16, and beg leave to report the same back with the recommendation that it do pass.

W. E. COPELAND,  
E. MAY,  
GEORGE ERNST.

*Mr. Speaker:*

Your special committee on insane have had under consideration Assembly Bill No. 90, "An Act to provide for the taking care of the insane of the State of Nevada," have made a substitute therefor and beg leave to report the same back to the Assembly with the recommendation that the substitute do pass.

A. ENGLIS, Chairman.

*Mr. Speaker:*

Your special committee on redistricting the State for judicial purposes respectfully report that they have had the same under consideration and submit the accompanying bill for the consideration of the Assembly.

GEORGE ERNST, Chairman.



## MOTIONS AND RESOLUTIONS.

By Mr. Waldorf:

Assembly Concurrent Resolution No. 20—Relative to State Prison labor to be used in constructing a water reservoir.

Read first time.

At request of Mr. Waldorf a communication from the California Department of the Grand Army of Mexican Veterans in regard to the above resolution was read.

On motion of Mr. Ernst the resolution was referred to the Committee on Military and Indian Affairs.

Mr. Englis moved for a reconsideration of the vote by which Senate Bill No. 69 was lost on the 16th instant.

The Speaker desired Mr. Englis to withdraw his motion until some future day, as he was not prepared to rule on the motion.

Mr. Soule demanded that the Speaker give his ruling now on the motion and the Speaker decided that the motion was out of order.

Messrs. Lewers and Soule appealed to the House from the decision of the Chair.

Mr. Coffin arose to speak to the appeal and quoted from Cushing's Manual rules sustaining the Speaker.

Mr. Smyth arose to a point of order, being that Cushing's Manual should not govern the rulings of this House.

No action.

Mr. Ernst arose to discuss the question.

Mr. Lewers arose to a point of order, viz.: that Mr. Ernst had already spoken once to the question and consequently had exhausted his privilege of debate.

Point sustained.

Mr. Bell arose to speak on the question pending the discussion.

Mr. Tuska arose to a point of order, viz.: that Mr. Bell was not confining himself to the question.

Point sustained.

The question put to the House, "Shall the Speaker be sustained in his decision; that is, can a motion to reconsider be entertained two days after such notice has been given?"

Mr. Berry moved to defer action until Monday.

Mr. Coffin claimed that the motion was out of order and that the previous question should be decided at once.

Mr. Englis asked leave to withdraw his notice of appeal to the House.

Objected to.

Mr. Green moved a call of the House.

Motion carried.

Mr. Havenor moved that the further call of the House be dispensed with.

Motion lost.

Mr. Adams asked leave of absence for Mr. Penton on account of sickness.

Granted.

Roll called.

Absent by leave—Messrs. Condon, Penoyer and Penton.

Absent without leave—Messrs. McGowan, Parker, and Waldorf.

The Speaker instructed the Sergeant-at-Arms to produce Messrs. McGowan, Parker and Waldorf.

Mr. Soule moved that further proceedings under the call of the House be dispensed with.

Motion carried.

Mr. Soule asked leave to withdraw his motion of appeal from the decision of the Chair.

Agreed to.

Mr. Smyth moved to reconsider the vote by which Senate Bill No. 100 was passed yesterday.

Motion lost.

Mr. Lewers asked leave of absence for himself and Mr. May for the remainder of the day.

Granted.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 18, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No 13—An Act for the relief of sureties on official bonds, which passed the Senate on Wednesday last, but was held over under a notice for reconsideration. Yeas, 15 ; nays, 7.

GEO. I. LAMMON,  
Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 17, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No 7—Relative to mail service between Columbus and Gold Mountain, in this State, which passed the Senate this day. Yeas, 20 ; nays, none.

Also, to return to your honorable body Assembly Bill No. 112—An Act concerning convict labor, which passed the Senate this day. Yeas, 19 ; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 17, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 37—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 5, 1869, which was lost in the Senate this day. Yeas, 3; nays, 15.

Also, Assembly Bill No. 69—An Act to amend an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9, 1865; approved March 1, 1866, which passed the Senate this day. Yeas, 19; nays, 2.

Also, Senate Bill No. 83—An Act authorizing the Board of Examiners of this State to employ attorneys at Washington, D. C., to prosecute claims of this State against the General Government, and defining the mode and manner of paying the said attorneys, which passed the Senate this day. Yeas, 21; nays, none.

Also, Senate Bill No. 90—An Act supplementary to an Act entitled "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada," approved March 5, 1873, and repealing the Act in reference thereto, approved February 29, 1879, which passed the Senate this day. Yeas, 18; nays, 4.

Also, substitute for Senate Bill No. 40—An Act fixing the salaries of the Commissioners of Eureka County, which passed the Senate this day. Yeas, 15; nays, 4.

WM. HY. DOANE,

Assistant Secretary of the Senate.

#### NOTICE OF BILL.

Mr. Tuska gave notice that on some future day he would introduce a bill entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the State of Nevada,' " approved March 9, 1865.

Mr. McKenzie, by leave, returned to its original place in the file of the House Assembly Bill No. 113, "An Act relating to the Nevada Benevolent Association."

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Barrett (by leave):

Substitute for Assembly Bill No. 104—An Act to prevent minors from gambling.

Substitute read and adopted.

By Mr. Soule (by leave):

Assembly Bill No. 123—An Act to provide for the taking care of the insane of the State of Nevada.

Rules suspended, read first and second time by title and referred to the Committee of the Whole, to be taken up at the discretion of the House, and ordered printed.

Mr. Bell arose to a question of privilege and read an extract from a newspaper.

By Mr. Ernst :

Assembly Bill No. 122—An Act to redistrict the State of Nevada. Rules suspended, read second time by title, referred to the Committee of the Whole and ordered printed.

By Mr. Organ :

Assembly Bill No. 124—An Act supplementary to an Act entitled "An Act to provide for the support of the government of the State of Nevada," approved March 9, 1865, and the Acts amendatory of and supplemental to said Act.

Rules suspended, read second time by title, referred to the Committee on Ways and Means and ordered printed.

Senate Bill No. 83—An Act authorizing the Board of Examiners of this State to employ attorneys at Washington, D. C., to prosecute the claims of the State Government against the General Government and defining the mode and manner of paying the said attorneys.

Rules suspended, read second time by title and referred to the Committee on Military and Indian Affairs.

At 11:58 A. M., on motion of Mr. Moriarty, the House took a recess for one hour.

#### HOUSE IN SESSION.

At 1 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Richards, by leave, presented the following :

*Mr. Speaker :*

Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Bills Nos. 59 and 75 and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

Substitute for Senate Bill No. 40—An Act fixing the salaries of the Commissioners of Eureka County.

Rules suspended, read second time by title and referred to the Eureka County delegation.

Senate Bill No. 90—An Act supplementary to an Act entitled "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada," approved March 5, 1873, and repealing the Act in reference thereto, approved February 29, 1879.

Rules suspended, read second time by title and referred to the Committee on Public Lands.



Senate Joint Resolution No. 7—Relative to mail service between Columbus and Gold Mountain in this State.

Rules suspended, read second time by title and referred to the Committee on Federal Relations.

By Mr. Englis (by leave):

Assembly Bill No. 125—An Act for the better protection of miners.

Rules suspended, read second time by title and referred to the Committee on Mines and Mining.

The following report was presented out of order:

*Mr. Speaker:*

Your Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 106, "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9, 1865, and have made the following amendment thereto:

In Section One, line nineteen (printed bill line seven), after the word "due" strike out the words "when delinquent," and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

JOHN SMYTH, Chairman.

At 1:13 P. M. Mr. Adams asked leave of absence for himself for the remainder of the day.

Granted.

By Mr. Soule (by leave):

Assembly Concurrent Resolution No. 21—Relative to the Pyramid Lake Indian Reservation.

Rules suspended, read second time by title and referred to the Committee on Federal Relations.

#### GENERAL FILE.

Assembly Bill No. 113—An Act to aid the Nevada Benevolent Association in providing means for the care and maintenance of the insane of Nevada, and for other charitable purposes.

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

YEAS—Messrs. Bailey, Ballinger, Barrett, Berry, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Irvine, Johnson, Knight, Longley, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Organ, Parker, Plank, Shier, Tuska and Mr. Speaker—31.

NAYS—Messrs. Bell, Blair, Green, Havenor, Kelly, Mallon, Newell, Richards, Smyth, Soule and Waldorf—11.

Absent—Messrs. Adams, Belding, Condon, Lewers, McGowan, Penoyer, Penton and Shepard.

Mr. Ernst gave notice that at the next meeting of the House he would move for a reconsideration of the vote by which Assembly Bill No. 113 was passed.

Substitute for Assembly Bill No. 67—An Act to repeal an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

Placed on the bottom of the file, on motion of Mr. Ernst.

Substitute for Assembly Bill No. 104—An Act to prevent minors from gambling.

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

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Adams, Belding, Condon, Lewers, May, McGowan, Penoyer, Penton and Shepard.

Assembly Bill No. 69—An Act to amend an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' " approved March 9, 1865; approved March 1, 1866.

The amendments made in the Senate were read and the first amendment was concurred in.

Mr. Coffin moved that the House refuse to concur in the second amendment, viz: to strike out the word "special."

Motion carried.

At 2 p. m. the Speaker announced that the hour had arrived for the consideration of the special order of the day, viz: Assembly Bill No. 46, "An Act relating to railroads the termini of which are within the State of Nevada."

On motion of Mr. Waldorf action was deferred until Wednesday next, the 23d, and made the special order for that day at 2 p. m.

Assembly Bill No. 88—An Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies and the management thereof."

On motion of Mr. Organ action was deferred until Wednesday, the 23d, and made the special order for that day, to be taken up after the disposal of the previous order set for 2 p. m.

Senate Bill No. 74—An Act relating to the fees to be collected in the settlement of the estates of deceased and other persons.

On motion of Mr. Smyth, referred to the Committee on Judiciary.

Assembly Concurrent Resolution No. 14—Relative to patenting mining claims.



A substitute for the resolution, offered by Mr. Drexler, was read and adopted.

Mr. Blair moved that the whole subject-matter be indefinitely postponed.

The yeas and nays on the motion were called for by Messrs. Bradshaw, Organ and Smyth, and the motion lost by the following vote:

YEAS—Messrs. Blair, Fallon, Ford, Gignoux, Green, Havenor, Johnson and Kelly—8.

NAYS—Messrs. Bailey, Bell, Berry, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Irvine, Knight, Mallon, Masel, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—30.

Absent—Messrs. Adams, Ballinger, Barrett, Belding, Condon, Lewers, Longley, May, McGowan, Penoyer, Penton and Shepard.

Mr. Parker moved that the substitute be referred to the Committee on Mines and Mining and ordered printed.

Motion carried.

Assembly Bill No. 78—An Act to amend an Act entitled "An Act to regulate the sale or disposal of opium, and to prohibit the keeping of places of resort for smoking or otherwise using that drug," approved February 9, 1877.

Amendments made in committee read and adopted, and on motion of Mr. Smyth the bill was referred to a special committee consisting of Messrs. Parker and Moriarty, for the purpose of being further amended.

At 2:24 P. M. Mr. Waldorf was granted leave of absence for the remainder of the day.

Assembly Bill No. 87—An Act to appropriate funds for the relief of the several orphan asylums of this State.

Amendments made in committee read and adopted.

Mr. Mooney moved that the House resolve itself into Committee of the Whole for the purpose of considering the bill.

Motion carried.

At 2:38 P. M. House in Committee of the Whole.

Mr. Organ in the Chair.

In due time the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole, who have had under consideration Assembly Bill No. 87, "An Act to appropriate funds for the relief of the several orphan asylums of this State," have carefully considered the same and beg leave to report the same back with the recommendation that the same do pass.

At 2:56 P. M. Mr. Speaker in the Chair.

Assembly Bill No. 87—An Act to appropriate funds for the relief of the several orphan asylums of this State.

Considered engrossed and read third time.

Mr. Ernst moved to amend by striking out, in Section Three, line four, the words "if they deem it necessary."

Motion carried.

Mr. Ernst moved to amend Section Four, line ten, by inserting after the words "per month" the words "or more."

Motion carried.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Knight, Longley, Mallon, Masel, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Smyth, Soule, Tuska and Mr. Speaker—37.

NAYS—Messrs. Havenor and Shier—2.

Absent—Messrs. Adams, Belding, Condon, Kelly, Lewers, May, McGowan, Penoyer, Penton, Shepard and Waldorf.

Assembly Bill No. 114—An Act to prevent the granting of free passes and passes at a discount by railroads or other transportation companies.

Mr. Ernst moved that the bill be ordered engrossed.

Motion lost.

Assembly Bill No. 103—An Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada," approved March 7, 1873.

On motion of Mr. Coffin the author of the bill was permitted to withdraw it.

Assembly Bill No. 107—An Act to regulate the charges of inter-State railroads within the State of Nevada.

On motion of Mr. Coffin action deferred until Wednesday, the 23d instant, and made the special order for that day immediately after the disposal of the previous orders of that day.

Substitute for Assembly Bill No. 16—An Act to reapportion the Senators and Assemblymen in the several counties of the State.

On motion of Mr. Organ referred to a committee consisting of one member from each delegation.

The Speaker announced that he would appoint as such committee Messrs. Berry, Richards, McGowan, Shier, Kelly, Copeland, Johnson, Organ, Coffin, Gignoux, Smyth, Parker, Adams and Ernst.

Substitute for Assembly Bill No. 90—An Act to provide for the taking care of the insane of the State of Nevada.

Mr. Bell moved that the rules be suspended and the substitute be adopted without reading.

Motion carried.

Mr. Organ moved that the bill be considered engrossed.

Motion lost.

Mr. Smyth moved that the bill be referred to the Committee of the Whole.

Motion carried.



Mr. Ernst moved that the bill be considered in Committee of the Whole, to be taken up at the discretion of the House.

Mr. Soule moved to amend by making it a special order to be considered in Committee of the Whole at 2 P. M. to-morrow.

Motion lost.

Mr. Ernst's motion put to the House and carried.

Mr. Coffin moved that the substitute be ordered printed.

Motion carried.

Assembly Bill No. 106—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March, 1865.

On motion of Mr. Ernst the bill was recommitted to the Committee on Counties and County Boundaries.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 17, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that a committee of conference, consisting of Messrs. Hobart and Westerfield, has been appointed to confer with the Assembly committee in relation to Assembly Bill No. 69.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Ernst moved that a committee of three be appointed to confer with the Senate committee in regard to Assembly Bill No. 69.

Motion carried and the Speaker appointed as such committee Messrs. Smyth, Coffin and Soule.

At 3:50 P. M. Mr. Gignoux moved that the House do now adjourn until Monday at 10 A. M.

Mr. McBurney moved to amend the motion by making it 11 A. M. to-morrow.

Carried by a vote of 21 to 16.

Question to adjourn until to-morrow at 11 A. M. put to the House and carried by a vote of 21 to 14.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## FORTY-EIGHTH DAY.

CARSON CITY (Saturday), February 19, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Condon, Corbett, Gignoux, McGowan, Mooney, Penoyer and Penton.

Mr. Plank asked leave of absence for Mr. Duffy for one day.  
Granted.

Mr. Barrett asked leave of absence for Mr. Penton for one day.  
Granted.

Mr. Shier asked leave of absence for Mr. Gignoux for one day.  
Granted.

Mr. Barrett moved to adjourn until 11 A. M. Monday, 21st inst.

Journal of yesterday read partially and on motion of Mr. Organ the further reading was dispensed with.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Military and Indian Affairs have had under consideration Assembly Concurrent Resolution No. 20, in regard to State Prison labor, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. D. WALDORF, Chairman.

*Mr. Speaker :*

Your Committee on State Institutions have had under consideration Senate Bill No. 98, "An Act to amend an Act entitled 'An Act to provide for the election of the Board of Regents, to fix their term of office and prescribe their duties,'" approved March 5, 1869, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAMES McBURNEY, Chairman.

*Mr. Speaker :*

Your Committee on State Prison Affairs, to whom Assembly Bill No. 118 was referred, beg leave to report the same back with amendment and would recommend that the same do pass as amended.

GEO. G. BLAIR, Chairman.



*Mr. Speaker :*

Your Committee on Enrollment have carefully compared substitute for Assembly Concurrent Resolution No. 18; also, Assembly Bill No. 4, "An Act to secure liens," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bill No. 89, "An Act to repeal an Act concerning official bonds, approved March 4, 1865, and to repeal all other Acts in relation thereto and to abolish and do away with official bonds," and beg leave to report the same back to the Assembly with the recommendation that it do pass, and offer in connection therewith a bill for an Act entitled "An Act supplementary to and amendatory of an Act entitled 'An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office and to enforce official duty,'" approved March 9, 1866, and recommend that the same do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Senate Bills Nos. 46, 62, 63, 72 and 81 and recommend that they do pass. No. 72 with amendment, Senate Bill No. 74, which they recommend should not pass. Assembly Bill No. 109 which they recommend should not pass. Assembly Bill No. 89, for which they have prepared a substitute, and recommend that the same be adopted and do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Trades and Manufactures have had under consideration Assembly Bill No. 108, "An Act concerning weights and measures," and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

W. B. NEWELL, Chairman.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your Committee of Conference, appointed to confer with Senate Committee in regard to Assembly Bill No. 69, beg leave to report that the Senate is willing to rescind their action on amendment No. two, which the House refused to concur in, providing the House concur in amendment No. one, and we, your committee, have agreed to these conditions.

JOHN SMYTH,  
T. COFFIN,  
C. P. SOULE.

## MOTIONS AND RESOLUTIONS.

*Resolved*, That the Chief Clerk of the Assembly be authorized to employ extra clerical service when necessary.

Adopted.

By Mr. Knight :

Assembly Joint Memorial and Resolution No. —Relative to establishing a mail service from Pine Station to the Warm Spring Ranch, Diamond Valley, in this State.

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. Adams, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Lewers, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Bailey, Belding, Condon, Corbett, Duffy, Gignoux, McGowan, Penoyer, Penton and Richards.

Mr. Coffin (by leave) presented the following report :

*Mr. Speaker :*

Your special committee to whom was referred Bill No. 66, concerning insolvency, beg leave to report the same with amendments and recommend that the same do pass as amended.

T. COFFIN,  
WAL. J. TUSKA,  
GEO. W. MERRILL.

At 11:40 A. M. Mr. Englis moved to go into Committee of the Whole for the purpose of considering all bills relating to insane asylums now before the House, with Mr. Speaker in the Chair.

Motion carried.

In due time the committee arose and made the following report :

*Mr. Speaker :*

Your Committee of the Whole who have had under consideration Assembly Bill No. 123, "An Act to provide for the taking care of the insane of the State of Nevada," beg leave to report that they have amended the same and recommend that it do pass as amended.

Mr. Soule moved that the House do now take up and act upon Assembly Bill No. 123, "An Act to provide for the taking care of the insane of the State of Nevada."

Motion carried.

Amendments made in Committee of the Whole read and adopted.

Bill considered engrossed and read third time.



Mr. Soule moved to amend by inserting in Section One, line twenty, the words "or buildings," after the words "said building."

Motion carried and amendment made by the Clerk.

Mr. Mallon moved to amend by striking out Section Seven and inserting in lieu thereof a substitute for said section.

Motion lost.

At 12:57 P. M. Mr. Parker moved a recess for one hour.

Motion lost.

At 12:58 P. M. Mr. Barrett moved to adjourn until Monday.

Motion lost.

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

Objections made, and Mr. Ernst moved that he be granted leave of absence for the balance of the day.

Motion lost.

Mr. Ernst moved to amend Section Thirteen, line thirty-nine, by striking out all after the word "State" and inserting in lieu thereof "for a period of one year, at the price per day per patient now paid Langdon & Clark. If the said Board deem it expedient, and for the best interest of the State, the Board is hereby authorized to contract for a period of two years from the date of the expiration of the present contract, at a price not to exceed five dollars and fifty cents per week per patient."

Motion carried and amendment made by the Clerk.

Mr. Parker asked leave of absence for twenty minutes.

Not granted.

Mr. Tuska moved to amend as follows: In Section Thirteen, line fourteen, strike out the word "shall" and insert "may;" in line sixteen strike out "until July 1, 1882," and insert "until the completion of said building," and in line seventeen strike out "now paid Langdon & Clark" and insert "not exceeding one dollar per day;" also, strike out the last amendment by Mr. Ernst.

Motion lost.

At 1 P. M. Mr. Parker moved a call of the House.

Motion carried.

Roll called.

Absent—Messrs. Ballinger, McGowan, McKenzie and Waldorf.

Absent (by leave)—Messrs. Condon, Duffy, Gignoux, Mooney, Penoyer and Penton.

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

Mr. Moriarty moved that the further call of the House be dispensed with.

Motion lost.

The Speaker instructed the Sergeant-at-Arms to find the absentees and bring them before the bar of the House.

Mr. Ballinger appeared at the bar of the House.

Mr. Parker moved that he be fined one dollar.

Motion lost.

On motion of Mr. Coffin Mr. Ballinger was admitted.

Mr. Bell moved that the further call of the House be dispensed with.

Motion carried.

Mr. Havenor moved to amend Section Thirteen, line fourteen, by striking out the word "shall" and inserting the word "may."

Motion lost.

Mr. Soule moved that Mr. Ernst's amendment be stricken out.

Motion carried and amendment stricken out by the Clerk.

At 1:16 p. m. Mr. Moriarty moved that the House take a recess of one hour.

Motion lost.

Mr. Ernst moved to amend Section Fifteen, line four, by inserting after the word "patients" the following: "The insane patients now in California shall be received therein and."

Motion carried and amendment made by the Clerk.

Mr. Havenor moved to amend Section One by adding to the Board of Commissioners the names of J. C. Hagerman and W. R. Chamberlain.

Motion lost.

Mr. Smyth moved to amend Section Thirteen, line seventeen, by inserting before the word "now" the words "not to exceed."

Motion lost.

Mr. Parker moved that the bill be reëngrossed as amended.

Motion lost.

Mr. Ernst moved to amend Section Thirteen, line thirteen, by striking out all after the word "thereof" in said section and line.

Motion lost.

Mr. Johnson moved that a copy of the contract between the State and Messrs. Langdon & Clark be produced for the information of the House.

Motion lost.

Messrs. Soule, Organ and Bradshaw called for the previous question.

The question being "Shall the main question be put?" the roll was called, with the following result:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Bradshaw, Copeland, Drexler, Englis, Fallon, Ford, Kelly, Lewers, Longley, Masel, McGowan, Newell, Organ, Plank, Richards, Shepard, Shier, Soule and Tuska—25.

NAYS—Messrs. Coffin, Ernst, Green, Havenor, Irvine, Johnson, Knight, Mallon, May, Moriarty, Parker, Smyth and Mr. Speaker—13.

Absent—Messrs. Barrett, Belding, Condon, Corbett, Duffy, Gignoux, McBurney, McKenzie, Mooney, Penoyer, Penton and Waldorf.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Bailey, Ballinger, Berry, Blair, Bradshaw, Coffin,



Copeland, Drexler, Englis, Ernst, Ford, Irvine, Johnson, Kelly, Lewers, Longley, Masel, McBurney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shepard, Shier, Smyth, Soule and Tuska—29.

NAYS—Messrs. Adams, Bell, Fallon, Green, Havenor, Knight, Mallon, May and Mr. Speaker—9.

Absent—Messrs. Barrett, Belding, Condon, Corbett, Duffy, Gignoux, McGowan, McKenzie, Mooney, Penoyer, Penton and Waldorf.

The Speaker, in explanation of his vote, stated :

First—That he was opposed to appropriations for building while our State was suffering under the present financial depression.

Second—The passage of this bill extends the present high contract of Langdon & Clark for sixteen months, and possibly longer, while responsible parties offer to contract for the keeping of our insane within our own State for a much less sum, ranging from five to six dollars per week per capita, which offer this House has failed to consider.

Mr. Coffin arose to explain his vote, and said that he voted against the bill for the reason that the State was not in a financial condition to make an appropriation of eighty thousand dollars for building purposes, and for the further reason that the bill provides for the keeping of our unfortunate insane patients in the State of California until July 1, 1882, at a cost of seven dollars per week, while many responsible citizens of Nevada have offered to keep them at rates ranging from five dollars to six dollars and fifty cents per week, and that the bids of such citizens of Nevada remain before the Assembly unconsidered, and changed his vote in order to move for a reconsideration of the vote, under the rules of the House.

Mr. Ernst concurred in the Speaker's explanation, and changed his vote to give notice of a reconsideration.

At 1:54 p. m. Mr. Smyth moved to adjourn.

Mr. Coffin gave notice that on Monday he would move for a reconsideration of the vote by which Assembly Bill No. 123 was passed.

Mr. Ernst gave notice to the same effect.

Mr. Smyth arose to a point of order, viz : that a motion to adjourn had precedence over all other motions.

Mr. Smyth withdrew his motion to adjourn.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 19, 1881. }

*To the Honorable the Assembly :*

I have the honor to return herewith, without my approval, Assembly Bill No. 43, "An Act to authorize fees and salaries of officers to be taken in attachment and execution, and to prohibit assignments to defraud creditors." It has been the policy of all governments to

protect their officers from any such interference as would or could render it difficult or impossible for them to discharge their duties. The Supreme Court of the United States and the higher courts of the several States in the Union have, in cases wherein this principle was involved, uniformly ruled against the provisions of this bill. The Constitution of this State recognizes the same principle, *i. e.*, the impolicy of permitting interference by civil process with its officers, by providing that "members of the Legislature shall be privileged from arrest on civil process during the session of the Legislature and for fifteen days before the commencement of each session." I am led to believe, moreover, that the bill would be inoperative, and result only in annoyances and hindrances to the disbursing officers of the State and the several counties, without effecting the end sought to be attained. The majority of State and county officers are mainly dependent upon their salaries, not only for support, but for their efficiency as such officers, and it must be apparent that to subject them to persecution from personal or other motives would and must severely interfere with and hamper the public service. For the foregoing reasons I must refuse my assent to this bill.

JOHN H. KINKEAD, Governor.

On motion of Mr. Soule, at 2 P. M., the House adjourned.

Approved:

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## FIFTIETH DAY.

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CARSON CITY (Monday), February 21, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Condon, Penoyer and Shepard.

Journal of the forty-eighth day read and approved.

Mr. Englis moved to strike out from the Journal of Saturday the notice given by Mr. Coffin to reconsider the vote by which Assembly Bill No. 123 was passed.

Motion withdrawn.



## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Public Printing have had under consideration Senate Bill No. 77, "An Act in relation to the message of the Governor and the reports of certain State officers," and respectfully submit a substitute for the same and recommend that the substitute do pass.

HENRY DUFFY, Chairman.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 32, "An Act to protect the wages of labor," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Public Printing have had under consideration Assembly Bill No. 97, "An Act to amend an Act entitled 'An Act to establish a State Printing Office and to create the office of Superintendent of State Printing,' approved March 11, 1879, and to add certain sections thereto," have amended the same, and recommend that as amended it do pass.

HENRY DUFFY, Chairman.

*Mr. Speaker :*

Your Committee on Internal Improvements have had under consideration Senate Bill No. 37, "An Act to prevent the adulteration of milk and to prevent the sale of impure and unwholesome milk," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. A. JOHNSON, Chairman.

*Mr. Speaker :*

Your Committee on Federal Relations have had under consideration Assembly Joint Resolution No. 2 and recommend that it do pass.

JAS. Z. KELLY, Chairman,

The Governor's Message vetoing Assembly Bill No. 43—An Act to authorize the fees and salaries of officers to be taken in attachment and execution and prohibit assignments to defraud creditors, was read.

Bill read and question put to the House, "Shall the bill pass notwithstanding the Governor's veto?"

Roll called with the following result :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—Messrs. Knight and Organ—2.

Absent—Messrs. Ballinger, Belding, McGowan, Condon, Penoyer and Shepard.

## MOTIONS AND RESOLUTIONS.

By Mr. Johnson :

*Resolved*, That no more bills be introduced after Monday, February 28, except those received from the Senate, unless by a two-thirds vote of the House.

Adopted.

By Mr. McKenzie :

Assembly Concurrent Resolution No. 22—Relative to amending the Constitution.

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

## SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 18, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 65, "An Act to pay the claim of E. H. Griswold, ex-County Assessor of Elko County, Nevada," which passed the Senate this day. Yeas, 16 ; nays, 4.

Also, to return to your honorable body substitute for Assembly Bill No. 28, "An Act to amend an Act entitled 'An Act in relation to the State Library,' " which was this day lost in the Senate. Yeas, 7 ; nays, 14.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 18, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 19, in relation to appointing a committee to investigate the alleged frauds in the State Printing Office, which was unanimously adopted this day in the Senate ; also, to inform you that Messrs. McConnell and Powning were appointed as the Senate portion of said committee.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 18, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 96, "An Act supplementary to an Act entitled 'An Act to authorize the School Trustees of School District No. 10, in Washoe



County, to issue bonds for school purposes,''' approved February 18, 1879, which passed the Senate this day. Yeas, 21; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

## NOTICE OF BILL.

Mr. Moriarty gave notice that he would on some future day introduce a bill to establish the price of water in all counties in this State having an estimated population of seven thousand or more.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Gignoux (by leave):

Assembly Bill No. 126—An Act to amend an Act entitled "An Act providing for the taxation of the net proceeds of mines," approved February 28, 1871.

Rules suspended, read second time by title, referred to the Committee on Mines and Mining and ordered printed. .

By Mr. Smyth :

Assembly Bill No. 127—An Act providing for the taxation of mines that produce one thousand pounds or less of ore or mineral bearing material per day and to encourage the prospecting of undeveloped mines.

Rules suspended, read second time by title, referred to the Committee on Mines and Mining and ordered printed.

By Mr. Tuska :

Assembly Bill No. 128—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Mr. Smyth, by leave, presented the following report :

*Mr. Speaker :*

Your Committee on Counties and County Boundaries, to whom was re-referred Assembly Bill No. 106, "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,''' approved March 9, 1865, beg leave to report a substitute and recommend that the substitute do pass.

JOHN SMYTH, Chairman.

## GENERAL FILE.

Assembly Bill No. 122—An Act to redistrict the State of Nevada.  
On motion of Mr. Coffin action was deferred until Wednesday, the 23d instant.

Assembly Bill No. 66—An Act for the relief of insolvent debtors and protection of creditors.

Amendments made in committee read and adopted and the bill ordered engrossed.

Assembly Bill No. 69—An Act to further 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 9, 1865; approved March 1, 1866.

Mr. Bell moved the adoption of the report of the select committee of conference in regard to Assembly Bill No. 69.

Motion carried.

Assembly Bill No. 109—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice in the State of Nevada and to repeal all other Acts in relation thereto," approved March 8, 1869.

Mr. Smyth moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 108—An Act concerning weights and measures.

Mr. Ernst moved that the bill be indefinitely postponed.

Motion carried.

Senate Bill No. 74—An Act fixing the fees to be allowed and collected in the several counties of this State in the settlement of the estates of deceased persons and in the management of the estates of minors and other persons under legal guardianship.

Bill laid on the table.

Assembly Bill No. 126—An Act supplemental and amendatory of an Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office, and to enforce official duty, approved March 9, 1866.

Rules suspended, read first and second time by title, ordered printed and referred to the Committee of the Whole.

Assembly Bill No. 89—An Act to repeal an Act entitled "An Act concerning official bonds," approved March 14, 1865, and to repeal all Acts and parts of Acts amendatory thereof and supplemental thereto and to abolish and do away with official bonds in this State.

Bill considered engrossed and read third time.

On motion of Mr. Soule, at 12:05 p. m., the House took a recess for one hour.

#### HOUSE IN SESSION.

At 1:05 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.



Mr. Organ asked leave of absence for Mr. Ballinger for the remainder of the day.

Granted.

Assembly Bill No. 89 under consideration.

Mr. Coffin moved to amend by adding to Section Three the words "from and the taking effect of this Act," and by adding Section Four to the bill.

Mr. Organ moved that the subject matter be indefinitely postponed.

Mr. Smyth called for the previous question and the Speaker decided that the question to amend had precedence.

Mr. Bell arose to discuss the question.

Mr. Ernst arose to a point of order that Mr. Bell was not confining himself to the question.

Point sustained.

Previous question again called for by Mr. Smyth and the Speaker decided that under a motion to amend no previous question could be called for.

Question on adoption of amendments put to the House and adopted by a vote of 28 to 2.

Question on indefinite postponement of the subject matter put to the House and the yeas and nays were called for by Messrs. Lewers, Bradshaw and Havenor and the motion lost by the following vote :

YEAS—Messrs. Bailey, Barrett, Blair, Drexler, Duffy, Englis, Ford, Green, Havenor, Kelly, Lewers, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Shier, Smyth, Waldorf and Mr. Speaker—21.

NAYS—Messrs. Adams, Bell, Berry, Bradshaw, Coffin, Corbett, Copeland, Ernst, Fallon, Gignoux, Irvine, Johnson, Longley, Masel, Mallon, May, Mooney, Penton, Plank, Richards, Soule and Tuska—22.

Absent—Messrs. Ballinger, Belding, Condon, McGowan, Knight, Penoyer and Shepard.

At 1:32 P. M. Mr. Coffin moved a call of the House.

Motion carried.

Mr. Speaker asked leave of absence for Mr. Condon for the remainder of the week.

Granted.

Mr. Bradshaw asked leave of absence for Mr. Shepard.

Granted.

Roll called and the following members were found to be absent :

Absent without leave—Mr. McGowan.

Absent with leave—Messrs. Ballinger, Condon, Penoyer and Shepard.

Mr. Drexler moved that the further call of the House be dispensed with.

Motion lost.

The Speaker instructed the Sergeant-at-Arms to bring in Mr. McGowan and in due time Mr. McGowan appeared at the bar of the House in charge of the Sergeant-at-Arms.

Mr. Organ moved that Mr. McGowan be fined one dollar, and on payment thereof to the Sergeant-at-Arms be admitted to his seat.

Motion carried and Mr. McGowan paid the fine and was admitted.

Mr. Bell, at 1:46, moved that the further call of the House be dispensed with.

Motion carried.

Mr. Barrett moved to amend by adding to the bill Section Five.

Motion carried and amendment made by the Clerk.

Previous question called for by Messrs. Organ, Kelly and Havenor, and question put to the House, "Shall the main question be now put?" and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Condon, Shepard and Penoyer.

Bill placed on final passage and lost by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Bradshaw, Coffin, Corbett, Ernst, Fallon, Gignoux, Irvine, Johnson, Knight, Longley, Mallon, Masel, May, McGowan, Mooney, Penton, Plank, Richards and Tuska—22.

NAYS—Messrs. Bailey, Berry, Blair, Copeland, Drexler, Duffy, Englis, Ford, Green, Havenor, Kelly, Lewers, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Shier, Smyth, Soule, Waldorf and Mr. Speaker—23.

Absent—Messrs. Ballinger, Belding, Condon, Shepard and Penoyer.

Mr. Richards, by leave, presented the following report:

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Bill No. 13 and Assembly Bill No. 112 and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

Substitute for Assembly Bill No. 100—An Act relative to attorneys and counselors at law.

Substitute was read and, on motion of Mr. Coffin, adopted.

Mr. Ernst moved that substitute be considered engrossed.

Motion carried.

At 2 p. m. Mr. Johnson asked leave of absence for the remainder of the day.

Granted.

Substitute read third time.



Mr. Bell moved to amend by striking out the word "male" wherever it occurs.

Motion carried.

Mr. Englis moved to strike out the word "citizen" wherever it occurs.

Motion lost.

Mr. Coffin moved that the further consideration of the bill be indefinitely postponed.

Motion lost by a vote of 21 to 13.

Mr. Smyth moved that the bill be referred to a committee of one, consisting of Mr. Bell, for the purpose of amendment.

Motion lost.

Mr. Bell moved to amend the bill by adding after the word "his," wherever it occurs, the words "or her," and wherever the word "he" occurs, the words "or she."

Motion carried.

Mr. Bradshaw moved to amend Article Six, Section Ten, by striking out all of Section Six after the words "personality," and to insert in lieu thereof the words "to a witness or party to a case."

Motion lost.

Previous question called for by Messrs. Newell, Smyth and Parker and the Speaker put the question "Shall the main question be now put?" and was passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—Mr. Longley.

Absent—Messrs. Belding, Ballinger, Condon, McGowan, Penoyer and Shepard.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Berry, Bradshaw, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Knight, Lewers, Mallon, May, Mooney, Organ, Parker, Penton, Plank, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—30.

NAYS—Messrs. Bailey, Blair, Coffin, Duffy, Ford, Kelly, Longley, Masel, McBurney, McKenzie, Moriarty, Newell and Richards—13.

Absent—Messrs. Ballinger, Belding, Condon, Johnson, McGowan, Penoyer and Shepard.

On motion of Mr. Drexler the following message from the Senate was taken up and read:

SENATE CHAMBER,  
CARSON CITY, February 21, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body

Assembly Bill No. 58, entitled "An Act providing for the government of the towns and cities of this State," which was amended and as amended passed the Senate this day: Yeas, 20; nays, none.

WM. HY. DOANE,

Assistant Secretary of the Senate.

On motion of Mr. Drexler Assembly Bill No. 58—An Act providing for the government of the towns and cities of this State, was taken up for consideration and the amendments made in the Senate read and concurred in.

Assembly Bill No. 118—An Act to make the Lieutenant-Governor *ex-officio* Warden of the State Prison.

Mr. Englis moved that the bill be indefinitely postponed.

Motion withdrawn, and the author of the bill, by leave, withdrew it.

Assembly Concurrent Resolution No. 20—Relative to State Prison labor for the purpose of constructing a reservoir.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tnska, Waldorf and Mr. Speaker—40.

NAYS—Mr. Englis.

Absent—Messrs. Ballinger, Belding, Condon, Corbett, Johnson, McBurney, McGowan, Penoyer and Shepard.

At 3 P. M. Mr. Moriarty asked leave of absence for the remainder of the day.

Granted.

Senate Bill No. 98—An Act entitled "An Act to provide for the election of a Board of Regents, to fix their term of office and prescribe their duties," approved March 5, 1869.

Read third time.

Mr. Coffin moved that Mr. McGowan have an indefinite leave of absence.

Motion lost.

At 3:05 P. M. Mr. Knight moved to adjourn.

Motion withdrawn.

Senate Bill No. 98 placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Coffin, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Kelly, Knight, Longley, Mallon, May, McBurney, McKenzie, Mooney, Newell, Organ, Penton, Plank, Richards, Shier, Smyth, Soule and Waldorf—29.



NAYS—Messrs. Berry, Blair, Bradshaw, Copeland, Duffy, Green, Lewers, Masel, Parker and Tuska—10.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Corbett, Johnson, McGowan, Moriarty, Penoyer and Shepard.

On motion of Mr. Englis the following Senate message was taken up for consideration :

SENATE CHAMBER,  
CARSON CITY, February 21, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 123—An Act to provide for the taking care of the insane of the State of Nevada, which passed the Senate this day. Yeas, 20 ; nays, 4.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Bell moved that the special orders for this evening at 7 P. M. be made the special orders for Wednesday at 7 P. M.

Motion carried.

Mr. Coffin, by leave, gave notice that he would on the next meeting of the Assembly move to amend Rule Sixty-six so as to read as follows :

Rule Sixty-six—The rules of parliamentary practice contained in Cushing's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and joint rules of the Senate and House of Assembly.

Mr. Smyth moved to take up out of order Assembly Bill No. 107. No action.

At 3:16 P. M., on motion of Mr. Havenor, the House adjourned until Wednesday, the 23d, at 10:30 A. M.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

**FIFTY-SECOND DAY.**

CARSON CITY (Wednesday), February 23, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Ballinger, Belding, Johnson, McBurney and Shepard.

Mr. Mooney asked leave of absence for Mr. Ballinger for one day. Granted.

Journal of fiftieth day read partially, and on motion of Mr. Englis the further reading was dispensed with.

At the request of Mr. Shepard Mr. Ernst was substituted in his place on the Committee on Education.

Mr. Waldorf presented a petition from members of the Nevada State Militia of Storey County relative to Assembly Bill No. 82, and praying that it do not become a law.

Mr. Tuska presented a petition from citizens of Storey County relative to Justices of the Peace and Constables in Storey County.

REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 123, "An Act for taking care of the insane of this State," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Military and Indian Affairs have had under consideration Senate Bill No. 83, "An Act authorizing the Board of Examiners of this State to employ attorneys at Washington, D. C., to prosecute claims of this State against the General Government and defining the mode and manner of paying said attorneys," which we have amended, and beg leave to return the same with the recommendation that it do pass as amended.

J. D. WALDORF, Chairman.

*Mr. Speaker :*

Your Committee on Military and Indian Affairs have had under consideration Assembly Bill No. 82, "An Act to amend Sections Seventeen, Nineteen, Twenty-two and Seventy of an Act entitled 'An Act to provide for organizing and disciplining the militia of the State,' " and beg leave to return the same to the Assembly without recommendation.

J. D. WALDORF, Chairman.



## REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your select committee beg leave to report that they have had under consideration substitute for Assembly Bill No. 16, "An Act for the reapportionment of Senators and Assemblymen in the several counties of this State," and respectfully ask the adoption of the accompanying resolution :

*Resolved*, That the honorable Senate be requested to appoint a special committee of one from each county to confer with this committee from the Assembly upon the subject of reapportionment of Senators and Assemblymen, and that the whole subject matter be referred to such joint committee.

Adopted.

## MOTIONS AND RESOLUTIONS.

By Mr. Coffin :

*Resolved*, That the rules of parliamentary practice contained in Cushing's Manual shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Assembly.

On motion of Mr. Smyth the resolution was laid on the table by a vote of 13 to 17.

Mr. Moriarty presented, out of order, the following report :

*Mr. Speaker :*

Your select committee appointed for the purpose of amending Assembly Bill No. 78, beg leave to report that they have amended it and as amended recommend that it do pass.

D. A. MORIARTY,  
G. F. PARKER.

By Mr. Organ :

Assembly Concurrent Resolution No. 23—Relative to establishing a mail service between Dun Glen and Mill City, Humboldt County, Nevada.

At 10:55 A. M. Speaker *pro tem.* in the Chair.

Mr. Organ moved that the rules be suspended and that the resolution be read a second time and referred to the Humboldt delegation.

## SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 21, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body substitute for Senate Bill No. 55—An Act for the

relief of S. H. Marlette, which passed the Senate this day. Yeas, 22; nays, 3.

Also, to return to your honorable body Assembly Bill No. 95—An Act to disincorporate the city of Austin and to repeal all other Acts touching its incorporation, which passed the Senate this day. Yeas, 25; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 21, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Joint Resolution No. 4—Relative to establishing a mail route, which passed the Senate this day. Yeas, 20; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### NOTICE OF BILL.

Mr. Moriarty gave notice that he would on some future day introduce a bill to regulate the quality and standard of illuminating power and the price of gas in all cities and towns within this State.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Organ (by leave):

Assembly Bill No. 130—An Act to regulate the quality and standard of illuminating power and the price of gas in all cities and towns within this State.

Rules suspended, read second time by title, referred to the Committee on Trades and Manufactures and ordered printed.

Mr. Soule (by leave):

Assembly Bill No. 131—An Act to create the Austin Gas Company.

Rules suspended, read second time by title and referred to the Committee on Trades and Manufactures.

By Mr. Parker (by leave):

Assembly Bill No. 132—An Act to establish and fix the rates of fares and freights on railroads whose lines run through the State of Nevada.

Rules suspended, read second time by title, referred to the Committee on Corporations and Railroads and ordered printed.

By Mr. Coffin (by leave):

Assembly Bill No. 133—An Act concerning Justices of the Peace.

Rules suspended, read second time by title and referred to the Committee on Judiciary.



By Mr. Coffin (by leave):

Assembly Bill No. 134—An Act to authorize and empower the Board of State Prison Commissioners to purchase for and on behalf of the State of Nevada certain real estate situated near the State Prison.

Rules suspended, read second time by title and referred to the Committee on State Prison.

Senate Concurrent Resolution No. 19—Relative to appointment of a committee to investigate alleged frauds in the State Printing Office.

Senate Bill No. 65—An Act to pay the claim of E. H. Griswold, ex-County Assessor of Elko County.

Rules suspended, bill read second time by title and referred to the Committee on Claims.

Substitute for Senate Bill No. 55—An Act for the relief of S. H. Marlette.

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

Assembly Bill No. 129—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Read second time and on motion of Mr. Tuska was referred to the Committee on Judiciary.

#### GENERAL FILE.

Senate Bill No. 81—An Act to amend an Act entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office and to enforce official duty," approved March 9, 1866.

At 11:23 A. M. Mr. Speaker in the Chair.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Johnson, McBurney, Organ and Shepard.

By Mr. Bell (by leave):

Assembly Bill No. 135—An Act in relation to the manufacturing industries carried on at the State Prison.

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

Senate Bill No. 62—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 8, 1869.

Read third time, placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Bradshaw, Johnson, McBurney, Organ and Shepard.

At 11:47 A. M. the House, on motion of Mr. Bell, resolved itself into Committee of the Whole for the purpose of considering Assembly Bill No. 105, “An Act making appropriations for the support of the government of the State of Nevada for the seventeenth and eighteenth fiscal years.”

Mr. McKenzie in the Chair.

At 12:25 P. M. the committee arose and made the following report:

*Mr. Speaker :*

Your Committee of the Whole, who have had under consideration Assembly Bill No. 105, “An Act making appropriations for the support of the government of the State of Nevada for the seventeenth and eighteenth fiscal years,” have carefully considered the same and have made amendments thereto, and as amended recommend that it do pass.

At 12:25, on motion of Mr. Waldorf, the House took a recess until 1:30 P. M.

## HOUSE IN SESSION.

At 1:30 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Mallon, by leave, introduced the following resolution :

*Resolved*, That the Committee on Contingent Expenses and Accounts be instructed to examine into the books and accounts of the several public departments of this State, and report the result of their investigation to this House on or before the first day of March, A. D. 1881.

Adopted.

Mr. Adams, by leave, presented the following report :

*Mr. Speaker :*

Your special committee consisting of the Eureka County delega-



tion have had under consideration substitute for Senate Bill No. 40, "An Act fixing the salaries of the Commissioners of Eureka County," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAMES ADAMS.

Senate Bill No. 63—An Act to amend an Act entitled "An Act to regulate criminal proceedings in the courts of justice in the Territory of Nevada," approved November 26, 1861.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—Mr. Blair.

Absent—Messrs. Ballinger, Belding, Corbett, Ford, Knight, McGowan, Moriarty, Newell and Shepard.

Senate Bill No. 46—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 5, 1867; approved March 8, 1869; approved February 26, 1879.

Read third time and passed by the following vote :

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Organ, Parker, Penoyer, Penton, Plank, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Adams, Ballinger, Belding, Ford, Knight, Moriarty, Newell, Richards and Shepard.

Senate Bill No. 72—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Amendments made in committee read and adopted.

Bill read third time.

Mr. Tuska moved as an amendment that Section Three be stricken out, and that Section Four be made Section Three.

Motion carried.

Bill placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—Mr. Englis.

Absent—Messrs. Ballinger, Belding, Ford, Knight, Moriarty and Shepard.

Assembly Bill No. 94—An Act to amend an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879.

Mr. Englis moved that the bill be re-referred to the Storey County delegation.

Motion carried.

At 2 p. m. the Speaker announced that the hour had arrived for the consideration of the special order of the day, viz: Assembly Bills Nos. 107, 88 and 46.

Mr. Smyth moved that Assembly Bill No. 107 be considered first. Motion carried.

Assembly Bill No. 107—An Act to regulate the charges for carrying, receiving, handling and storing property, and for carrying passengers by inter-State railroads within the State of Nevada, and prescribing penalties for the violation of its provisions.

At 2:02 p. m. Mr. Parker moved a call of the House.

Motion carried.

Roll called and the following members were found to be absent without leave: Messrs. Ford, Knight, Mallon and Moriarty.

Messrs. Ford and Moriarty appeared before the bar of the House and on motion of Mr. Parker were admitted.

The Speaker instructed the Sergeant-at-Arms to find Messrs. Knight and Mallon and bring them before the House.

Mr. Knight appeared at the bar of the House, and on motion of Mr. Corbett was fined one dollar and on payment of the same was allowed to take his seat.

At 2:23 p. m. Mr. Mallon appeared at the bar of the House, in charge of the Sergeant-at-Arms, and on motion of Mr. Parker was fined one dollar and allowed to take his seat.

At 2:25 p. m., on motion of Mr. Parker, the further call of the House was dispensed with.

At 2:34 p. m. leave of absence was granted Mr. Organ for a short time.

Mr. Englis moved that Assembly Bill No. 107 be considered engrossed.

Motion carried.

Read third time.

Mr. Corbett moved to amend Section Six, line six, by striking out the word “five” and inserting in place the word “two.”

The yeas and nays on the motion to amend were called for by Messrs. Ernst, Gignoux and Coffin and the motion lost by the following vote:

YEAS—Messrs. Adams, Bailey, Corbett and McBurney—4.

NAYS—Messrs. Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Con-



don, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

Absent—Messrs. Ballinger, Belding, Organ and Shepard.

Mr. Coffin moved to amend Section Six by inserting the word "company" after the word "passed," in line sixteen.

Motion carried.

Bill placed on final passage and passed by the following vote :

YEAS—Messrs. Adams, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—Messrs. Bailey and McBurney—2.

Absent—Messrs. Ballinger, Belding and Shepard.

Mr. Waldorf moved that Assembly Bill No. 46 be now taken up for consideration.

Motion carried.

Assembly Bill No. 46—An Act relating to railroads the termini of which are within the State of Nevada.

Mr. Englis moved that the bill be considered engrossed.

The yeas and nays on the motion were called for by Messrs. Waldorf, Coffin and McBurney, and the motion carried by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Green, Irvine, Lewers, Mallon, Masel, McGowan, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—32.

NAYS—Messrs. Bell, Berry, Ernst, Gignoux, Havenor, Johnson, Kelly, Knight, Longley, May, McBurney, McKenzie, Mooney and Soule—15.

Absent—Messrs. Ballinger, Belding, Coffin and Shepard.

Bill read third time.

Mr. Gignoux was granted leave of absence for five minutes.

Mr. Smyth moved to amend as follows: In line four strike out the word "five" and insert in place thereof "eight;" in lines six and seven strike out the words "two and one-half" and insert "four;" strike out "ten" and insert "fifteen," and in line eight strike out "two" and insert "four."

Mr. Bradshaw moved that the amendments be adopted.

Mr. Soule moved that the bill be indefinitely postponed.

The question on the adoption of the amendment was put to the House and carried by a vote of 22 to 18.



Yeas and nays on motion to indefinitely postpone called for by Messrs. Coffin, Soule and Waldorf.

Mr. Ernst arose to a question of privilege relative to the standing of the people of Nye County on the railroad question.

Mr. Organ arose to a point of order and claimed that Mr. Ernst had exhausted his privilege of debate.

No action.

Previous question called for by Messrs. Waldorf, Kelly and Havenor, and the Speaker ruled that the call was not in order, as there was a question to indefinitely postpone before the House.

At 3:50 P. M. Speaker *pro tem.* in the Chair.

The question on the indefinite postponement of the bill was put to the House and lost by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Coffin, Gignoux, Havenor, Johnson, Kelly, Knight, Longley, May, McBurney and Soule—14.

NAYS—Messrs. Barrett, Blair, Bradshaw, Condon, Corbett, Cope-land, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Irvine, Lewers, Mallon, Masel, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—33.

Mr. Barrett moved to amend Section One by inserting the words "either of" after the word "railroad" when said word is required in the bill.

No action.

Mr. Merrill moved that the subject matter be postponed until to-morrow (Thursday) evening at 7 o'clock.

Motion carried.

Leave of absence granted Mr. Parker for the remainder of the day.

At 4 P. M., on motion of Mr. Englis, the House took a recess until 7 P. M.

#### HOUSE IN SESSION.

At 7 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

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

Mr. Smyth arose to a question of privilege, and desired that the Journal should show the language used by him this afternoon.

Assembly Bill No. 88 was, on motion of Mr. Coffin, made the special order for to-morrow at 7 P. M.

The Speaker announced that the hour had arrived for the consideration of the different bills referred to the Committee of the Whole for this evening, viz : Assembly Bill No. 63 and Senate Bills Nos. 51, 53 and 61.



At 7:10 p. m. House in Committee of the Whole.

Mr. Bell in the Chair.

At 7:55 p. m. the committee arose and made the following report :

*Mr. Speaker :*

Your Committee of the Whole, who have had under consideration Senate Bills Nos. 61, 53 and 51, and also Assembly Bill No. 63, beg leave to report that they have considered the same and recommend that Senate Bill No. 61 do pass ; also, Senate Bill No. 53, which we recommend do pass as amended ; also, Senate Bill No. 51, which we report back without recommendation ; also, Assembly Bill No. 63, which we recommend be referred to the Committee on Claims.

Mr. Bell moved that all bills acted upon in Committee of the Whole be taken up for consideration, in the same order as acted upon in said committee.

Motion carried.

At 7:58 p. m. Mr. Green moved to adjourn.

Motion lost.

Senate Bill No. 61—An Act providing for the payment of such portion of the expenses incurred in the suppression of the so-called Italian coal-burners' outbreak in Eureka County, during the year 1879, as is justly chargeable to the State.

Bill read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Coffin, Condon, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Parker, Penoyer, Penton, Shier, Soule, Tuska and Mr. Speaker—36.

NAYS—Messrs. Corbett, Copeland, Fallon, Green, Newell, Plank, Richards, Smyth and Waldorf—9.

Absent—Messrs. Belding, Ballinger, Bradshaw, Organ and Shepard.

Senate Bill No. 53—An Act for the relief of Kimball and Swallow.

Amendments made in committee read and adopted.

Bill read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Coffin, Condon, Drexler, Englis, Ernst, Ford, Green, Havenor, Irvine, Johnson, Kelly, Knight, Masel, McBurney, McGowan, McKenzie, Moriarty, Shier, Soule and Mr. Speaker—26.

NAYS—Messrs. Corbett, Copeland, Duffy, Fallon, Gignoux, Lewers, Mallon, May, Mooney, Newell, Penoyer, Penton, Plank, Richards, Smyth, Tuska and Waldorf—17.

Absent—Messrs. Ballinger, Belding, Bradshaw, Longley, Organ, Parker and Shepard.

Senate Bill No. 51—An Act to reimburse C. S. Young.

Mr. Ernst moved that the bill be placed on the bottom of the file.

Motion lost.

Mr. Smyth moved that the bill be laid on the table.

Motion lost.

Bill read third time.

Mr. Englis moved that the bill be indefinitely postponed.

Motion lost.

Bill placed on final passage and lost by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Coffin, Fallon, Gignoux, Irvine, Johnson, Longley, May, McBurney, McGowan, Plank, Shepard, Soule and Mr. Speaker—17.

NAYS—Messrs. Barrett, Blair, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Green, Havenor, Kelly, Knight, Lewers, Mallon, Masel, McKenzie, Mooney, Moriarty, Newell, Penoyer, Penton, Richards, Shier, Smyth, Tuska and Waldorf—28.

Absent—Messrs. Ballinger, Belding, Organ, Parker and Bradshaw.

Assembly Bill No. 63—An Act to pay the claim of Benjamin Edson.

Mr. Bell moved that the bill be referred to the Committee on Claims.

Motion lost.

On motion of Mr. Ernst the bill was referred to the Committee on Ways and Means.

Assembly Memorial and Joint Resolution No. 2—Relative to the election of United States Senator.

On motion of Mr. Newell referred back to the Committee on Federal Relations.

At 8:32 P. M. Mr. Condon moved to adjourn.

Motion lost.

Senate Bill No. 39—An Act supplementary to an Act entitled "An Act to prevent the adulteration of milk and to prevent traffic in impure and unwholesome milk.

Bill read third time and passed by the following vote :

YEAS—Messrs. Bailey, Bell, Coffin, Corbett, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Mallon, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Penoyer, Penton, Plank, Smyth, Waldorf and Mr. Speaker—28.

NAYS—Messrs. Adams, Barrett, Berry, Blair, Condon, Copeland, Drexler, Knight, Lewers, Longley, Masel, Newell, Richards, Shier, Soule and Tuska—16.

Absent—Messrs. Ballinger, Belding, Bradshaw, Organ, Parker and Shepard.

At 8:38 Mr. Corbett moved to adjourn.

Motion lost.

Assembly Bill No. 97—An Act to amend an Act entitled "An Act to establish a State Printing Office and to create the office of Superintendent of State Printing."

Amendments made in committee read and adopted.

Bill considered engrossed and read third time.



At 8:53 P. M. Mr. Adams moved a call of the House.

Motion carried.

Roll called.

Absent without leave—Messrs. Bradshaw, Corbett, Knight and Waldorf.

Mr. Havenor asked leave of absence for Mr. Corbett for three hours.

Objected to.

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

The Speaker instructed the Sergeant-at-Arms to find Messrs. Bradshaw, Corbett, Knight and Waldorf and bring them before the bar of the House.

Mr. Corbett appeared before the bar of the House, was fined one dollar and took his seat.

At 9:02 Mr. Havenor moved that further proceedings under the call be dispensed with.

Motion lost.

At 9:11 P. M. Mr. Green moved that further proceedings under the call be dispensed with.

The yeas and nays were called for by Messrs. Green, Corbett and Ford and the motion lost by the following vote :

YEAS—Messrs. Barrett, Bell, Berry, Condon, Corbett, Drexler, Englis, Ford, Green, Havenor, Irvine, Lewers, Longley, Mallon, McBurney, Moriarty, Penton, Plank, Soule and Mr. Speaker—20.

NAYS—Messrs. Adams, Blair, Coffin, Copeland, Duffy, Ernst, Fallon, Gignoux, Johnson, Kelly, Masel, May, McGowan, McKenzie, Mooney, Newell, Penoyer, Richards, Shier, Smyth, Tuska and Bailey—22.

At 9:32 Mr. Mallon moved that further proceedings under the call be dispensed with.

The yeas and nays were called for by Messrs. Mallon, Copeland and Smyth and motion lost by the following vote :

YEAS—Messrs. Berry, Condon, Corbett, Drexler, Green, Lewers, Longley, McBurney, Moriarty, Newell, Penton, Plank, Soule and Mr. Speaker—14.

NAYS—Messrs. Adams, Bailey, Barrett, Bell, Blair, Coffin, Copeland, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Mallon, Masel, May, McGowan, McKenzie, Mooney, Penoyer, Richards, Shier, Smyth and Tuska—28.

At 9:28 Mr. Knight appeared before the bar of the House in charge of the Sergeant-at-Arms.

Mr. Ernst moved that Mr. Knight be fined two dollars and fifty cents and mileage.

Motion carried.

Mr. Barrett moved that Mr. Knight be admitted on payment of fine.

Motion carried and Mr. Knight took his seat.

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

On motion of Mr. Corbett, at 9:30 p. m., the House adjourned.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY,  
Chief Clerk of the Assembly.

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### FIFTY-THIRD DAY.

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CARSON CITY (Thursday), February 24, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Barrett, Belding, Berry, Condon, Corbett, Knight, Moriarty, Penton and Shepard.

Mr. Waldorf asked leave of absence for Mr. Berry for one day.  
Granted.

Mr. Smyth asked leave of absence for Mr. Penton for one day.  
Granted.

Leave of absence was granted Mr. Knight for one day.

Journal of yesterday read partially and on motion of Mr. Mooney the further reading was dispensed with.

On motion of Mr. Havenor the record of the controversy which took place yesterday between Mr. Smyth and Mr. Soule was ordered expunged from the Journal.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 63, "An Act to pay the claim of Benjamin Edson," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 69, "An Act to provide revenue for the support of the government of the State of Nevada," and Assembly substitute for Senate Bill No 4, "An Act to provide for the appointment of No-



taries Public," and Assembly Bill No. 96, "An Act to authorize School District No. 10, in Washoe County, to issue bonds for school purposes," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Trades and Manufactures have had under consideration Assembly Bill No. 131, "An Act to create the Austin Gas Company," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

W. B. NEWELL, Chairman.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker :*

Your select committee consisting of the Humboldt County delegation, to whom was referred Assembly Joint Memorial and Resolution No. 5, have had the same under consideration and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JOSEPH ORGAN,  
T. J. BRADSHAW.

*Mr. Speaker :*

The undersigned members of the Storey County delegation have had under consideration Assembly Bill No. 94 and have prepared a substitute for the same, which they respectfully submit to the honorable Assembly for adoption and recommend that the same do pass.

WAL. J. TUSKA,  
E. T. PLANK,  
W. E. COPELAND,  
D. A. MORIARTY,  
A. ENGLIS,  
J. D. WALDORF.

#### MOTIONS AND RESOLUTIONS.

By Mr. Tuska :

*Resolved,* That hereafter all members of the House who shall have been brought to the bar of the House in the custody of the Sergeant-at-Arms upon a call of the House shall forfeit their per diem for such day, the same to be paid by the Treasurer into the State School Fund, and the Controller shall deduct the same from the salary of such member in making out his warrant.

Mr. Englis moved the adoption of the resolution.

Mr. Waldorf moved that it lay on the table.

Question on adoption of resolution lost by a vote of 18 to 15.

Mr. Coffin moved to take up out of order Assembly Bill No. 122—  
An Act redistricting the State

Motion carried.

## GENERAL FILE.

Assembly Bill No. 122—An Act redistricting the State of Nevada. Bill considered engrossed and read third time.

Mr. Coffin moved to amend Section Four, line four, by striking out the word "March" and inserting in place "January;" also, by inserting the word "March" in Section Four, line nine.

Motion carried and Mr. Coffin appointed a committee of one to make the amendments, and in due time he reported them made.

Mr. Ernst moved that in Section Three, after the word "Elko," the word "county," be inserted.

Motion carried and amendment made by the Clerk.

Mr. Newell moved to amend so that Section Three, lines eleven and twelve, would read: "The county of Lander shall pay twenty-two hundred dollars, the county of Nye shall pay nineteen hundred dollars, the county of Churchill shall pay nine hundred dollars."

Motion lost.

Mr. Gignoux moved to amend Section Three so as to read: "In the Third District, county of Lyon, on the first Monday in May and December; in the county of Esmeralda on the first Monday in March, July and October."

Adopted and amendment made by the Clerk.

Mr. Soule moved to amend Section Three, lines eleven and twelve, by striking out "twenty-seven hundred dollars" and inserting in place "twenty-four hundred dollars," and by striking out "sixteen hundred dollars" and inserting in place "seventeen hundred dollars;" also, in line twelve, strike out "seven hundred dollars" and insert "eight hundred and fifty dollars."

Motion carried and amendments made by the Clerk.

Mr. Green moved to amend Section Three, line thirteen, by striking out "seven thousand dollars" and inserting "seven thousand three hundred dollars;" line fourteen by striking out "nineteen hundred dollars and inserting "two thousand and fifty dollars;" line fifteen by striking out "sixteen hundred dollars" and inserting "seventeen hundred and fifty dollars."

Motion lost.

Mr. Coffin moved to amend by adding Section Five to the bill. Amendment adopted.

Bill placed on final passage and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—Mr. McGowan.

Absent—Messrs. Belding, Berry, Corbett, Knight, McKenzie, Penton and Shepard.



Mr. Ernst, by leave, presented the following report :

*Mr. Speaker :*

The majority of your Committee on Public Lands, having had under consideration substitute for Senate Bill No. 15, recommend that the same do not pass unless amended.

GEORGE ERNST, Chairman.

Mr. Ernst moved that substitute for Senate Bill No. 15 be made the special order for 2 P. M. to-day.

Motion carried.

At 11:36 A. M., on motion of Mr. Bell, the House resolved itself into Committee of the Whole, with the Speaker in the Chair, for the purpose of considering Assembly Bill No. 105.

At 12:47 P. M. the committee arose and made the following report:

*Mr. Speaker :*

Your Committee of the Whole, who have had under consideration Assembly Bill No. 105, "An Act making appropriations for the support of the government of the State of Nevada for the seventeenth and eighteenth fiscal years," beg leave to report that they have amended the same; and as amended recommend that it do pass.

Assembly Bill No. 105—An Act making appropriations for the support of the civil government of the State of Nevada for the seventeenth and eighteenth fiscal years.

Amendments made in Committee of the Whole read and adopted.  
Bill considered engrossed.

Mr. Newell, by leave, introduced the following resolution:

*Resolved*, That during the present session the House do not adjourn on any day until the General File is cleaned up.

At 12:50 P. M., on motion of Mr. Organ, the House took a recess for one hour.

#### HOUSE IN SESSION.

At 1:50 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Assembly Bill No. 105 under consideration.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Soule, Tuska and Mr. Speaker—37.

NAYS—Messrs. Bradshaw, Coffin, Gignoux and Waldorf—4.

Absent—Messrs. Belding, Berry, Condon, Knight, McGowan, Penoyer, Penton, Shepard and Smyth.

Mr. Coffin arose to explain his vote on the passage of the bill, and stated that he voted against it for the reason that it made appropriations out of the School Fund which were in the nature of encroachments upon that fund, and which ought not to be made.

At 2 p. m. the Speaker announced that the hour had arrived for the consideration of the special order of the day, viz: substitute for Senate Bill No. 15.

Bill read third time.

Mr. Ernst moved to amend Section Two, line three, by striking out the words "or that will produce four hundred or more cords of wood to each forty-acre tract or lot."

At 2:42 p. m. Mr. Drexler was granted leave of absence for the remainder of the day.

Mr. Ernst moved to amend Section Three by adding thereto the words "and no application for first and second-class timber land shall be received by the State Land Register unless the fees and full price per acre accompany such application."

Motion carried and amendment made by the Clerk.

Mr. Ernst moved to amend by striking out Section Four and substituting a section therefor.

Motion carried.

Mr. Ernst moved to amend Section Five, line one, by striking out the words "second-class."

Motion carried and amendment made by the Clerk.

Mr. Organ moved to strike out the enacting clause of the bill.

Yeas and nays called for by Messrs. Waldorf, Organ and Kelly, and motion lost by the following vote:

YEAS—Messrs. Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Duffy, Gignoux, Kelly, May, McKenzie, Moriarty, Organ, Smyth and Waldorf—18.

NAYS—Messrs. Adams, Bailey, Englis, Ernst, Fallon, Ford, Green, Havenor, Johnson, Lewers, Longley, Mallon, Masel, McBurney, McGowan, Mooney, Newell, Parker, Plank, Richards, Shier and Soule—22.

Mr. Ernst moved to amend Section Five by striking out all of the section after the word "timber," in line twenty.

Motion carried and amendment made by the Clerk.

Mr. Bell moved to amend Section Five, line one, by striking out the words "his or her agent."

Motion carried and amendment made by the Clerk.

Mr. Waldorf moved that the further consideration of the bill be indefinitely postponed.

At 3:21 p. m. Mr. McKenzie in the Chair.

The yeas and nays on the motion to indefinitely postpone were



called for by Messrs. Parker, Coffin and McGowan, and the motion lost by the following vote :

YEAS—Messrs. Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Corbett, Copeland, Duffy, Fallon, Gignoux, Green, Irvine, Kelly, May, McBurney, McKenzie, Mooney, Organ and Waldorf—20.

NAYS—Messrs. Adams, Bailey, Condon, Englis, Ernst, Ford, Havenor, Johnson, Lewers, Longley, Mallon, Masel, McGowan, Moriarty, Newell, Parker, Plank, Richards, Shier, Smyth, Soule and Mr. Speaker—22.

Mr. Smyth moved that the bill be re-referred to the Committee on Public Lands.

Motion withdrawn.

Mr. Ernst, by leave, introduced a substitute for Senate Bill No. 15.

Substitute read and adopted, considered engrossed and read third time.

Mr. Ernst arose to discuss the question.

Mr. Waldorf arose to a point of order, viz : that Mr. Ernst had exhausted his privilege of debate.

Point sustained.

At 3:50 p. m. Mr. Speaker in the Chair.

Previous question called for by Messrs. Waldorf, Moriarty and Mooney, the question being "Shall the main question be now put?"

Roll called, with the following result :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Coffin, Condon, Corbett, Copeland, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—40.

NAYS—Messrs. Bradshaw and McGowan—2.

Absent—Messrs. Belding, Berry, Drexler, Knight, May, Penoyer, Penton, Shepard and Tuska.

Bill placed on final passage and lost by the following vote :

YEAS—Messrs. Bailey, Ernst, Ford, Havenor, Mallon, Masel, Shier and Soule—8.

NAYS—Messrs. Adams, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Duffy, Englis, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Smyth, Waldorf and Mr. Speaker—34.

Absent—Messrs. Belding, Berry, Drexler, Knight, Penoyer, Penton, Shepard and Tuska.

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

At 4:01 Mr. McGowan moved that the House take a recess until 7 p. m.

Motion lost.

## SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, February 23, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Memorial and Joint Resolution No. 1—In relation to the Washoe Indians, which passed the Senate this day. Yeas, 18; nays, 5.

Also, Assembly Bill No 56—An Act to disincorporate the town of Gold Hill, and to repeal all other Acts touching its incorporation, which passed the Senate this day. Yeas, 23; nays, none.

Also, Assembly Bill No. 57—An Act to disincorporate the city of Virginia, and to repeal all laws touching its incorporation, which passed the Senate this day. Yeas, 24; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 23, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 20—Relative to the election of a Regent of the State University, which was adopted this day in the Senate.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 21, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 114—An Act to authorize the County Commissioners of Washoe County to issue bonds for the purchase of the lands and fair grounds, pavilion and all other property belonging to the Nevada State Agricultural, Mining and Mechanical Society, situate in Washoe County, Nevada, which passed the Senate this day. Yeas, 21; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 23, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 116—An Act to amend an Act entitled "An Act to provide for the government of the State Prison of



the State of Nevada," approved March 7, 1873, which passed the Senate this day. Yeas, 23; nays, none.

Also, to return to your honorable body Assembly Concurrent Resolution No. 20—In regard to State Prison labor, which passed the Senate this day. Yeas, 21; nays, 3.

WM. HY. DOANE,

Assistant Secretary of the Senate.

SENATE CHAMBER,

CARSON CITY, February 24, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 45—An Act for the relief of W. M. Little, which passed the Senate on the 23d instant—yeas, 20; nays, 5; and was held over on a motion to reconsider.

WM. HY. DOANE,

Assistant Secretary of the Senate.

SENATE CHAMBER,

CARSON CITY, February 24, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 43—An Act to authorize fees and salaries of officers to be taken on attachment and execution, and to prohibit assignments to defraud creditors, which was considered in Senate this day and the veto of the Governor sustained. Yeas, 10; nays, 14.

WM. HY. DOANE,

Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Moriarty :

Assembly Bill No. 136—An Act to regulate the quality and standard of illuminating power and the price of gas in all cities and towns within this State.

Rules suspended, read second time by title, referred to the Committee on Trades and Manufactures and ordered printed.

By Mr. Corbett (by leave) :

Assembly Bill No. 137—An Act to establish the price of water in all counties in this State having an estimated population of seven thousand or more.

Rules suspended, read second time by title, referred to the Committee on Trades and Manufactures and ordered printed.

At 4:11 P. M. leave of absence for one hour was granted to Mr. Bradshaw.

By Mr. Coffin (by leave):

Assembly Bill No. 138—An Act concerning the office of County Assessor.

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

By Mr. Adams (by leave):

Assembly Bill No. 139—An Act to provide for the destruction of noxious animals.

Rules suspended, read second time by title, ordered printed and referred to the Committee on Agriculture.

#### GENERAL FILE.

Assembly Bill No. 97—An Act to amend an Act entitled "An Act to establish a State Printing office and to create the office of Superintendent of State Printing," approved March 11, 1879.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Blair, Coffin, Condon, Corbett, Duffy, Englis, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Barrett, Belding, Berry, Bradshaw, Copeland, Drexler, Ernst, Knight, McGowan, Parker, Penoyer, Penton and Tuska.

At 4:20 P. M. Mr. Englis moved a recess until 7 P. M.

Mr. McKenzie moved to amend the motion by changing the time until 10 A. M to-morrow.

Motion carried.

Mr. Coffin moved that special orders for that evening be continued until to-morrow morning, to be taken up immediately after the reading of the Journal.

Motion carried.

Question on adjournment put to the House and lost by a vote of 21 to 14.

Substitute for Assembly Bill No. 106—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Substitute read and adopted and on motion of Mr. Parker was considered engrossed.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Coffin, Condon, Corbett, Duffy, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McKenzie,



Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—34.

NAYS—Mr. Blair.

Absent—Messrs. Barrett, Belding, Berry, Bradshaw, Copeland, Drexler, Englis, Ernst, Knight, McBurney, McGowan, Penoyer, Penton, Shepard and Tuska.

At 4:30 P. M. Mr. Waldorf moved to adjourn.

Motion lost.

At 4:31 P. M. Mr. Mooney moved a call of the House.

Motion carried and roll called and the following members were found to be absent without leave: Messrs. Ballinger, Copeland, Penoyer, Tuska and Waldorf.

At 4:42 P. M. Mr. May was granted leave of absence for the remainder of the day.

The Speaker instructed the Sergeant-at-Arms to find absent members and bring them before the House.

Mr. Waldorf appeared at the bar of the House and on motion of Mr. Moriarty he was fined one dollar and admitted.

At 4:47 P. M. Mr. McKenzie moved that the further call of the House be dispensed with.

Motion lost.

At 4:54 P. M., on motion of Mr. Englis, the further call of the House was dispensed with.

At 5 P. M., on motion of Mr. Smyth, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## FIFTY-FOURTH DAY.

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CARSON CITY (Friday), February 25, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Berry, McGowan, McKenzie and Shepard.

Mr. Copeland asked leave of absence for Mr. Ernst for one day.

Granted.

Journal of yesterday read partially and on motion of Mr. Coffin the further reading was dispensed with.

Mr. Johnson asked leave of absence for Mr. McGowan for the balance of the week.

Mr. Drexler asked leave of absence for Mr. Lewers for one day. Granted.

Leave of absence was granted to Messrs. Mooney and Berry for the balance of the day.

The Speaker announced that the time had arrived for the special order of the day, viz: Assembly Bills Nos. 46 and 88.

Assembly Bill No. 46—An Act relating to railroads, the termini of which are within the State of Nevada.

Mr. Havenor moved that the bill be indefinitely postponed.

Mr. Ernst moved as an amendment that action be deferred until 11 A. M., Monday.

Motion lost.

Motion to indefinitely postpone put to the House and the yeas and nays were called for by Messrs. Waldorf, Englis and Organ, with the following result:

YEAS—Messrs. Adams, Bailey, Ballinger, Coffin, Gignoux, Havenor, May and Soule—8.

NAYS—Messrs. Bell, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Irvine, Longley, Masel, McBurney, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—29.

Absent—Messrs. Barrett, Belding, Berry, Johnson, Kelly, Knight, Lewers, Mallon, McGowan, McKenzie, Mooney, Moriarty and Shepard.

Mr. Englis moved that the bill be made a special order for to-day at 2 P. M.

Motion lost.

Bill read third time.

At 10:25 A. M. Mr. Speaker in the Chair.

Mr. Barrett moved to amend Section One by inserting after the word "railroad" "either of," so as to read "either of the termini," and by inserting the said two words in after sections of the bill where required.

Motion carried.

Bill placed on final passage and lost by the following vote:

YEAS—Messrs. Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Masel, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Tuska and Mr. Speaker—22.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Coffin, Ernst, Gignoux, Green, Havenor, Irvine, Johnson, Longley, Mallon, May, McBurney, Penoyer, Soule and Waldorf—18.



Absent—Messrs. Barrett, Belding, Berry, Kelly, Knight, McGowan, McKenzie, Shepard, Lewers and Mooney.

Mr. Waldorf and Mr. Green gave notice that on to-morrow they would move for a reconsideration of the vote by which the bill was lost.

Assembly Bill No. 88—An Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies."

Considered engrossed and read third time.

Mr. Bell moved to lay on the table, and arose to discuss the question.

Mr. Smyth arose to a point of order: that the motion to lay on the table was not debatable.

Point of order sustained.

Motion to lay on the table put to the House and lost.

Mr. Plank moved to amend Section One, line nine, by striking out all from the word "road" down to and including the word "road," in line sixteen.

Motion carried and amendment made by the Clerk.

Mr. Plank moved to amend Section One, line six, by striking out the word "five" and inserting in place thereof the word "eight;" also, line seven, strike out "ten" and insert in place thereof "fifteen."

Motion lost.

Bill placed on final passage and lost by the following vote:

YEAS—Messrs. Barrett, Blair, Bradshaw, Condon, Corbett, Drexler, Duffy, Englis, Fallon, Ford, Green, Mallon, Masel, Moriarty, Parker, Penton, Plank, Richards, Shier and Waldorf—20.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Coffin, Copeland, Ernst, Gignoux, Havenor, Irvine, Johnson, Longley, May, McBurney, McKenzie, Newell, Organ, Penoyer, Smyth, Soule and Tuska—21.

Absent—Messrs. Belding, Berry, Kelly, Knight, Lewers, McGowan, Mooney and Shepard.

On motion of Mr. Smyth the rules were suspended and Mr. Organ was allowed to change his vote.

Mr. Organ gave notice that on to-morrow he would move for a reconsideration of the vote by which the bill was lost.

Mr. Coffin moved that the General File be now taken up.

Motion carried.

#### GENERAL FILE.

Assembly Bill No. 82—An Act to amend Sections Seventeen, Nineteen, Twenty-two and Seventy of an Act entitled "An Act to provide for organizing and disciplining the militia of the State."

Mr. Adams, by leave, presented a petition from the citizens of Eureka County relative to legislation concerning the militia laws.

On motion of Mr. Smyth the bill was indefinitely postponed.

Senate Bill No. 83—An Act authorizing the Board of Examiners of this State to employ attorneys at Washington, D. C., to prosecute



claims of this State against the General Government, and defining the mode and manner of paying the said attorneys.

Amendments made in committee read and adopted.

Bill read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Longley, Mallon, Masel, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Belding, Berry, Kelly, Knight, Lewers, May, McGowan, Mooney, Plank and Shepard.

Assembly Bill No. 78—An Act to amend an Act entitled “An Act to regulate the sale or disposal of opium, and to prohibit the keeping of places of resort for smoking or otherwise using the drug,” approved February 9, 1877.

Amendments made in committee read and adopted.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Longley, Mallon, Masel, May, McBurney, McKenzie, Moriarty, Newell, Parker, Penoyer, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Belding, Berry, Kelly, Knight, Lewers, McGowan, Mooney, Organ, Penton, Plank and Shepard.

Substitute for Senate Bill No. 77—An Act in relation to the message of the Governor and reports of certain State officers.

Mr. Plank moved that the substitute be adopted.

Motion carried.

At 11:45 A. M. Speaker *pro tem.* in the Chair.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Longley, Mallon, Masel, May, McBurney, McKenzie, Moriarty, Newell, Parker, Penoyer, Plank, Richards, Shier, Soule, Tuska and Waldorf—38.

NAYS—None.

Absent—Messrs. Belding, Berry, Kelly, Knight, Lewers, McGowan, Mooney, Organ, Penton, Shepard, Smyth and Mr. Speaker.

Substitute for Senate Bill No. 40—An Act fixing the salaries of the Commissioners of Eureka County.

Bill read third time and passed by the following vote :



YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Longley, Mallon, Masel, May, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Belding, Berry, Bradshaw, Havenor, Johnson, Kelly, Knight, Lewers, McGowan, Mooney and Shepard.

Substitute for Assembly Bill No. 67—An Act to repeal an Act fixing the salaries of the various county officers in the several counties of this State.

Mr. Parker moved that the whole subject matter be laid on the table.

Mr. Smyth arose to speak to the question.

Mr. Parker arose to a point of order: that the question to lay on the table was not debatable.

Point sustained.

Messrs. Bradshaw, Smyth and Barrett called for the yeas and nays.

Roll called and motion to lay on the table carried by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Green, Havenor, Irvine, Johnson, Mallon, Masel, May, McBurney, McKenzie, Moriarty, Organ, Parker, Penoyer, Plank, Tuska and Mr. Speaker—29.

NAYS—Messrs. Barrett, Coffin, Corbett, Fallon, Gignoux, Longley, Newell, Penton, Richards, Shier, Smyth, Soule and Waldorf—13.

Absent—Messrs. Belding, Berry, Coffin, Kelly, Knight, Lewers, McGowan, Mooney and Shepard.

Mr. McBurney moved that the House take up Senate Concurrent Resolution No 20.

Motion lost.

On motion of Mr. Waldorf, at 12:12 P. M., the House took a recess for one hour.

## HOUSE IN SESSION.

At 1:12 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Messrs. Duffy and Richards were granted leave of absence for a short time.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your Committee on Judiciary have had under consideration Assembly Bill No. 24, for which they have prepared a substitute,

and recommend that the substitute be adopted and do pass; also, Assembly Bill No. 133, and report favorably and recommend that it do pass; also, Assembly Bill No. 102, and report the same unfavorably and recommend that it do not pass; also, Assembly Concurrent Resolution No. 22, and report back the same with the recommendation that it be referred to your Committee on Mines and Mining; also, Assembly Bills Nos. 121 and 129, and report favorably thereon and recommend that they do pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Mines and Mining have had under consideration Assembly Bill No. 125, "An Act for the better protection of miners," which we have amended, and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

ALEX. G. McKENZIE, Chairman.

*Mr. Speaker :*

Your Committee on Mines and Mining have had under consideration substitute for Assembly Concurrent Resolution No. 14, "In relation to patenting mining claims," and beg leave to report the same back to the Assembly without recommendation.

ALEX. G. McKENZIE, Chairman.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker :*

Your special committee composed of the Eureka delegation have had under consideration Assembly Bill No. 44, have prepared a substitute and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAMES ADAMS.

#### MOTIONS AND RESOLUTIONS.

Mr. Plank moved that the rules be suspended, and that the House now take up for consideration Senate Concurrent Resolution No. 20—Relative to the election of a Regent of the State University.

Motion carried and resolution read and adopted.

By Mr. Corbett :

*Resolved,* That the Chairman of the Committee on Engrossing be instructed to find out immediately and report to this body why Assembly Bill No. 60 has not been engrossed and returned to this House ere this date, as said bill was delivered to the Engrossing Clerk on the 17th instant.

Adopted.

By Mr. Ernst :

*Resolved,* That the Assembly hereby invite the honorable Senate



to meet with them at 2 o'clock P. M. to-day in joint convention for the purpose of electing a Regent of the State University at Elko.

Adopted.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kelly (by leave):

Assembly Bill No. 140—An Act in relation to challenges of jurors for implied bias in criminal cases.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

By Mr. Kelly :

Assembly Bill No. 141—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of the State and other matters relating thereto," approved March 11, 1879.

Rules suspended, read second time by title, referred to the Committee on Judiciary and ordered printed.

Mr. Blair moved that the rules be suspended and that Senate Bill No. 116, "An Act to amend an Act entitled 'An Act to provide for the government of the State Prison of the State of Nevada,'" approved March 7, 1873, be taken up out of order.

Motion carried.

Rules suspended, read second time by title, rules further suspended, read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Longley, Mallon, Masel, May, McBurney, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—37.

NAYS—Messrs. Bradshaw and Havenor—2.

Absent—Messrs. Belding, Berry, Duffy, Knight, Lewers, McGowan, Mooney, Penton, Richards and Shepard.

The following report was presented, out of order :

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 135, "An Act in relation to the manufacturing industries carried on at the State Prison," and beg leave to report the same back to the Assembly with the recommendation that it do pass ; also, Assembly Bill No. 38, "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9, 1865, and beg leave to report the same back to the Assembly without recommendation ; also, Assembly Bill No. 124, "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March 9, 1865, and the Acts amendatory of and supplemental to said Act," and beg leave

to report the same back to the Assembly with the recommendation that it be referred to the Committee on Judiciary, as your committee consider it to be unconstitutional.

T. J. BELL, Chairman.

GENERAL FILE.

Mr. Ernst moved that Senate message relating to Senate Bill No. 21 be taken up.

Motion lost.

Assembly Joint Memorial and Resolution No. 5—Relative to mail service between Dun Glen and Mill City, in Humboldt County.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Longley, Mallon, Masel, May, McBurney, McKenzie, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Belding, Berry, Knight, Lewers, McGowan, Mooney, Moriarty and Shepard.

The following reports were presented :

*Mr. Speaker :*

Your Committee on Engrossment beg leave to report that they have carefully compared the following bill with the original and found the same correctly engrossed, viz : Assembly Bill No. 60, "An Act to prevent gaming."

C. P. SOULE, Chairman.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 58, "An Act providing for the government of the towns and cities of this State," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

Assembly Bill No. 131—An Act to create the Austin Gas Company.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Mallon, May, McBurney, McKenzie, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule and Mr. Speaker—36.

NAYS—Messrs. Fallon, Masel, Plank, Tuska and Waldorf—5.

Absent—Messrs. Belding, Berry, Knight, Lewers, Longley, McGowan, Mooney, Moriarty and Shepard.



At 2 P. M. the Senate appeared at the bar of the House and were admitted.

IN JOINT CONVENTION.

The President of the Senate in the Chair.

Roll of Senate called.

Absent—Messrs. Hobart, McConnell, Powning and Thompson.

Roll of Assembly called.

Absent—Messrs. Belding, Berry, Knight, Lewers, McGowan, Mooney and Shepard.

The President announced that the Senate and House had met in joint convention for the purpose of electing a Regent of the State University to fill the vacancy made in the Board by the resignation of W. W. Bishop, and declared that nominations were in order.

Mr. Shepard placed in nomination James Edoff of Elko County.

Mr. Tuska placed in nomination J. A. Brumsey of Storey County.

Mr. Williams seconded the nomination of J. A. Brumsey.

Mr. Coffin placed in nomination T. J. Bell of Nye County.

Mr. Barrett placed in nomination George Ernst of Nye County.

Mr. Gibson placed in nomination C. C. Stevenson of Storey County.

Mr. McKenzie placed in nomination H. H. Penoyer of Storey County.

Mr. Westerfield placed in nomination J. E. Gignoux of Lyon County.

Mr. Kelly moved that nominations do now close.

Motion carried.

Mr. Bell withdrew his name in favor of Mr. Ernst.

Mr. Ernst declined the nomination.

Mr. Brumsey asked leave to withdraw his name.

Agreed to.

Mr. Bell moved that the vote by which nominations were declared closed be reconsidered.

Motion carried.

Mr. Brumsey placed in nomination S. H. Day of Ormsby County.

Mr. Schooling seconded the nomination of Mr. Day.

Mr. Gibson withdrew the name of C. C. Stevenson.

Mr. Penoyer withdrew his name from the list of nominations.

Mr. Doolin seconded the nomination of James Edoff.

Mr. Gignoux withdrew his name from the list of nominations.

Mr. Bell moved that nominations do now close.

Motion carried.

Roll of Senate called and the vote resulted as follows :

For S. H. Day—Messrs. Brumsey, Fox, Gallagher, Hammond, Kaiser, Meder, Schooling, Westerfield, Wheeler and Williams—10.

For Mr. Edoff—Messrs. Dayton, Doolin, Farrell, Gibson, Haines, Henderson, King, Perley, Rockhill, Shepard and Tolley—11.

Roll of Assembly called, resulting as follows:

For Mr. S. H. Day—Messrs. Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Mallon, Masel, McKenzie, Moriarty, Newell, Parker, Penoyer, Plank, Richards, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—31.

For Mr. Edoff—Messrs. Adams, Bailey, Ballinger, Havenor, Johnson, Kelly, Longley, May, McBurney, Organ, Penton and Soule—12.

Mr. S. H. Day having received a majority of the votes cast in joint convention, the President declared him duly elected a Regent of the State University.

On motion of Mr. Doolin, at 2:31 P. M., the joint convention adjourned *sine die*.

### HOUSE IN SESSION.

Mr. Speaker in the Chair.

By Mr. Soule (by leave):

Assembly Bill No. 142—An Act fixing the price of lands within the limits of the Central Pacific Railroad grants, and requiring applicants to pay United States Land Office fees; also, defining the amount of land allowed to each applicant, and in relation to issuing patents, and the purchase of township plats, and authorizing the State Land Register to perform certain duties.

Read first time, rules suspended, read second time by title, referred to the Committee on Counties and County Boundaries and ordered printed.

Assembly Bill No. 63—An Act to pay the claim of Benjamin Edson.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Coffin, Drexler, Duffy, Ernst, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Longley, May, McBurney, Parker, Penton, Shier, Smyth, Soule and Mr. Speaker—22.

NAYS—Messrs. Blair, Bradshaw, Condon, Corbett, Copeland, Englis, Fallon, Green, Mallon, Masel, McKenzie, Newell, Organ, Penoyer, Plank, Richards and Tuska—17.

Absent—Messrs. Belding, Berry, Knight, Lewers, McGowan, Mooney, Moriarty, Shepard, Waldorf and Ballinger.

Substitute for Assembly Bill No. 44—An Act to grant the right of way for a street railroad track in the town of Eureka.

At 3:09 P. M. Speaker *pro tem.* in the Chair.

Substitute read and adopted; considered engrossed, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon,



Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Longley, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—Messrs. Condon, Mallon and Smyth—3.

Absent—Messrs. Belding, Ballinger, Berry, Knight, Lewers, McGowan, Organ and Shepard.

On motion of Mr. McKenzie Senate messages were taken up.

SENATE CHAMBER,  
CARSON CITY, February 25, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body, Assembly Bill No. 113—An Act to aid the Nevada Benevolent Association, etc., which passed the Senate on the 24th inst. Yeas, 17; nays, 8, but was held over under a motion to reconsider, and said motion was this instant indefinitely postponed.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 24, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body substitute for Senate Bill No. 21—An Act to encourage the construction of a railroad from the town of Eureka, State of Nevada, to the Colorado River, which passed the Senate this day. Yeas, 17; nays, 8.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 24, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body substitute for Senate Bill No. 93—An Act providing for the licensing of traveling merchants or soliciting agents, commonly known as drummers, which passed the Senate this day. Yeas, 15; nays, 5; also substitute for Senate Bill No. 104—An Act authorizing a State loan, which passed the Senate this day. Yeas, 22; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

On motion of Mr. Drexler the House took up substitute for Senate Bill No. 104—An Act authorizing a State loan.

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

On motion of Mr. McKenzie the House took up substitute for Senate Bill No. 21—An Act to encourage the construction of a railroad from the town of Eureka to the Colorado River.

Rules suspended, read first and second time by title, referred to the special committee, consisting of the Eureka, White Pine and Lincoln County delegations, and also to the Committee on Corporations and Railroads.

Substitute for Assembly Bill No. 24—An Act to amend an Act entitled "An Act to regulate fees and compensations for official and other services in the State of Nevada," approved March 9, 1865.

Substitute read and adopted.

Mr. Ernst moved that the House take up from the table substitute for Assembly Bill No. 67.

Motion carried.

At 3:50 P. M. Mr. Moriarty was granted leave of absence for the remainder of the day.

Substitute for Assembly Bill No. 67—An Act to repeal an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

Mr. Havenor moved that the bill be indefinitely postponed.

Messrs. Smyth, Barrett and Irvine called for the yeas and nays.

Roll called and the motion to indefinitely postpone lost by the following vote :

YEAS—Messrs. Blair, Bradshaw, Duffy, Ford, Green, Havenor, Irvine, Lewers, Mallon, Mooney, Organ, Parker, Penton and Plank—14.

NAYS—Messrs. Adams, Bailey, Bell, Berry, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Gignoux, Johnson, Kelly, Longley, Masel, May, McBurney, McKenzie, Newell, Penoyer, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—29.

Absent—Messrs. Ballinger, Barrett, Belding, Knight, McGowan, Moriarty and Shepard.

Substitute considered engrossed and read third time.

Mr. Parker moved to amend Section One, line two, by striking out the word and figures "fifteen."

Motion carried and amendment made by the Clerk.

Mr. Coffin moved to strike out the enacting clause.

Motion carried.

Mr. Coffin moved that the House take up substitute for Assembly Bill No. 24.

At 4:37 P. M. Mr. Waldorf moved to take a recess until 7 P. M. Motion lost.

Question on taking up substitute for Assembly Bill No. 24, "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 9, 1865.

Mr. Coffin moved to amend Section Eight so as to read as follows: Sections Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Eighteen and Twenty-four of an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State and other matters relating thereto," approved March 11, 1879, are hereby repealed; also to add Section Nine: "This Act shall take effect and be in force from and after April 1, 1881.

At 4:46 p. m. on motion of Mr. Bell a recess was taken until 7 p. m.

### HOUSE IN SESSION.

At 7 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The amendment offered by Mr. Coffin to substitute for Assembly Bill No. 24 was read by the Clerk.

Mr. Parker moved to amend the amendment by striking out the word and figures "fifteen."

Motion carried.

Question on the adoption of the amendment, as amended, put to the House and adopted.

Mr. Johnson moved to amend Section Eight by striking out the word and figure "three."

Motion carried.

Mr. Havenor moved to amend Section Eight by striking out the word and figures "twelve."

Motion carried.

Mr. Lewers moved to amend Section Eight by striking out the word and figures "fourteen."

Motion carried.

Mr. Richards moved to amend Section Eight by striking out the word and figure "two."

Motion carried.

Mr. Duffy moved to amend Section Eight by striking out the word and figure "thirteen."

Motion carried.

Mr. Coffin moved that the bill be indefinitely postponed.

Carried by a vote of 20 to 15.

On motion of Mr. Drexler Senate Concurrent Resolution No. 19—Relative to appointing a committee to investigate alleged frauds in the State Printing Office, was taken up, read second and third time and adopted.

Mr. Smyth gave notice that he would on to-morrow move for a reconsideration of the vote by which Assembly Bill No. 40 was passed to-day.

Mr. Corbett gave notice that on to-morrow he would move for a reconsideration of the vote by which Assembly Bill No. 63 was lost to-day.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, was on motion of Mr. Coffin referred to the Committee on Ways and Means.

Assembly Bill No. 135—An Act in relation to the manufacturing industries carried on at the State Prison.

Bill considered engrossed.

At 7:40 P. M., on motion of Mr. Bell, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 135.

Mr. Speaker in the Chair.

At 7:50 P. M. the committee arose and made the following report:

*Mr. Speaker :*

Your Committee of the Whole have had under consideration Assembly Bill No. 135, "An Act in relation to the manufacturing industries carried on at the State Prison," and beg leave to report the same back with the recommendation that it do pass.

Assembly Bill No. 135 was read third time and passed by the following vote :

YEAS—Messrs. Adams, Bell, Coffin, Corbett, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Masel, McBurney, Mooney, Newell, Parker, Penoyer, Penton, Plank, Soule and Tuska—27.

NAYS—Messrs. Blair, Bradshaw, Condon, Duffy, Mallon, McKenzie, Organ, Richards, Shier, Smyth and Mr. Speaker—11.

Absent—Messrs. Bailey, Ballinger, Barrett, Belding, Berry, Copeland, Knight, May, McGowan, Moriarty, Shepard and Waldorf.

Substitute for Assembly Concurrent Resolution No. 14—Relative to patenting mining claims.

Substitute considered engrossed, read third time and lost by the following vote :

YEAS—Messrs. Bell, Bradshaw, Coffin, Condon, Drexler, Duffy, Englis, Irvine, Johnson, Mallon, Masel, McBurney, McKenzie, Newell, Organ, Penton, Plank, Richards and Smyth—19.

NAYS—Messrs. Adams, Bailey, Blair, Corbett, Copeland, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Kelly, Lewers, Longley, Mooney, Penoyer, Shier, Soule, Tuska and Mr. Speaker—20.

Absent—Messrs. Belding, Ballinger, Barrett, Berry, Knight, May, McGowan, Moriarty, Shepard and Waldorf.



Assembly Bill No. 125—An Act for the better protection of miners.  
At 8:23 p. m. Speaker *pro tem.* in the Chair.

Amendments made in committee adopted.

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

YEAS—Messrs. Adams, Bailey, Bell, Bradshaw, Corbett, Copeland, Drexler, Englis, Gignoux, Green, Havenor, Johnson, Kelly, Lewers, Longley, Mallon, Masel, McBurney, McKenzie, Newell, Organ, Parker, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—30.

NAYS—Messrs. Blair, Coffin, Condon, Ernst, Fallon, Irvine and Mooney—7.

Absent—Messrs. Ballinger, Barrett, Belding, Berry, Duffy, Ford, Knight, May, McGowan, Moriarty, Penton, Shepard and Waldorf.

Mr. Merrill, by leave, introduced the following resolution :

*Resolved*, That the Secretary of State be and he is hereby requested to return to the Committee on Enrollment of the Assembly, Assembly Bill No. 54, for correction.

Adopted.

#### SENATE MESSAGES.

On motion of Mr. Coffin the following Senate messages were taken up :

SENATE CHAMBER,  
CARSON CITY, February 25, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to inform your honorably body that the President has this day appointed the following Committee on Reapportionment of Senators and Assemblymen to the Legislature, to wit : Messrs. Brumsey, King, Meder, Farrell, Gallagher, Williams, McConnell, Doolin, Perley, Tolley, Henderson, Kaiser, Haines and Powning.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 25, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 76—An Act to pay a deficiency in the appropriation for State printing and official advertisements, which passed the Senate this day. Yeas, 19 ; nays, none.

Also, Senate Bill No. 87—An Act to amend an Act entitled "An Act to prohibit the sale of intoxicating drinks to minors," approved March 19, 1873, which passed the Senate this day. Yeas, 17 ; nays, 3.

Also, Senate Bill No. 89—An Act to appropriate money for the payment of certain claims against the State of Nevada, which passed the Senate this day. Yeas, 20 ; nays, none.

Also, Senate Bill No. 118—An Act concerning sureties on official bonds, which passed the Senate this day. Yeas, 17; nays, none.

Also, Senate Bill No. 119—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years, which passed the Senate this day. Yeas, 22; nays, none.

Also, Senate Bill No. 122—An Act to fix the rate of State taxation, which passed the Senate this day. Yeas, 18; nays, none.

Also, substitute for Assembly Bill No. 41—An Act to amend Sections One Hundred and Four and One Hundred and Five of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, which passed the Senate this day. Yeas, 20; nays, none.

Also, to return to your honorable body Assembly Bill No. 85—An Act to amend an Act entitled "An Act defining the rights of husband and wife," which passed the Senate this day. Yeas, 21; nays, none.

Also, Assembly Bill No. 99—An Act to amend Section One Hundred and Twenty-eight of an Act entitled "An Act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, and to provide a less expensive and more summary administration of certain estates of deceased persons, which was amended and as amended passed the Senate this day. Yeas, 20; nays, none.

Also, Assembly Bill No. 120—An Act to amend Section Thirty-nine of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865; approved March 6, 1869, which passed the Senate this day. Yeas, 13; nays, 7.

WM. HY. DOANE,

Assistant Secretary of the Senate.

At 8:54 P. M. Mr. Speaker in the Chair.

The Speaker appointed as a committee to investigate alleged frauds in the State Printing Office Messrs. Plank, Green and Duffy.

The following report was presented :

*Mr. Speaker :*

Your Committee on Mines and Mining have had under consideration Assembly Concurrent Resolution No. 22, in relation to amending the Constitution, and beg leave to report the same back to the Assembly with the recommendation that it do pass as amended.

ALEX. G. McKENZIE, Chairman.

At 8:56 P. M., on motion of Mr. Englis, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.



## FIFTY-FIFTH DAY.

CARSON CITY (Saturday), February 26, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, Barrett, Kelly, McGowan and Shepard. Journal of yesterday read partially, and on motion of Mr. Drexler the further reading was dispensed with.

Mr. Shier asked leave of absence for Mr. Barrett for one day. Granted.

## REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 50, "An Act to disincorporate the town of Gold Hill," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on State Prison, to whom was referred Assembly Bill No. 134, "An Act to authorize and empower the Board of State Prison Commissioners to purchase, for and on behalf of the State of Nevada, certain real estate situated near the State Prison of Nevada," have had the same under consideration and beg leave to report the same back with the recommendation that it do pass.

GEO. G. BLAIR, Chairman.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration substitute for Senate Bill No. 104, "An Act authorizing a State loan," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration substitute for Senate Bill No. 55, "An Act for the relief of S. H. Marlette," and after carefully examining all the evidence laid before them referring to said bill, unanimously beg leave to report the same back to the Assembly with the recommendation that it do pass.

CHAS. GREEN, Chairman.

*Mr. Speaker :*

Your Committee on Agriculture, to whom was referred Assembly

Bill No. 130, have had the same under consideration and beg leave to report the same back with the recommendation that it do not pass.

THOMAS J. BRADSHAW, Chairman.

MESSAGES FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 24, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 112, "An Act concerning convict labor;" also, Assembly Bill No. 123, "An Act to provide for the taking care of the insane of the State of Nevada."

JOHN H. KINKEAD, Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 25, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly substitute for Senate Bill No. 4, "An Act to amend an Act entitled 'An Act to amend an Act entitled an Act to amend Section One of an Act passed by the Legislative Assembly of the Territory of Nevada, entitled an Act to provide for the appointment of Notaries Public and defining their duties,'" approved February 9, 1864; approved March 20, 1865; approved February 9, 1866; approved March 13, 1867; approved January 27, 1879; also, Assembly Bill No. 69, "An Act to amend an Act entitled 'An Act to further amend an Act entitled an Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9, 1865; approved March 1, 1866; also, Assembly Bill No. 96, "An Act supplementary to an Act entitled 'An Act to authorize the School Trustees of School District No. 10, in Washoe County, to issue bonds for school purposes,'" approved February 18, 1879.

JOHN H. KINKEAD, Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 23, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 4, "An Act to amend an Act entitled 'An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto,'" approved March 2, 1875; also, Assembly Bill No. 32, "An Act to amend an Act entitled 'An Act to protect the wages of labor,'" approved February 21, 1873; also, Assembly Bill No. 59, "An Act to amend an Act entitled 'An Act to provide for the registration of the names of electors, and to prevent fraud at elec-



tions,' " approved March 5, 1869; also, Assembly Bill No. 68, "An Act amendatory of an Act entitled 'An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada,'" approved November 26, 1861; also, Assembly Bill No. 75, "An Act to fund the court house bonds of Nye County."

JOHN H. KINKEAD, Governor.

#### MOTIONS AND RESOLUTIONS.

Mr. Coffin moved for a reconsideration of the vote by which Assembly Bill No. 63 was lost yesterday.

Motion carried.

Mr. Smyth moved for a reconsideration of the vote by which Senate Bill No. 40 was passed yesterday.

The yeas and nays were demanded by Messrs. Adams, May and Smyth, and the motion was carried by the following vote:

YEAS—Messrs. Blair, Bradshaw, Coffin, Englis, Fallon, Gignoux, Green, Irvine, Johnson, Mallon, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule and Tuska—23.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Condon, Drexler, Duffy, Ernst, Ford, Knight, Longley, Masel, May, Organ and Mr. Speaker—15.

Mr. Waldorf moved that the vote by which Assembly Bill No. 46 was lost yesterday be reconsidered.

The yeas and nays were called for by Messrs. Waldorf, Penton and May, and the motion was carried by the following vote:

YEAS—Messrs. Blair, Bradshaw, Condon, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Green, Irvine, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Smyth, Waldorf and Mr. Speaker—23.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Coffin, Ernst, Gignoux, Johnson, Knight, Longley, Mallon, Masel, May, McKenzie and Soule—15.

Mr. Organ moved that the vote by which Assembly Bill No. 88 was lost yesterday be reconsidered.

The yeas and nays were called for by Messrs. Organ, Bradshaw and May, and the motion was lost by the following vote:

YEAS—Messrs. Bradshaw, Copeland, Drexler, Duffy, Englis, Fallon, Green, Irvine, Johnson, Mallon, Moriarty, Organ, Parker, Penton, Plank, Richards, Smyth, Waldorf and Mr. Speaker—19.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Blair, Coffin, Condon, Ernst, Ford, Gignoux, Havenor, Knight, Longley, Masel, May, McBurney, McKenzie, Newell, Penoyer, Shier and Soule—22.

Mr. Plank moved to suspend the rules and take up substitute for Assembly Bill No. 94.

Motion lost.

## INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 87—An Act to amend an Act entitled "An Act to prohibit the sale of intoxicating drinks to minors," approved March 7, 1873.

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

Assembly Bill No. 87 [99]—An Act to amend Section One Hundred and Twenty-eight of an Act entitled "An Act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, and to provide a less expensive and more summary administration of certain estates of deceased persons.

Amendments made in Senate read and concurred in.

The following report was presented, out of order:

*Mr. Speaker:*

Your Committee on Public Printing have had under consideration Senate Bill No. 94, "An Act fixing the rates of official advertising," and recommend that the same do pass.

HENRY DUFFY, Chairman.

Substitute for Assembly Bill No. 41—An Act to amend Sections One Hundred and Four and One Hundred and Five of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

At 10:30 Speaker *pro tem.* in the Chair.

Substitute read first time, rules suspended, read second time and referred to the Committee on Judiciary.

Senate Bill No. 122—An Act to fix the rate of State taxation.

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

Senate Bill No. 89—An Act to appropriate money for the payment of certain claims against the State of Nevada.

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

Senate Bill No. 119—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years.

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

Senate Bill No. 118—An Act concerning sureties on official bonds.

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

Senate Bill No. 114—An Act to authorize the County Commissioners of Washoe County to issue bonds for the purchase of the lands and fair grounds, pavilion and all other property belonging to



the Nevada State Agricultural, Mining and Mechanical Society in Washoe County.

Considered read first time, rules suspended, read second time by title and referred to the Washoe County delegation.

Senate Bill No. 76—An Act to pay a deficiency in the appropriation for State printing and official advertisements.

Considered read first time, rules suspended, read second time by title and referred to the Committee on Public Printing.

Senate Bill No. 45—An Act for the relief of W. M. Little.

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

Substitute for Senate Bill No. 93—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865; approved March 4, 1871; approved February 20, 1877.

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

By Mr. Shier (by leave):

Assembly Bill No. 143—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State and other matters relating thereto," approved March 11, 1879.

Rules suspended, read second time by title and referred to the Lincoln County delegation.

By Mr. Masel (by leave):

Assembly No. 144—An Act to provide for the maintenance and supervision of public schools.

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

By Mr. Fallon (by leave):

Assembly Bill No. 145—An Act to regulate freights and fares on all railroads in this State.

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

By Mr. Adams (by leave):

Assembly Bill No. 146—An Act concerning crimes against the legislative power.

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

By Mr. Copeland (by leave):

Assembly Bill No. 147—An Act to procure meteorological reports for the State of Nevada and to provide for the payment of the same.

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

Mr. Plank moved that the rules be suspended and that substitute for Assembly Bill No. 97 be now taken up.

Motion carried.

Mr. Ernst moved to amend by adding Section Five thereto.

Motion carried.

Mr. Shier, by leave, withdrew Assembly Bill No. 143.

Mr. Shier moved to amend substitute for Assembly Bill No. 97 by adding Section Six thereto.

Motion carried.

Substitute as amended read and adopted.

Mr. Drexler moved to amend Section One, lines fifteen and sixteen, by striking out "three thousand dollars" and inserting in place thereof "twenty-four hundred dollars."

Motion carried.

Substitute considered engrossed, read third time and on motion of Mr. Ernst was made the special order for 2 P. M. to-day.

On motion of Mr. Plank the following message from the Senate was ordered read :

SENATE CHAMBER,  
CARSON CITY, February 26, 1881. }

*To the Honorable the Assembly :*

I have the honor to inform your honorable body that the Senate, by a unanimous vote, have refused to concur in the request to return Senate Bill No. 40, "An Act relating to the salaries of the Commissioners of Eureka County," for the reason that said bill has just been reported correctly enrolled.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### GENERAL FILE.

Assembly Bill No. 121—An Act amendatory of an Act relating to elections, approved March 12, 1873.

Considered engrossed.

Mr. Gignoux was granted leave of absence.

Bill read third time and passed by the following vote :

YEAS—Messrs. Adams, Berry, Bradshaw, Coffin, Copeland, Drexler, Duffy, Englis, Ernst, Green, Havenor, Irvine, Johnson, Knight, Longley, Masel, May, McKenzie, Mooney, Organ, Parker, Penoyer, Penton, Plank, Shier, Smyth, Tuska and Waldorf—28.

NAYS—Messrs. Bailey, Ballinger, Bell, Blair, Condon, Fallon, Lewers, Mallon, McBurney, Moriarty, Newell, Richards, Soule and Mr. Speaker—14.

Absent—Messrs. Barrett, Belding, Corbett, Ford, Gignoux, Kelly, McGowan and Shepard.



Assembly Bill No. 133—An Act concerning Justices of the Peace.  
Considered engrossed, read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newel, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Corbett, Gignoux, Kelly, McGowan and Shepard.

At 11:55 A. M. Mr. Speaker in the Chair.

By Mr. Gignoux (by leave):

Assembly Bill No. 148—An Act to authorize the Commissioners of Lyon County to issue bonds, and to provide for the payment of the same.

Considered read first time, rules suspended, read second time by title and referred to the Lyon County delegation.

By Mr. Bell (by leave):

Assembly Bill No. 149—An Act to amend Section Thirty-one of an Act entitled "An Act to regulate proceedings in civil cases in the courts of justice of this State, and to repeal all other Acts in relation thereto," approved March 8, 1869.

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

By Mr. Organ (by leave):

Assembly Bill No. 150—An Act to provide for the additional compensation of Sheriffs, in certain cases.

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

At 12 M., on motion of Mr. Waldorf, the House took a recess for one hour.

## HOUSE IN SESSION.

At 1 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The following reports were presented, out of order :

*Mr. Speaker :*

Your joint committee to investigate the affairs of the State Orphans' Home beg leave to report that they have, as far as practicable, discharged the duty assigned them. We have found the orphan children under good discipline, amply provided with wholesome food and substantial clothing, and generally as well cared for as the difficulties of the situation seem to admit. The school, a very important

feature of the institution, we have found in first-rate condition, the children being interested in their studies and well taught. We would recommend that a sufficient additional amount be appropriated to improve the sewage at the Home, to calcimine the interior of the main building, and repaint the same thoroughly, inside and outside.

JERRY SCHOOLING, of the Senate.  
 ROSS LEWERS, } of the Assembly.  
 EUGENE MAY, }

*Mr. Speaker :*

Your Committee on Contingent Expenses and Accounts, to whom was assigned the duty of examining the books and accounts of the several State departments, beg leave to report that we have examined the books and accounts of the State Treasurer, State Controller, Secretary of State, Surveyor-General and Land Register, and Superintendent of Public Instruction, and found the same correct. We have also examined into the appropriations made by the Legislature of 1879 for clerical work and other purposes, for the above mentioned State officers, and found the same properly disbursed.

L. P. DREXLER, Chairman.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 57, "An Act to disincorporate the city of Virginia," and Assembly Bill No. 95, "An Act to disincorporate the city of Austin," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

Assembly Bill No. 102—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

Mr. Havenor moved that the bill be laid on the table.

Motion carried.

Assembly Concurrent Resolution No. 22—Relative to amending the Constitution.

Amendments made in committee read and adopted.

Considered engrossed and read third time.

Mr. Coffin moved to amend by inserting in the blanks providing for taxation "one mill."

Motion carried.

Roll called and resolution passed by the following vote :

YEAS—Messrs. Ballinger, Bell, Coffin, Condon, Corbett, Englis, Ernst, Ford, Gignoux, Green, Havenor, Johnson, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Richards, Smyth, Tuska, Waldorf and Mr. Speaker—29.

NAYS—Messrs. Bailey, Berry, Blair, Bradshaw, Drexler, Duffy,



Fallon, Irvine, Kelly, Knight, Organ, Penton, Plank, Shier and Soule—15.

Absent—Messrs. Adams, Barrett, Belding, Copeland, McGowan and Shepard.

Messrs. Organ and McKenzie arose to questions of privilege.

Assembly Bill No. 60—An Act to prevent gaming.

Bill read third time and lost by the following vote :

YEAS—Messrs. Bailey, Berry, Blair, Bradshaw, Coffin, Corbett, Ernst, Fallon, Ford, Gignoux, Havenor, Masel, May, Organ, Parker, Penton and Waldorf—17.

NAYS—Messrs. Adams, Ballinger, Bell, Condon, Copeland, Duffy, Englis, Green, Johnson, Kelly, Knight, Lewers, Longley, Mallon, McBurney, McKenzie, Mooney, Moriarty, Newell, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—27.

Absent—Messrs. Barrett, Belding, Drexler, Irvine, McGowan and Shepard.

Assembly Bill No. 63—An Act to pay the claim of Benjamin Edson.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Bell, Berry, Coffin, Condon, Corbett, Drexler, Duffy, Ernst, Ford, Gignoux, Havenor, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Richards, Shier, Smyth, Soule, Waldorf and Mr. Speaker—36.

NAYS—Messrs. Blair, Bradshaw, Copeland, Englis, Fallon, Green, Plank and Tuska—8.

Absent—Messrs. Barrett, Belding, Irvine, McGowan, Penton and Shepard.

Assembly Bill No. 46—An Act relating to railroads the termini of which are within the State of Nevada.

Read third time.

Mr. Organ moved to amend Section One by striking out "eight" and inserting "six."

Motion lost.

At 2 P. M. Mr. Ernst moved that the consideration of the special order, viz: substitute for Assembly Bill No. 94, be deferred until after the disposal of the pending bill.

Motion carried.

Consideration of Assembly Bill No. 46 resumed.

The roll was called and the bill lost by the following vote :

YEAS—Messrs. Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Green, Irvine, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—25.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Coffin, Ernst, Gignoux, Havenor, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, Penoyer, Soule and Berry—20.

Absent—Messrs. Barrett, Belding, McGowan, Penton and Shepard.

Substitute for Assembly Bill No. 94—An Act to amend an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879.

Mr. Gignoux moved to amend by adding Section Seven to the substitute.

Motion carried, and said section attached to the bill by the Clerk.

Mr. Bradshaw moved to amend by adding Section Eight to the bill.

Motion carried, and said section attached to the bill by the Clerk.

Mr. Ernst moved to amend by adding Section Nine to the substitute, as follows: Section Nine—This Act shall take effect and be in force on and after January 1, 1883.

Amendment adopted and section attached by the Clerk.

Bill considered engrossed as amended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Irvine, Kelly, Lewers, Longley, Malton, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Organ, Parker, Penoyer, Penton, Plank, Shier, Tuska, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Coffin, Fallon, Havenor, Johnson, Newell, Richards, Smyth and Soule—8.

Absent—Messrs. Belding, Knight, McGowan and Shepard.

The following report was presented out of order:

*Mr. Speaker:*

Your Committee on Education, to whom was referred Assembly Bill No. 48, and Assembly Bill No. 110, have had the same under consideration and, in conjunction with the Senate Committee on Education, have prepared a substitute and recommend that the substitute be adopted and that it do pass.

J. E. GIGNOUX, Chairman.

Assembly Bill No. 134—An Act to authorize and empower the Board of State Prison Commissioners to purchase for and on behalf of the State certain real estate situate near the State Prison of Nevada.

On motion of Mr. Coffin, at 2:24 P. M., the House resolved itself into Committee of the Whole for the purpose of considering Assembly Bill No. 134.

Mr. Speaker in the Chair.

At 2:32 P. M. the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole have had under consideration Assembly Bill No. 134, and beg leave to report the same back without recommendation.



Substitute for Senate Bill No. 55—An Act for the relief of S. H. Marlette.

At 2:34 p. m., on motion of Mr. Bell, the House resolved itself into Committee of the Whole for the purpose of considering the substitute for Senate Bill No. 55.

Mr. Speaker in the Chair.

At 2:47 p. m. the committee arose and made the following report.

*Mr. Speaker:*

Your Committee of the Whole have had under consideration the substitute for Senate Bill No. 55, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

Senate Bill No. 94—An Act fixing the rate for official advertising. Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Belding, Ballinger, Copeland, McGowan, Shepard and Waldorf.

Substitute for Senate Bill No. 104—An Act authorizing a State loan.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Berry, Condon, Drexler, Duffy, Englis, Ernst, Ford, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, McBurney, McKenzie, Moriarty, Newell, Parker, Plank, Richards, Shier, Soule and Mr. Speaker—28.

NAYS—Messrs. Barrett, Blair, Bradshaw, Coffin, Corbett, Fallon, Gignoux, Mallon, May, Mooney, Organ, Penoyer, Penton, Smyth and Tuska—15.

Absent—Messrs. Ballinger, Belding, Copeland, Havenor, McGowan, Shepard and Waldorf.

Mr. Ernst (by leave):

Assembly Bill No. 151—An Act to authorize the Board of County Commissioners of Nye County to negotiate a loan and to provide for the payment thereof.

Considered read first time, rules suspended, read second time by title, referred to the Nye County delegation and ordered printed.

Mr. Organ (by leave):

Assembly Bill No. 152—An Act to reimburse the Sheriffs of Humboldt and Elko Counties for expenses incurred in certain cases.

Read first time, rules suspended, read second time; rules further suspended, considered engrossed; rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McKenzie, Mooney, Moriarty, Newell, Organ, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule and Mr. Speaker—39.

NAYS—Mr. Havenor.

Absent—Messrs. Ballinger, Barrett, Belding, Coffin, Condon, McGowan, Parker, Shepard, Tuska and Waldorf.

Mr. Ernst gave notice that he would on Monday move for a reconsideration of the vote by which the bill had just passed.

Assembly Bill No. 134—An Act to authorize and empower the Board of State Prison Commissioners to purchase for and on behalf of the State certain real estate situate near the State Prison of Nevada.

Mr. Smyth moved that the bill be laid on the table.

Motion carried.

Substitute for Assembly Bills Nos. 48 and 110—An Act to provide for the maintenance of and supervision of public schools.

At 3:12 P. M. Mr. Smyth was granted leave of absence for the remainder of the day.

At 3:15 P. M., pending the reading of substitute for Assembly Bills Nos. 48 and 110, the House, on motion of Mr. Tuska, adjourned until 10½ A. M. Monday, the 28th instant.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

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## FIFTY-SEVENTH DAY.

CARSON CITY (Monday), February 28, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Ballinger, Belding, McBurney and Lewers.

Mr. Ballinger was granted leave of absence for one day.



Pending the reading of the Journal of the Fifty-fifth day Mr. Englis moved that the further reading be dispensed with.

Motion carried.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Senate Bill No. 122, "An Act fixing the rate of State taxation," and beg leave to report the same back to the House with the recommendation that it do pass.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on Trades and Manufactures have had under consideration Assembly Bill No. 130, "An Act to regulate the quality and standard of illuminating power and the price of gas in all cities and towns within this State," and beg leave to report the same back to the Assembly without recommendation.

W. B. NEWELL, Chairman.

*Mr. Speaker :*

Your Committee on Trades and Manufactures have had under consideration Assembly Bill No. 136, "An Act to regulate the quality and standard of illuminating power and the price of gas in all cities and towns within this State," and beg leave to report the same back to the Assembly without recommendation.

W. B. NEWELL, Chairman.

*Mr. Speaker :*

Your Committee on Corporations and Railroads have had under consideration Assembly Bill No. 132, and report the same back without recommendation; also, Assembly Bill No. 64, and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 113, "An Act to aid the Nevada Benevolent Association;" Assembly Bill No. 99; Assembly Bill No. 128; also, Assembly Joint Resolution No. 1; also, Joint Resolution No. 4; Assembly Concurrent Resolution No. 20, and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker :*

Your special committee, composed of the Eureka and White Pine delegations, have had under consideration Assembly Bill No. 51,

which was amended in the Senate, and beg leave to report the same back with the recommendation that the Senate amendment be concurred in.

JAMES ADAMS, for Committee.

*Mr. Speaker :*

Your special committee, consisting of the Lyon County delegation, have had under consideration Assembly Bill No. 148, and report therefor a substitute and recommend that the substitute do pass.

J. E. GIGNOUX,  
J. J. CORBETT,  
M. H. FALLON.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 26, 1881.

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 56, "An Act to disincorporate the town of Gold Hill and to repeal all other Acts touching its incorporation;" also, Assembly Bill No. 57, "An Act to disincorporate the city of Virginia and repeal all laws touching its incorporation;" also, Assembly Bill No. 58, "An Act providing for the government of the towns and cities of this State;" also, Assembly Bill No. 95, "An Act to disincorporate the city of Austin and to repeal all other Acts touching its incorporation."

JOHN H. KINKEAD, Governor.

#### MOTIONS AND RESOLUTIONS.

Mr. Coffin moved that Assembly Bill No. 134 be taken from the table and placed on the bottom of the file.

Motion carried by a vote of 16 to 14.

By Mr. Plank :

*Resolved*, That, in order to facilitate business and keep the records correct and written up as each day passes, the Journal Clerk of this Assembly is hereby authorized and empowered to hire extra clerical help should he deem the same necessary.

Adopted unanimously.

By Mr. Havenor :

Assembly Concurrent Resolution No. 23—Relative to amending the Constitution in order to allow women who are taxpayers the right of suffrage.

Read first time.

Mr. Kelly moved that the resolution be indefinitely postponed, upon which the yeas and nays were called for by Messrs. Smyth, Waldorf and Bell.



Mr. Plank moved to amend by striking out all relating to educational and property qualifications.

Mr. Smyth arose to a point of order, viz.: that amendments were out of order on the first reading.

Point not sustained.

The question put on amendment of Mr. Plank and motion carried.

Mr. Kelly moved that the resolution be referred to a special committee, consisting of Messrs. Plank, Havenor and Bell, with instructions to draft a new resolution.

Motion carried.

By Mr. Duffy:

*Resolved*, That the joint committee appointed to investigate alleged frauds in State printing, etc., be authorized and empowered to send for persons and papers.

Adopted.

By Mr. Kelly:

*Resolved*, That the Controller of State is hereby authorized to draw his warrant and the State Treasurer is hereby authorized to pay to M. Purcell the sum of \$18 for four and one-half days' extra service as fireman in cleaning and preparing the furnace of the Assembly Chamber before the assembling of the Legislature.

On motion of Mr. Smyth the resolution was referred to the Committee on Claims.

Mr. Moriarty moved that Assembly Bill No. 102 be taken from the table and placed on the bottom of the file.

Motion carried by a vote of 18 to 14.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Havenor (by leave):

Assembly Bill No. 153—An Act to repeal an Act entitled "An Act to authorize the publication of the laws enacted by the Legislature of Nevada," approved March 2, 1877.

Rules suspended, read second time by title and referred to the Committee on Public Printing.

By Mr. McGowan (by leave):

Assembly Bill No. 154—An Act to prevent fraudulent gaming.

Rules suspended, read second time by title and referred to the Committee on Public Morals.

By Mr. McGowan (by leave):

Assembly Bill No. 155—An Act to prohibit the carrying of concealed weapons by minors.

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

#### GENERAL FILE.

Substitute for Senate Bill No. 55—An Act for the relief of S. H. Marlette.

Read third time.

Mr. Coffin moved to amend the bill by striking out the words "School Fund" and inserting in place "General Fund."

Motion lost.

The roll was called and the bill passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Condon, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, May, McGowan, McKenzie, Organ, Parker, Penoyer, Penton, Plank, Richards, Shepard, Shier and Mr. Speaker—31.

NAYS—Messrs. Blair, Bradshaw, Corbett, Copeland, Duffy, Mallon, Masel, Mooney, Newell, Soule, Tuska and Waldorf—12.

Absent—Messrs. Ballinger, Belding, Coffin, Drexler, McBurney, Moriarty and Smyth.

Substitute for Assembly Bills Nos. 48 and 110—An Act to provide for the maintenance and supervision of public schools.

Mr. Kelly moved that the substitute be adopted and considered engrossed.

Motion carried.

Mr. Parker moved that the substitute be ordered printed and referred to the Committee on Education.

Motion lost.

Mr. Smyth moved that the subject matter be indefinitely postponed.

Motion lost.

Mr. Waldorf moved that the subject matter be indefinitely postponed.

Motion lost.

Mr. Plank moved to amend subdivision six of Section One by striking out all the words after the word "have" in line three down to and including the word "having" in line seven.

Motion carried.

At 11:37 A. M. the Speaker *pro tem.* in the Chair.

Mr. Englis moved that the bill be made the special order for 2 P. M. to-day.

Motion lost.

Mr. Plank moved to amend by striking out in Section One, subdivision six, line seven, all after the word "taught" down to and including the word "he" in same division, and changing the word "pass" to "passed."

Motion carried.

Mr. Lewers arose to speak to the question.

Mr. Newell arose to a point of order, viz.: that the member had exhausted his privilege of debate.

Point sustained.

Roll called and bill lost by the following vote :

YEAS—Messrs. Barrett, Bell, Coffin, Corbett, Ernst, Fallon,



Gignoux, Havenor, Irvine, Johnson, Mallon, May, McGowan, Plank, Shepard and Soule—16.

NAYS—Messrs. Adams, Bailey, Berry, Blair, Bradshaw, Condon, Copeland, Drexler, Duffy, Englis, Ford, Green, Knight, Lewers, Longley, Masel, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Richards, Shier, Smyth, Tuska and Waldorf—27.

Absent—Messrs. Ballinger, Belding, Kelly, McBurney, Organ Penton and Mr. Speaker.

On motion of Mr. Ernst the following Senate message was ordered read :

SENATE CHAMBER,  
CARSON CITY, February 26, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 11—Relative to procuring an astronomical instrument from the United States Government for the Carson Observatory, which passed the Senate this day. Yeas, 23; nays, none.

Also, Senate Bill No. 123—An Act transferring the amount in the State Building Fund and apportioning the amount that may hereafter come to its credit to the General Fund, which passed the Senate this day. Yeas, 23; nays, none.

Also, Senate Bill No. 124—An Act transferring the amount in the Soldiers' Fund to the General Fund of the State, which passed the Senate this day. Yeas, 23; nays, none.

Also, Senate Memorial and Joint Resolution No. 8—Relative to lands in the State of Nevada, which passed the Senate this day. Yeas, 22; nays, none.

Also, Senate Bill No. 29—An Act to amend an Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 7, 1873, which passed the Senate this day. Yeas, 19; nays, none.

Also, Senate Bill No. 59—An Act to amend Section Thirty of an Act for the relief of insolvent debtors and protection of creditors, approved March 10, 1865, which passed the Senate this day. Yeas, 15; nays, 1.

Also, Senate Bill No. 96—An Act to authorize the repayment of certain money to G. H. Hatch, late Assessor of Esmeralda County, which passed the Senate this day. Yeas, 23; nays, none.

Also Senate Bill No. 115—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in courts of justice in this State and to repeal all other Acts in relation thereto," approved March 8, 1869, which passed the Senate this day. Yeas, 23; nays, none.

Also, to return to your honorable body Assembly Joint Memorial and Resolution No. 5—Relative to a mail route in Humboldt County, which passed the Senate this day. Yeas, 20; nays, none.

Also, Assembly substitute for Senate Bill No. 77—An Act in rela-

tion to the message of the Governor and the reports of certain State officers, which passed the Senate this day. Yeas, 23; nays, none.

Also, Assembly Bill No. 74—An Act concerning marriages, which passed the Senate this day. Yeas, 21; nays, 1.

Also, Assembly Bill No. 116—An Act to amend Section One Hundred and Thirty-nine of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, which passed the Senate this day. Yeas, 22; nays none.

Also, substitute for Assembly Bill No. 104—An Act to prevent minors from gambling, which was amended, and as amended passed the Senate this day. Yeas, 22; nays, none.

Also, Assembly Bill No. 119—An Act to amend an Act entitled "An Act to create a fire department fund," approved March 9, 1865, which passed the Senate this day. Yeas, 19; nays, 2.

WM. HY. DOANE,

Assistant Secretary of the Senate.

Substitute for Assembly Bill No. 104 under consideration.

Amendments made in Senate read and concurred in.

Senate Joint Memorial and Resolution No. 8 under consideration.

Considered read first time, rules suspended, read second time by title and referred to the Committee on Public Lands.

Senate Joint Resolution No. 11 under consideration.

Considered read first time, rules suspended, read second time by title, rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Penoyer, Plank, Shepard, Shier, Smyth, Soule, Tуска, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, McBurney, Organ, Parker, Penton and Richards.

Senate Bill No. 123 under consideration.

Read first time.

At 12:20 P. M., on motion of Mr. Ernst, the House took a recess for one hour.

### HOUSE IN SESSION.

At 1:20 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The following reports were presented out of order:



Substitute for Assembly Concurrent Resolution—

*Resolved by the Legislature of the State of Nevada, in Senate and Assembly assembled,* That the women of this State are, and of right ought to be, entitled to the privilege of suffrage; therefore be it resolved that a joint committee of the Legislature be appointed by the presiding officers of the respective Houses of said Legislature to draft an amendment to the Constitution granting to said women the right to vote.

Adopted.

*Mr. Speaker:*

Your Committee on Public Morals, to whom was referred Senate Bill No. 7, "An Act to amend an Act to restrict gaming," have carefully considered the same and would respectfully recommend that it do pass.

J. J. CORBETT, Chairman.

*Mr. Speaker:*

Your Committee on Engrossment beg leave to report that they have carefully compared the following bill with the original and found the same correctly engrossed: Assembly Bill No. 66, "An Act for the relief of insolvent debtors and protection of creditors."

C. P. SOULE, Chairman.

*Mr. Speaker:*

Your Committee on Public Printing have had under consideration Senate Bill No. 76, "An Act to pay a deficiency in the appropriation for State printing and official advertisements," and recommend that the same do pass.

HENRY DUFFY, Chairman.

*Mr. Speaker:*

Your Committee on Public Printing have had under consideration Assembly Bill No. 153, "An Act to repeal an Act entitled 'An Act to authorize the publication of the laws enacted by the Legislature of Nevada,'" approved March 2, 1877, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

HENRY DUFFY, Chairman.

Speaker *pro tem.* in the Chair.

Mr. Tuska moved to suspend the rules and take up Assembly Bill No. 66, "An Act for the relief of insolvent debtors and protection of creditors."

Motion carried.

Bill read third time.

Mr. Tuska moved to amend Section Forty-nine and insert at the end of said section "provided, however, that such repeal shall in no manner invalidate or affect any case in insolvency instituted and pending in any court prior to the day when this Act shall take effect; nor

shall the provisions of this Act deprive any person of the benefits of this Act as to any indebtedness contracted prior to the taking effect of this Act."

Amendment adopted.

Mr. Drexler moved to amend Section Twenty-four, where the words "one-third" occur, and insert in place "one-half."

Motion lost.

Mr. Ernst moved to amend Section Four, line four, by adding after the word "failure," "or, in the event of his absence, before the Clerk of the Court."

Amendment adopted.

Mr. Coffin moved to amend by adding to the bill Section Fifty.

Amendment adopted.

Roll called and bill passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Knight, Lewers, Longley, Mallon, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shepard, Shier, Soule, Tuska and Mr. Speaker—38.

NAYS—Messrs. Blair, Corbett, Gignoux, Smyth and Waldorf—5.

Absent—Messrs. Ballinger, Belding, Kelly, Masel, McBurney, Penoyer and Penton.

The following reports were presented:

*Mr. Speaker:*

Your Committee on Federal Relations, to whom was referred Assembly Memorial and Joint Resolution No. 2, relating to the election of United States Senators by the people, have had the same under consideration and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. Z. KELLY, Chairman.

*Mr. Speaker:*

The Lander County delegation have had under consideration Assembly Bill No. 91, "An Act to prescribe the mode of electing the Marshal and City Clerk of the city of Austin," and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

JOHN SMYTH,  
C. P. SOULE,  
W. B. NEWELL.

Assembly Bill No. 91 under consideration.

Mr. Smyth moved that the consideration of the bill be indefinitely postponed.

Motion carried.

Mr. Shepard, by leave, introduced Assembly Bill No. 157, "An Act to amend an Act entitled 'An Act to provide for the mainten-



ance and supervision of public schools," approved March 20, 1865, and amended by Acts approved March 8, 1867.

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

Mr. Ernst moved that Senate messages be now taken up.  
Motion lost.

Mr. Lewers, by leave, introduced Assembly Bill No. 158—An Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865, and of Acts amendatory thereof.

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

Mr. Lewers, by leave, introduced Assembly Bill No. 159, "An Act amendatory of an Act entitled 'An Act to provide for the maintenance of public schools,'" approved March 20, 1865, and amended February 26, 1879.

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

Mr. Corbett moved that the rules be suspended and Assembly Bill No. 148 be taken up.  
Motion lost.

Mr. Ernst moved to now take up Senate messages.  
Motion carried.

SENATE CHAMBER,  
CARSON CITY, February 28, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 128—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879, which passed the Senate this day. Yeas, 22; nays, none.

Also, Senate Bill No. 70—An Act defining the duration of each regular and special session of the Legislature, which passed the Senate on the 26th instant—yeas, 18; nays, 6; and was held over on a notice of motion to reconsider.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Ernst moved that the House do now consider Senate Bill No. 128.

Motion carried.

Read first time, rules suspended, read second time by title, rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Brad-

shaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Plank, Richards, Shepard, Shier, Smyth, Soule, Waldorf and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Ballinger, Belding, McBurney, Penoyer, Penton and Tuska.

Mr. Corbett moved to suspend the rules and take up Assembly Bill No. 148, "An Act to authorize the Commissioners of Lyon County to issue bonds, and to provide for the payment of the same."

Motion carried.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Shepard, Shier, Smyth, Soule and Waldorf—41.

NAYS—Mr. Blair.

Absent—Messrs. Ballinger, Belding, Knight, McBurney, Richards, Tuska and Mr. Speaker.

Mr. Barrett moved to suspend the rules and take up Assembly Bill No. 156, "An Act to provide for the maintenance of public schools in the State of Nevada."

Motion carried.

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

Assembly Bill No. 139—An Act to provide for the destruction of noxious animals.

Mr. Kelly moved that the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 51—An Act to detach a portion of White Pine County from said county and attach the same to Eureka County.

Senate amendments read and concurred in.

Assembly Bill No. 102—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

On motion of Mr. Kelly the bill was indefinitely postponed.

Senate Bill No. 122—An Act to fix the rate of State taxation.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Lewers,



Longley, Mallon, Masel, May, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Plank, Richards, Shepard, Smyth, Soule, Tuska and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Berry, Gignoux, Knight, McBurney, Mooney, Organ, Penoyer, Shier and Waldorf.

Assembly Bill No. 136—An Act to regulate the quality and standard of illuminating power and the price of gas in all cities and towns within this State.

Mr. Coffin moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

By Mr. Shier (by leave):

Assembly Bill No. 160—An Act amending an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

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

Assembly Bill No. 130—An Act to regulate the quality and standard of illuminating power and the price of gas in the towns and cities of this State.

On motion of Mr. Soule the bill was indefinitely postponed.

Assembly Bill No. 64—An Act to regulate, place and keep in repair water meters, and to establish the price and rates of water charges in towns and cities of a population of more than eight thousand inhabitants.

On motion of Mr. Smyth the bill was indefinitely postponed.

Assembly Bill No. 132—An Act to establish and fix the rates on railroads whose lines run through the State of Nevada.

On motion of Mr. Moriarty the bill was indefinitely postponed.

Senate Bill No. 76—An Act to pay a deficiency in the appropriation for State printing and official advertising.

At 3:16 P. M. Mr. Coffin moved that the House resolve itself into Committee of the Whole for the purpose of considering the above bill.

Motion carried.

Mr. Coffin in the Chair.

At 3:19 P. M. the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole, who have had under consideration Senate Bill No. 76, beg leave to report the same back to the House and recommend that it do pass.

Mr. Speaker in the Chair.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—44.

NAYS—Messrs. Bradshaw and Copeland—2.

Absent—Messrs. Ballinger, Belding, McBurney and Penoyer.

Senate Bill No. 7—An Act to amend an Act to restrict gaming and to repeal all other Acts relating thereto, approved March 8, 1879.

Mr. Englis moved that the bill be indefinitely postponed.

Motion carried.

Assembly Memorial and Joint Resolution No. 2.—Relative to election of United States Senators.

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

YEAS—Messrs. Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Richards, Shepard, Shier, Smyth, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Adams, Barrett, Copeland, Plank, Soule and Tuska—6.

Absent—Messrs. Ballinger, Belding, Condon, McBurney, Organ and Penoyer.

The following report was presented, out of order:

*Mr. Speaker:*

Your special committee have had under consideration Assembly Bill No. 160 and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JOHN SHIER, Chairman.

Mr. Ernst moved that the rules be suspended, and that Assembly Bill No. 106—An Act to amend an Act entitled “An Act fixing the salaries of the various county officers in the several counties of the State, and other matters relating thereto,” approved March 11, 1879, be taken up.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Plank, Richards, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.



Absent—Messrs. Ballinger, Belding, Condon, Duffy, May, McBurney, Organ and Penoyer.

## MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 28, 1881. }

*To the Honorable the Assembly:*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 13, "An Act for the relief of sureties on official bonds;" also, Assembly Bill No. 99, "An Act to amend Section One Hundred and Twenty-eight of an Act entitled 'An Act to regulate the settlement of the estates of deceased persons,'" approved November 29, 1861; also, Assembly Bill No. 120, "An Act to amend Section Thirty-nine of an Act entitled 'An Act to provide for the maintenance and supervision of public schools,'" approved March 20, 1865, approved March 6, 1869.

JOHN H. KINKEAD, Governor.

## SENATE MESSAGES.

SENATE CHAMBER, }  
CARSON CITY, February 28, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 68—An Act to discontinue litigation touching the inequitable claims of taxes and penalties, which passed the Senate this day. Yeas, 13; nays, 11.

GEO. I. LAMMON,  
Secretary of the Senate.

SENATE CHAMBER, }  
CARSON CITY, February 28, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 10—Senate Joint Memorial and Resolution to Congress relative to a national appropriation for improving the navigation of the Colorado River, which passed the Senate this day. Yeas, 24; nays, none.

Also, Senate Bill No. 108—An Act to reapportion the several counties in this State for legislative purposes, which passed the Senate this day. Yeas, 19; nays, 5.

Also, Assembly Bill No. 87—An Act to appropriate funds for the relief of the several orphan asylums of this State.

Also, Senate Bill No. 99—An Act to amend an Act entitled "An Act concerning the writ of habeas corpus," approved December 19, 1862.

Also, Senate Bill No. 117—An Act supplementary to “An Act relating to elections,” approved March 12, 1873.

GEO. I. LAMMON,  
Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, February 28, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 97—An Act to prohibit the employment of “fighters,” and to prevent bloodshed and providing punishment therefor, which passed the Senate this day. Yeas, 21; nays, none.

Also, to return to your honorable body Assembly Bill No. 92—An Act supplementary of and amendatory to an Act entitled “An Act to encourage the sinking of artesian wells,” approved March 6, 1869, which was amended and as amended lost in the Senate this day. Yeas, 12; nays, 8.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 115 under consideration.

Mr. Waldorf moved that the rules be suspended, considered read first time; rules further suspended and read second time by title; rules further suspended, read third time and placed on final passage.

Yeas and nays were called for by Messrs. Green, Kelly and Waldorf and motion lost by the following vote :

YEAS—Messrs. Bradshaw, Copeland, Havenor, Knight, Longley, May, Mooney, Plank, Smyth, Tuska, Waldorf and Mr. Speaker—12.

NAYS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Coffin, Corbett, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Mallon, Masel, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Richards, Shepard, Shier and Soule—30.

Absent—Messrs. Adams, Ballinger, Belding, Condon, Drexler, McBurney, Organ and Penoyer.

Mr. Waldorf moved that the bill be considered read the first time and that the rules be suspended, bill read second time by title and placed on the bottom of the file.

Mr. Englis moved that the bill be laid on the table.

Mr. Corbett moved that the bill be indefinitely postponed.

Ruled out of order.

Yeas and nays on motion called for by Messrs. Waldorf, Plank and Corbett, and motion lost by the following vote :

YEAS—Messrs. Bailey, Barrett, Bell, Berry, Blair, Corbett, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Mallon, Masel, McGowan and Richards—21.



NAYS—Messrs. Adams, Bradshaw, Coffin, Copeland, Havenor, Knight, Longley, May, McKenzie, Mooney, Moriarty, Newell, Parker, Penton, Plank, Shepard, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—22.

Question recurred on the motion to read second time and place on the bottom of the file, and motion carried.

By Mr. Ernst (by leave):

Assembly Bill No. 161—An Act to amend an Act entitled "An Act concerning the courts of justice of this State and judicial officers," approved January 26, 1865.

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

Senate Joint Memorial and Resolution No. 10 under consideration.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Federal Relations.

Senate Bill No. 108 under consideration.

Rules suspended, considered read first time, rules further suspended, read second time by title and referred to the Special Committee on Reapportionment.

Senate Bill No. 97 under consideration.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Mines and Mining.

Senate Bill No. 99 under consideration.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Judiciary.

Senate Bill No. 117 under consideration.

Considered read first time, rules suspended, read second time by title and referred to the Committee on Elections.

Senate Bill No. 68 under consideration.

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

Senate Bill No. 70 under consideration.

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

Senate Bill No. 96 under consideration.

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

Senate Bill No. 59 under consideration.

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

Senate Bill No. 29 under consideration.

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

Senate Bill No. 124 under consideration.

Considered read first time, rules suspended, read second time by title and referred to the Committee on State Affairs.

Senate Bill No. 123 under consideration.

Considered read first time, rules suspended, read second time by title and referred to the Committee on State Affairs.

At 4:28 P. M., on motion of Mr. Newell, the House adjourned.

Approved :

GEO. W. MERRILL,  
Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

### FIFTY-EIGHTH DAY.

CARSON CITY (Tuesday), March 1, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Mr. Belding.

Pending the reading of the Journal of yesterday Mr. Waldorf moved that the further reading thereof be dispensed with.

Motion carried.

#### REPORTS OF STANDING COMMITTEES.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 74, "An Act concerning marriages," Assembly Bill No. 119, "An Act to create fire departments," Assembly Bill No. 87, "An Act for the relief of the several orphan asylums in this State," Assembly Bill No. 116, "An Act concerning crimes and punishments," and find the same correctly enrolled.

J. W. RICHARDS, Chairman.

*Mr. Speaker :*

Your Committee on Corporations and Railroads have had under consideration Assembly Bill No. 145, "An Act to regulate freights and fares," and beg leave to report the same back to the Assembly without recommendation.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 138, "An Act concerning the office of County Assessor," and beg leave to report the same back to the Assembly without recommendation, as a quorum was not present.

T. J. BELL, Chairman.



*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration substitute for Senate Bill No. 93, "An Act entitled 'An Act to provide revenue for the government of the State of Nevada,' " approved March 9, 1865, and amended March 4, 1871; approved February 20, 1877, which we beg leave to report back to the Assembly, with a substitute, with the recommendation that the substitute do pass.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Senate Bill No. 45, and report the same back and recommend that it do pass; also, Assembly Bill No. 150, and recommend that it do not pass; also, Assembly Bill No. 149, and recommend that it do pass; also, Senate Bill No. 118, and report the same back without recommendation; also, substitute for Assembly Bill No. 41, and recommend that it do not pass; also, Assembly Bill No. 124, and recommend that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 142, "An Act fixing the price of lands within the limits of the Central Pacific Railroad grant, and requiring applicants to pay United States Land Office fees; also, defining the amount of land allowed to each applicant, and in relation to issuing patents and purchase of township plats, and authorizing the State Land Register to perform certain duties," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JOHN SMYTH, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration Senate Bill No. 65, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. Z. KELLY, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration Senate Bill No. 96, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. Z. KELLY, Chairman.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker :*

Your special committee, composed of the Eureka, Lincoln and White Pine delegations, and the standing Committee on Corporations and Railroads, to whom was referred substitute for Senate Bill No.

21, "An Act to encourage the construction of a railroad from the town of Eureka, State of Nevada, to the Colorado River," beg leave to report that they have had the same under consideration, prepared amendments thereto, which they submit for adoption, and recommend that the bill, when so amended, do pass.

The several delegations above named, being fully represented in the said committee, and the provisions of the bill affecting the counties above named, and the citizens of said counties having petitioned the Legislature that the bill be passed, and no objections appearing to the form or the legality of the provisions of the bill, we cheerfully recommend its passage.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your committee of three, appointed to act with a committee of two from the Senate as a joint commission to visit the State Prison and consult with the Warden and ascertain if there are any prisoners that, by reason of long confinement, good conduct, or other circumstances, should, in their opinion, be pardoned, beg leave to report that they have visited the State Prison, consulted with the Warden, have examined evidence, petitions and other matter connected with and concerning prisoners now in the State Prison, and have made such recommendations as, in their opinion they deemed proper, to the Board of Pardons, and have filed their report with the Clerk of said Board, as provided for in an Act of the Legislature of 1879.

L. P. DREXLER, Chairman.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, February 28, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 122—An Act to redistrict the State of Nevada, which passed the Senate on the 26th instant—yeas, 22; nays, none; and was held over on a notice of motion to reconsider.

Also, Assembly Bill No. 63—An Act to pay the claim of Benjamin Edson, which passed the Senate this day. Yeas, 15; nays, none.

Also, to present for the consideration of your honorable body Senate Bill No. 120—An Act to amend an Act entitled "An Act in relation to the State Library," approved February 14, 1865; approved March 5, 1877; which passed the Senate this day. Yeas, 17; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### MOTIONS AND RESOLUTIONS.

Mr. Coffin moved to suspend the rules and take up Assembly Bill No. 122, "An Act to redistrict the State of Nevada."



Motion carried.

Senate amendments read.

Mr. Coffin moved that the amendments in relation to Ormsby, Washoe and Douglas counties be concurred in.

Motion carried.

Mr. Gignoux moved that the amendment relating to Lyon and Esmeralda counties be concurred in.

Motion carried.

Mr. Smyth moved that the amendment relating to Nye, Lander and Churchill counties be concurred in.

Motion carried.

Mr. Ernst moved that the Assembly refuse to concur in the amendment relative to the apportionment of the salary paid to the District Judge by Nye County.

Motion lost.

Mr. Smyth moved to concur in all the Senate amendments.

No action.

Mr. Ernst moved to amend so that the five hundred dollars additional allowed to the District Judge of the Sixth District be added to Lander County.

At 11:05 A. M. Mr. Waldorf in the Chair.

Mr. Barrett moved that the bill be re-referred to the Committee on Reapportionment, with instructions to said committee that they report the same back by 2 o'clock this afternoon.

Motion lost.

Mr. Coffin moved that the House concur in the amendment relating to the Sixth Judicial District.

Motion lost.

Mr. Coffin arose to a point of order: that amendments were out of order, the point being that the House could not make amendments until the Senate amendments were rejected or concurred in.

Point sustained.

Mr. Coffin moved that a committee of conference of one from each county be appointed to confer with a committee from the Senate in regard to the amendments made in the Senate.

Mr. Ernst moved to amend by instructing said committee to take under consideration all the amendments made in the Senate.

Mr. Coffin arose to a point of order: that the amendments concurred in by the House could not be considered by said committee.

Point sustained.

Mr. Ernst moved to reconsider the vote by which the House concurred in the Senate amendments.

No action.

Question recurred on Mr. Coffin's motion and the motion was carried.

The following report was presented, out of order:

*Mr. Speaker:*

The undersigned, a minority of your special committee to whom

was referred Senate Bill No. 21, "An Act to provide for the construction of the Eureka and Colorado River Railroad from the town of Eureka to the Colorado River," begs leave to submit the following as his objections to the passage of the bill:

First—The financial condition of White Pine County at the present time is such that the people thereof are in no condition to stand the tax which would necessarily be imposed to pay the interest and principal of the bonds contemplated to be issued under the provisions of this bill.

Second—The projectors of this road are not willing to give the residents of White Pine County any security for the bonds issued by the county, other than the stock of their company, which in my opinion is utterly worthless.

Third—I am satisfied my constituents do not want this road, unless they are given first-mortgage bonds of the road, which the projectors of this road are unwilling to give.

Fourth—The projectors of this road are also unwilling to submit the proposition to the qualified electors of White Pine County, which fact, in my opinion, is conclusive evidence that there is a job in the scheme.

Fifth—For the sake of competition the people of White Pine are unwilling to pay a high rate of interest on two hundred thousand dollars of bonds for ten years, without any of the guarantees herein set forth. I am opposed to subsidies to corporations.

GEO. F. PARKER, of Committee.

Mr. Adams moved to suspend the rules and take from the table Assembly Bill No. 35 and place the same on the bottom of the file.

Motion carried.

Mr. Shepard asked permission to introduce a bill out of order.

Mr. Corbett moved that Mr. Shepard be permitted to introduce the bill.

Motion carried.

Mr. Shepard introduced Assembly Bill No. 162.

At 11:38 A. M. Mr. Speaker in the Chair.

Mr. Coffin moved to reconsider the vote by which it was determined to appoint one from each county to the conference committee.

Mr. Ernst moved that the House take up Assembly Bill No. 122.

Mr. Coffin arose to a point of order: that a motion being before the House, the motion was out of order.

Point sustained.

Messrs. Coffin and Bell had leave to speak to questions of privilege.

The question recurring on Mr. Coffin's motion, it was put to the House and carried and the vote reconsidered.

The question then recurred on Mr. Coffin's original amendment to appoint a conference committee of three.

Motion carried, and Messrs. Adams, Barrett and Condon appointed as such committee.



Assembly Bill No. 162—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto," approved March 11, 1879.

The question recurred on the first reading.

Considered read first time, rules suspended, read second time by title, rules further suspended, considered engrossed, rules further suspended, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Condon, Copeland, Drexler, Englis, Fallon, Ford, Gignoux, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—38.

NAYS—Messrs. Bradshaw and Havenor—2.

Absent—Messrs. Ballinger, Belding, Coffin, Corbett, Duffy, Ernst, Green, McBurney, Plank and Waldorf.

Mr. Bradshaw gave notice that on to-morrow he would move for a reconsideration of the vote by which the bill passed.

Mr. Adams moved that the rules be suspended and that substitute for Senate Bill No. 21 be taken up and made the special order for 2 P. M.

Motion carried.

The following report was presented, out of order:

*Mr. Speaker:*

Your special committee to whom was referred Assembly Bill No. 151, "An Act to authorize the County Commissioners of Nye County to negotiate a loan, and to provide for the payment thereof," have had the same under consideration and recommend that it do pass.

GEORGE ERNST,  
T. J. BELL.

Mr. Bell moved that the rules be suspended and that the bill be now taken up for reconsideration.

Motion carried.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Richards, Shepard, Shier, Smyth, Soule, Tuska and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Belding, Duffy, Green, Havenor, Knight, McBurney, Organ, Plank and Waldorf.

At 12:06 P. M., on motion of Mr. Ford, the House took a recess for one hour.

## HOUSE IN SESSION.

At 1:06 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

## INTRODUCTION AND FIRST READING OF BILL.

Senate Bill No. 125—An Act in relation to the State Library.

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

## GENERAL FILE.

Senate Bill No. 118—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 8, 1869.

Mr. Mallon moved that the bill be indefinitely postponed.

Motion withdrawn.

Bill read third time.

Mr. Englis moved to amend by striking out "sixty dollars" and inserting "seventy-five dollars" instead.

Mr. Ernst moved to amend the amendment by making it one hundred and twenty dollars per month instead of seventy-five dollars.

The yeas and nays on the motion to amend the amendment were called for by Messrs. Adams, Coffin and Drexler.

Roll called and the amendment to the amendment adopted by the following vote :

YEAS—Messrs. Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Ernst, Ford, Gignoux, Green, Irvine, Lewers, Mallon, Masel, McGowan, McKenzie, Moriarty, Parker, Penoyer, Penton, Richards and Shier—26.

NAYS—Messrs. Adams, Bailey, Ballinger, Copeland, Englis, Fallon, Havenor, Johnson, Kelly, Knight, Longley, May, Mooney, Newell, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—19.

Absent—Messrs. Belding, McBurney, Organ, Plank and Shepard.

Question recurred on the original amendment as amended and adopted by a vote of 24 to 18.

Roll called and bill passed by the following vote :

YEAS—Messrs. Adams, Berry, Blair, Bradshaw, Condon, Copeland, Englis, Ernst, Fallon, Gignoux, Havenor, Kelly, Knight, Longley, Masel, May, McBurney, McGowan, McKenzie, Penoyer, Penton, Plank, Richards, Shier, Smyth, Tuska, Waldorf and Mr. Speaker—28.

NAYS—Messrs. Bailey, Ballinger, Barrett, Bell, Coffin, Corbett, Drexler, Duffy, Ford, Green, Irvine, Johnson, Lewers, Mallon, Mooney, Moriarty, Newell, Parker and Soule—19.

Absent—Messrs. Belding, Organ and Shepard.



Mr. Englis gave notice that on to-morrow he would move for a reconsideration of the vote by which the bill had just passed.

The following reports and resolutions were presented out of order :

*Mr. Speaker :*

Your Committee on Claims have had under consideration Senate Bill No. 119, "An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAS. Z. KELLY, Chairman.

By Mr. Johnson :

*Resolved*, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of five hundred and ninety-two dollars for contingent expenses, as per vouchers attached, to be paid out of the Legislative Fund.

On motion of Mr. Bell the resolution was referred to the Committee on Contingent Expenses and Accounts.

*Mr. Speaker :*

Your Committee on Claims have had under consideration a resolution introduced by Mr. Kelly, "Relative to paying M. Purcell the sum of eighteen dollars," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAS. Z. KELLY, Chairman.

Resolution as above read and adopted.

*Mr. Speaker :*

Your committee of reference on apportionment beg leave to report that they have unanimously agreed to the following amendment to Assembly Bill No. 122 : Section Three of printed bill, commencing at line thirteen, shall read as follows : "Of the Sixth District, six thousand five hundred dollars, of which the county of Eureka shall pay three thousand five hundred dollars, the county of White Pine shall pay one thousand eight hundred dollars, and the county of Lincoln shall pay one thousand two hundred dollars."

M. BARRETT.

Mr. Coffin moved that the report of the committee be adopted and that the amendments and recommendations of the committee be concurred in.

Motion carried.

*Mr. Speaker :*

Your Committee on Trades and Manufactures have had under consideration Assembly Bill No. 137, "An Act to establish the price of water in all counties in this State having an estimated population of seven thousand or more," and beg leave to report the same back to the Assembly without recommendation.

W. B. NEWELL, Chairman.



*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Assembly Bill No. 147, "An Act to procure meteorological reports for the State of Nevada and to provide for the payment of the same," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BELL, Chairman.

*Resolved*, That the State Controller be and is hereby authorized to draw his warrant in favor of Robert E. Lowery, Chief Clerk of the Assembly for the sum of thirty-eight dollars to pay for extra clerical service rendered the said Clerk by D. Crandall and Miss C. Lowman, and that the State Treasurer pay the same out of the Legislative Fund.

Adopted.

Assembly Bill No. 142—An Act fixing the price of lands within the limits of the Central Pacific Railroad grant, and requiring applicants to pay United States Land Office fees ; also, defining the amount of land allowed to each applicant, and in relation to issuing patents and the purchase of township plats, and authorizing the State Land Register to perform certain duties.

Considered engrossed.

Pending the third reading the Speaker, at 2 p. m., announced that the time had arrived for taking up the special order of the day, viz.: Substitute for Senate Bill No. 21.

Mr. Bell moved that the matter be deferred until after the consideration of Assembly Bill No. 142.

Motion carried.

At 2:01 p. m. Speaker *pro tem.* in the Chair.

Assembly Bill No. 142 read third time, roll called and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule and Tuska—41.

NAYS—Mr. Coffin.

Absent—Messrs. Belding, Duffy, Fallon, Green, Plank, Shepard, Waldorf and Mr. Speaker.

At 2:05 p. m. the special order, substitute for Senate Bill No. 21, "An Act to encourage the construction of a railroad from the town of Eureka to the Colorado River," under consideration.

Mr. Parker moved to amend Section Sixteen by adding after the words "county of Eureka" the words "county of White Pine."

Motion lost by a vote of 21 to 7.

At the request of Mr. Blair a petition from the citizens of White Pine County relative to the above bill was read.



Amendments made in committee read and adopted.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Organ, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—Messrs. Newell and Parker—2.

Absent—Messrs. Ballinger, Belding, Duffy, Plank and Shepard.

The following report was presented, out of order:

*Mr. Speaker:*

Your committee to whom was referred Senate Bill No. 108, and substitute for Assembly Bill No. 16, having had them under consideration, recommend that Senate Bill No. 108 do not pass, and that Assembly Bill No. 16, substitute therefor, do pass as amended.

GEORGE ERNST, Chairman.

Mr. Ernst moved that amendments to substitute for Assembly Bill No. 16 be now taken up for consideration.

Motion carried.

Amendments made in committee read.

Mr. Berry moved to amend the amendment by allowing Washoe County two Senators.

Motion withdrawn.

Question recurred on amendments offered by the committee and amendments adopted.

Mr. Coffin moved to amend Section One, line sixteen, by allowing Elko County one Senator and three Assemblymen.

The yeas and nays were called for by Messrs. McBurney, Organ and Kelly and the motion carried by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Berry, Coffin, Condon, Drexler, Englis, Ernst, Fallon, Ford, Irvine, Lewers, Masel, Mooney, Newell, Parker, Penoyer, Richards, Shier and Soule—21.

NAYS—Messrs. Ballinger, Bell, Blair, Bradshaw, Corbett, Gignoux, Havenor, Kelly, Mallon, May, McBurney, McGowan, Organ, Smyth and Waldorf—15.

Bill considered engrossed.

Mr. Kelly moved to amend by making the number of Assemblymen from Elko four instead of three.

At 3:42 P. M. Mr. Adams moved a call of the House.

Motion carried.

Roll called and the following members were found to be absent without leave: Messrs. Duffy, Green, Knight, Mallon, Plank and Shepard, and by leave of the House they were granted leave of absence.

Mr. Barrett moved that the further call of the House be dispensed with.

Motion carried.

Question recurred on amendment offered by Mr. Kelly.

Motion lost.

Bill read third time.

Mr. Organ moved to amend Section One, line eighteen, by striking out the word "two" and inserting in place "three."

Motion lost.

Roll called and bill passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Berry, Blair, Coffin, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Havenor, Irvine, Johnson, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Mooney, Moriarty, Newell, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—35.

NAYS—Messrs. Ballinger, Bell, Bradshaw, Condon, Corbett, Gignoux, Kelly, McBurney and Organ—9.

Absent—Messrs. Belding, Duffy, Green, Knight, Plank, and Shepard.

Mr. McBurney gave notice that he would on to-morrow move for a reconsideration of the vote by which the bill had just passed.

Mr. Englis arose to a point of order that Mr. McBurney's vote did not entitle him to a reconsideration.

The following report was presented, out of order:

*Mr. Speaker:*

Your Committee on Public Morals have had under consideration Senate Bill No. 87, "An Act to amend an Act entitled 'An Act to prohibit the sale of intoxicating drinks to minors,'" and would recommend that it do pass; also, Assembly Bill No. 155, "An Act to prohibit the carrying of concealed weapons by minors," and would recommend that it do pass; also, Assembly Bill No. 154, "An Act to prevent fraudulent gaming," and would beg leave to return it without recommendation.

J. J. CORBETT,  
O. H. BALLINGER,  
S. V. MOONEY.

At 3:57 P. M., on motion of Mr. Moriarty, the House took a recess until 7 P. M.

### HOUSE IN SESSION.

At 7 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Assembly Bill No. 149—An Act to amend Section Thirty-one of 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 relating thereto," approved March 8, 1869.



Mr. Englis withdrew his notice of a reconsideration of the vote by which Senate Bill No. 115 was passed.

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

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Gignoux, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Belding, Berry, Condon, Duffy, Ford, Green, Havenor, McKenzie, Mooney, Plank and Shepard.

Mr. Ernst moved to take up Assembly Bill No. 122—An Act to redistrict the State of Nevada.

The Speaker informed Mr. Ernst that the amendments made in the Senate had been concurred in and that the bill was passed to the Enrolling Clerk.

Senate Bill No. 65—An Act to pay the claim of E. H. Griswold, ex-County Assessor of Eureka County.

On motion of Mr. Bell the House resolved itself into Committee of the Whole for the purpose of considering all matters referred to said committee.

Mr. Speaker in the Chair.

At 8:10 P. M. the committee arose and made the following report :

*Mr. Speaker :*

Your Committee of the Whole have had under consideration Senate Bill No. 65, and recommend that it do pass ; also, Assembly Bill No. 147, and recommend that it do pass ; also, Assembly Bill No. 135, which we have amended and as amended we recommend that it do pass ; also, Senate Bill No. 119, which we recommend do pass ; also, Senate Bill No. 68, which we report back with the recommendation that it do pass ; also, Senate Bill No. 96, which we recommend do pass ; also, Senate Bill No. 45, which we report back with the recommendation that it do pass.

Mr. Ernst arose to a question of privilege.

Assembly Bill No. 134—An Act to authorize and empower the Board of State Prison Commissioners to purchase, for and on behalf of the State of Nevada, certain real estate situate near the State Prison of Nevada.

Considered engrossed and read third time.

Mr. Ernst moved that the bill be indefinitely postponed.

The yeas and nays were called for by Messrs. McGowan, Coffin and May, and the motion carried by the following vote :

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Condon, Corbett,

Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Havenor, Kelly, Lewers, Mallon, Masel, McGowan, Moriarty, Newell, Parker, Penoyer, Plank, Richards, Shier, Soule and Mr. Speaker—28.

NAYS—Messrs. Adams, Blair, Coffin, Ford, Irvine, Johnson, Knight, Longley, May, McKenzie, Organ, Penton, Smyth and Tuska—14.

Senate Bill No. 41—An Act to amend Section One Hundred and Five of an Act entitled “An Act concerning crimes and punishments,” approved November 26, 1861.

Mr. Tuska moved that the bill be indefinitely postponed.  
Motion carried.

Substitute for substitute for Senate Bill No. 93—An Act to amend an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada,” approved March 9, 1865, and amended March 4, 1871, and February 26, 1879.

Read, adopted and considered engrossed.

Mr. Bell moved to defer action until to-morrow.  
Motion carried.

Assembly Bill No. 145—An Act to regulate freights and fares on all railroads in this State.

Considered engrossed.

Mr. Havenor moved that the bill be indefinitely postponed.  
Motion carried.

Assembly Bill No. 124—An Act supplementary to an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada,” approved March 9, 1865, and the Acts amendatory of and supplemental to said Act.

Mr. Organ asked leave to withdraw the bill.  
Granted.

Assembly Bill No. 137—An Act to establish the price of water in all counties in this State having an estimated population of seven thousand or more.

Indefinitely postponed.

Assembly Bill No. 153—An Act to repeal an Act entitled “An Act to authorize the publication of the laws enacted by the Legislature of Nevada,” approved March 21, 1877.

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

YEAS—Messrs. Adams, Ballinger, Bell, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Bailey, Barrett, Belding, Berry, Bradshaw, Penton and Shepard.



Assembly Bill No. 150—An Act to provide for the additional compensation of Sheriffs in certain cases.

Mr. Organ moved that the bill be placed on the bottom of the file. Motion carried.

At 8:45 P. M. Mr. Newell moved to adjourn. Motion lost.

Senate Bill No. 65—An Act to pay the claim of E. H. Griswold, ex-Assessor of Elko County.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Coffin, Condon, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Soule and Mr. Speaker—38.

NAYS—Messrs. Blair, Corbett, Newell, Smyth and Tuska—5.

Absent—Messrs. Belding, Berry, Bradshaw, Englis, Lewers, Shepard and Waldorf.

Senate Bill No. 108—An Act to apportion the several counties in this State for legislation.

Mr. Ernst moved that the bill be indefinitely postponed. Motion carried.

Assembly Bill No. 154—An Act to prevent fraudulent gaming.

Mr. Ballinger moved that the bill be indefinitely postponed. Motion lost.

Bill ordered engrossed.

Senate Bill No. 87—An Act to amend an Act entitled "An Act to prohibit the sale of intoxicating drinks to minors," approved February 7, 1873.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Belding, Berry, Copeland, Havenor and Shepard.

At 8:58 Mr. Englis moved to adjourn.

Motion lost.

Senate Bill No. 68—An Act to discontinue litigation touching inequitable claims for taxes and penalties.

Read third time and passed by the following vote :

YEAS—Messrs. Bailey, Ballinger, Barrett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Havenor, Kelly, Knight,

Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Organ, Parker, Penoyer, Penton, Tuska and Waldorf—28.

YAYS—Messrs. Bell, Blair, Bradshaw, Coffin, Condon, Corbett, Ernst, Green, Irvine, Johnson, Lewers, Newell, Plank, Richards, Shier, Smyth, Soule and Mr. Speaker—18.

Absent—Messrs. Adams, Berry, Belding and Shepard.

Assembly Bill No. 147—An Act to procure meteorological reports for the State of Nevada, and to provide payment for the same.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Organ, Parker, Penoyer, Plank, Shier, Soule, Tuska, Waldorf and Mr. Speaker—38.

NAYS—Messrs. Newell and Smyth—2.

Absent—Messrs. Ballinger, Belding, Berry, Blair, Ernst, Green, Lewers, Penton, Richards and Shepard.

At 9:13 P. M. Mr. Ford moved to adjourn.

Motion lost.

Senate Bill No. 119—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Fallon, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank and Shier—30.

NAYS—Messrs. Blair, Bradshaw, Ford, Lewers, Masel, May, Mooney, Smyth and Soule—9.

Absent—Messrs. Ballinger, Barrett, Belding, Berry, Ernst, Green, Richards, Shepard, Tuska and Waldorf.

At 9:20 P. M. Mr. Ford moved to adjourn.

Motion lost.

Senate Bill No. 96—An Act to authorize the repayment of certain money to G. H. Hatch, late Assessor of Eureka County.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Blair, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Fallon, Ford, Gignoux, Havenor, Kelly, Knight, Lewers, Longley, Masel, May, McBurney, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Shier, Smyth, Soule and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Berry, Bradshaw,





*Mr. Speaker :*

Your Committee on Contingent Expenses and Accounts, to whom was referred Assembly resolution to pay D. D. Donovan, Sergeant-at-Arms, the sum of five hundred and ninety-two and  $\frac{25}{100}$  dollars, for contingent expenses, beg leave to report that we have examined the bills and vouchers accompanying said resolution and found them correct, and recommend the passage of said resolution.

L. P. DREXLER, Chairman.

At 10:10 A. M. Mr. Smyth moved a call of the House.

Motion carried.

Roll called and the following members were found to be absent without leave : Messrs. Ballinger, Barrett, Corbett, Johnson, Kelly, Knight, McBurney and Tuska.

The Speaker instructed the Sergeant-at-Arms to find and bring in the absentees.

Mr. Tuska appeared at the bar of the House.

Mr. Smyth moved that Mr. Tuska be admitted.

Motion carried.

Mr. Barrett appeared at the bar of the House.

Mr. Parker moved that Mr. Barrett be fined one dollar and admitted.

Motion carried.

Mr. Johnson appeared at the bar of the House.

Mr. Condon moved that Mr. Johnson be admitted.

Motion carried.

Mr. Ballinger appeared at the bar of the House.

Mr. Adams moved that he be fined two dollars and fifty cents.

Motion carried.

At 10:30 A. M. Mr. Bell moved that the further call of the House be dispensed with.

Motion lost.

At 10:30 A. M. Speaker *pro tem.* in the Chair.

Mr. Ballinger desired leave of absence for the remainder of the day.

Leave refused.

Mr. Kelly appeared at the bar of the House and, on motion of Mr. Englis was admitted, on the payment of a fine of two dollars and fifty cents.

Mr. Merrill was granted leave of absence for a short time.

At 10:45 A. M. Mr. Ford moved that the further call of the House be dispensed with.

Motion carried.

Mr. Plank moved that all action taken under the call of the House be rescinded.

Motion lost.

Reports of committees were resumed.



*Mr. Speaker :*

Your Committee on Judiciary have had under consideration Assembly Bill No. 140, and report the same back and recommend that it do not pass ; also, Assembly Bill No. 41, and recommend that it do not pass ; also, Assembly Bill No. 161, and recommend that it do pass ; also, Assembly Bill No. 146, and recommend that it do pass ; also, Senate Bill No. 70, and recommend that it do not pass ; also, Senate Bill No. 99, and report the same back with the recommendation that it do not pass.

WAL. J. TUSKA, Chairman.

*Mr. Speaker :*

Your Committee on Mines and Mining have had under consideration Senate Bill No. 97, "An Act to prohibit the employment of fighters, and to prevent bloodshed, and providing punishment therefor," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

ALEX. G. MCKENZIE, Chairman.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 85, "An Act defining the rights of husband and wife," Assembly Bill No. 51, "An Act to detach a part of White Pine County and attach the same to Eureka County," Assembly Bill No. 63, "An Act to pay the claim of Benjamin Edson," also substitute for Assembly Bill No. 104, "An Act to prevent minors from gambling," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 74, "An Act concerning marriages;" also, Assembly Bill No. 116, "An Act to amend Section One Hundred and Thirty-nine of an Act entitled 'An Act concerning crimes and punishments,'" approved November 26, 1861 ; also, Assembly Bill No. 119, "An Act to amend an Act entitled 'An Act to create a fire department fund,'" approved March 9, 1865.

JOHN H. KINKEAD, Governor.

#### MOTIONS AND RESOLUTIONS.

By Mr. Drexler :

*Resolved,* That the State Controller is hereby authorized to draw his warrant on the Legislative Fund in favor of Fred. H. Hart for



the sum of twenty-five dollars, in payment for services as Secretary of the joint Committee on Pardons and Recommendations, and the Treasurer is hereby directed to pay the same.

Resolution adopted.

By Mr. Johnson :

*Resolved*, That the State Controller be and is hereby authorized and directed to draw his warrant in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of five hundred and ninety-two  $\frac{25}{100}$  dollars, for contingent expenses, as per vouchers attached, to be paid out of the Legislative Fund.

Resolution adopted.

#### SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 105—An Act making appropriations for the support of the government of the State of Nevada for the seventeenth and eighteenth fiscal years, which was amended and as amended passed the Senate this day. Yeas, 16 ; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 129—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, which passed the Senate this day. Yeas, 17 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 121—An Act to amend Sections Two, Four and Five of an Act entitled "An Act to amend an Act entitled 'An Act to preserve wild game and to repeal all other Acts in relation thereto,'" approved February 23, 1877 ; approved March 6, 1879, which passed the Senate this day. Yeas, 19 ; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.



SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to notify your honorable body that the Senate has this day adopted Assembly Resolution—Relative to amending the Constitution, granting women the right to vote, and have appointed as such committee Messrs. Hobart, Hammond and Shepherd.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 56—An Act to amend an Act entitled “An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,” approved March 11, 1879, which passed the Senate this day. Yeas, 21 ; nays, none.

Also, Senate Bill No. 132—An Act authorizing the allowance by the Board of County Commissioners of Eureka County of a certain claim against the town of Eureka, which passed the Senate this day. Yeas, 23 ; nays, none.

Also, Senate Bill No. 133—An Act to provide for the appointment of inspectors of hides, defining their duties and mode of compensation, which passed the Senate this day. Yeas, 20 ; nays, 3.

Also, Senate Bill No. 135—An Act to provide for certain Legislative expenses, approved February 24, 1879.

Also, Senate Bill No. 137—An Act to repeal an Act entitled “An Act to prevent the unauthorized expenditure of State money,” which became a law without the approval of the Governor February 8, 1881, which passed the Senate this day. Yeas, 17 ; nays, 3.

Also, to return to your honorable body Assembly Bill No. 135—An Act in relation to the manufacturing industries carried on at the State Prison, which passed the Senate this day. Yeas, 17 ; nays, 2.

Also, Assembly Bill No. 142—An Act fixing the price of lands within the limits of the Central Pacific Railroad grant, and requiring applicants to pay United States Land Office fees ; also, defining the amount of land allowed to each applicant, and in relation to issuing patents, and the purchase of township plats, and authorizing the State Land Register to perform certain duties, which passed the Senate this day. Yeas, 20 ; nays, none.

Also, Assembly Bill No. 148—An Act to authorize the Commissioners of Lyon County to issue certain bonds and provide for the payment of the same, which passed the Senate this day. Yeas, 19 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.



SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 105—An Act to repeal an Act concerning the office of Public Administrator and the estates of deceased persons, approved April 4, 1867, which passed the Senate this day. Yeas, 17; nays, none.

Also, Senate Bill No. 113—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada," approved November 26, 1861, which passed the Senate this day. Yeas, 17; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 30—An Act supplementary to an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865, and to Acts amendatory thereof, which passed the Senate this day. Yeas, 19; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 1, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 129—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act amendatory of an Act entitled An Act concerning juries,'" approved March 5, 1873; approved March 5, 1875; approved March 5, 1877; which passed the Senate this day. Yeas, 16; nays, 4.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

#### REPORT OF STANDING COMMITTEE.

*Mr. Speaker:*

Your Committee on Engrossment beg leave to report that they have carefully compared the following bill with the original and found the same correctly engrossed: Assembly Bill No. 154, "An Act to prevent fraudulent gaming."

C. P. SOULE, Chairman.



Mr. Soule asked leave to introduce a bill.

Permission granted, and Mr. Soule introduced Assembly Bill No. 163—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years.

Mr. Coffin moved that the rules be suspended, the bill read first and second time by title and considered engrossed.

Motion carried.

At 11:07 A. M., on motion of Mr. Soule, the House resolved itself into Committee of the Whole for the purpose of considering the above bill.

Speaker *pro tem.* in the Chair.

At 11:11 A. M. the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole, who have had under consideration Assembly Bill No. 163, "An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years," beg leave to report the same back and recommend that it do pass.

On motion of Mr. Soule the bill was taken up for consideration.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule and Tuska—43.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Mooney, Plank, Shepard, Waldorf and Mr. Speaker.

Mr. Ernst asked leave to introduce a bill.

Mr. Berry moved that the rules be suspended and that Mr. Ernst have permission to introduce a bill.

At 11:19 A. M. Mr. Speaker in the Chair.

The yeas and nays on the motion were called for by Messrs. Ernst, Bell and Soule, and the motion carried by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Berry, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Parker, Penton, Plank, Richards and Mr. Speaker—31.

NAYS—Messrs. Bailey, Blair, Bradshaw, Fallon, Havenor, Knight, Moriarty, Newell, Smyth, Soule and Tuska—11.

At 11:33 A. M. Speaker *pro tem.* in the Chair.

Mr. Ernst introduced Assembly Bill No. 164—An Act to amend an Act entitled "An Act to redistrict the State," approved March 5, 1867.

Bill read first time.

Mr. Ernst moved that the rules be suspended, the bill read second time by title, considered engrossed and placed on final passage.

Mr. Adams moved to amend the motion by referring the bill to a committee from Lander, Nye and Churchill counties.

Motion carried.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 56—Relative to the salaries of county officers.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Ways and Means.

Senate Bill No. 135—An Act to provide for certain legislative expenses.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Contingent Expenses and Accounts.

Senate Bill No. 133—An Act to provide for the appointment of inspectors of hides.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Trades and Manufactures.

Senate Bill No. 105—An Act to repeal an Act concerning the office of Public Administrator and estates of deceased persons.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Ways and Means.

Senate Bill No. 113—An Act regulating proceedings in criminal cases in the courts of justice in this State.

Rules suspended, considered read first time, read second time by title and referred to the Committee of the Whole.

Senate Bill No. 132—An Act relating to the Commissioners of Eureka County.

Rules suspended, considered read first time, read second time by title and referred to the Eureka County delegation.

Senate Bill No. 30—An Act relating to public schools.

Rules suspended, considered read first time, read second time by title and referred to the Committee on Education.

Senate Bill No. 129—An Act concerning juries.

Rules suspended, considered read first time, read second time by title and referred to the Committee of the Whole.

#### GENERAL FILE.

Senate Bill No. 45—An Act for the relief of W. M. Little.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Fallon,



Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule and Tuska—40.

NAYS—Mr. Corbett.

Absent—Messrs. Ballinger, Belding, Ernst, Johnson, McKenzie, Mooney, Shepard, Waldorf and Mr. Speaker.

At 12 m., on motion of Mr. Lewers, the House took a recess for one hour.

### HOUSE IN SESSION.

At 1 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Bell moved to suspend the rules and take up Assembly Bill No. 105, "An Act making appropriations for the support of the civil government of the State of Nevada for the seventeenth and eighteenth fiscal years.

Motion carried.

Mr. Bell moved that the House now resolve itself into Committee of the Whole for the purpose of considering the bill.

Motion carried.

At 1:06 p. m. House in Committee of the Whole.

Mr. Speaker in the Chair.

At 1:27 p. m. the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole have had under consideration Assembly Bill No. 105, and beg leave to report the same back to the Assembly with the recommendation that the Assembly concur in all the amendments made in the Senate, and recommend that it do pass as amended.

Assembly Bill No. 105 under consideration.

Amendments made in Senate read and concurred in.

By Mr. Newell (by leave):

*Resolved*, That the House take up and act upon all Assembly matter first, so as to afford the Senate ample time to consider the same before the close of the session.

Adopted.

By Mr. Mallon (by leave):

*Resolved*, That the State Controller is hereby authorized to draw his warrant in favor of William Musgrove, Messenger of the Assembly, for the sum of twenty-four dollars, for six days' service after the adjournment of the Legislature, in attending to the mails of the members of the Assembly, and the Treasurer is hereby instructed to pay the same.

Adopted.

By Mr. Smyth (by leave):

*Resolved*, That Robert E. Lowery, Chief Clerk, and H. Welch, Minute Clerk of the Assembly, compare and correct the Journal of this House after the adjournment, and they are hereby authorized and empowered to do so, in accordance with the daily minutes of the Assembly; and the State Controller is hereby authorized to draw his warrant in favor of said Robert E. Lowery, Chief Clerk, for the sum of sixty dollars, and the further sum of forty dollars in favor of the said H. Welch, Minute Clerk of said Assembly, and the State Treasurer is hereby authorized and directed to pay the same out of the Legislative Fund.

Adopted.

The following report was presented:

*Mr. Speaker:*

Your Committee on Contingent Expenses and Accounts, to whom was referred Senate Bill No. 135, beg leave to report that we have had the same under consideration and recommend that it do pass.

L. P. DREXLER, Chairman.

By Mr. Copeland (by leave):

*Resolved*, That the State Controller draw his warrant on the Legislative Fund, in favor of D. D. Donovan, Sergeant-at-Arms of the Assembly, for the sum of thirty dollars, for three days' service in turning over the State property in his possession to the Secretary of State, and rearranging the Assembly Chamber after the adjournment of the tenth session.

Adopted.

The following reports were presented:

*Mr. Speaker:*

Your special committee to whom was referred Assembly Bill No. 164 respectfully report that they have had the same under consideration and beg leave to herewith present a substitute for said bill.

GEORGE ERNST, for Committee.

*Mr. Speaker:*

Your Committee on Claims have had under consideration Senate Bill No. 89, "An Act to appropriate money for the payment of certain claims against the State of Nevada," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

J. Z. KELLY, Chairman.

*Mr. Speaker:*

Your Committee on Federal Relations have had under consideration Senate Joint Memorial and Joint Resolution No. 10, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAS. Z. KELLY, Chairman.



The special committee appointed to investigate the alleged frauds in the State Printing Office reported that they had performed the duty assigned them, and in compliance therewith had filed a report with the Clerk.

The report was read and placed on file.

Mr. Ernst moved to take up Assembly Bill No. 164, "An Act fixing the salaries of the District Judges in the several districts, and matters relating thereto."

Motion carried.

Substitute read and adopted, considered engrossed, read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Johnson, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Havenor, Irvine, Kelly, Mooney, Penton and Shepard.

Assembly Bill No. 138—An Act concerning the office of County Assessor.

Bill considered engrossed and read third time.

Mr. Ernst moved to defer the consideration of the bill until 7 o'clock this evening.

Motion lost.

Mr. Ernst moved to amend the bill by adding Section Three thereto.

Mr. Coffin moved that the subject-matter be deferred until 7 P. M.

Motion carried.

Assembly Bill No. 35—An Act to pay the claim of J. C. Powell, late Assessor of Eureka County.

Amendments made in committee read and adopted.

Bill considered engrossed as amended, read third time and lost by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Bradshaw, Coffin, Condon, Corbett, Ernst, Gignoux, Johnson, Longley, Masel, May, McGowan, Moriarty, Organ, Parker, Shier, Soule and Mr. Speaker—20.

NAYS—Messrs. Berry, Blair, Duffy, Englis, Fallon, Ford, Green, Irvine, Kelly, Lewers, Mallon, McKenzie, Newell, Penoyer, Plank, Smyth, Tuska and Waldorf—18.

Absent—Messrs. Bailey, Ballinger, Belding, Copeland, Drexler, Havenor, Knight, McBurney, Mooney, Penton, Richards and Shepard.

Senate Bill No. 118—An Act to provide for the additional compensation of Sheriffs in certain cases.

By permission Mr. Organ withdrew the bill.

Assembly substitute for substitute for Senate Bill No. 93—An Act to amend an Act entitled an Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, and amended March 4, 1871; approved February 20, 1877.

Substitute read and adopted.

At 2:30 P. M. Speaker *pro tem.* in the Chair.

Substitute considered engrossed and lost by the following vote:

YEAS—Messrs. Bailey, Bell, Coffin, Drexler, Englis, Ernst, Kelly, Knight, Lewers, Longley, May, McGowan, McKenzie, Moriarty, Parker, Richards, Shier, Soule, Tuska and Waldorf—20.

NAYS—Messrs. Adams, Barrett, Berry, Blair, Bradshaw, Condon, Corbett, Copeland, Duffy, Fallon, Ford, Gignoux, Green, Irvine, Mallon, Masel, Newell, Penoyer and Plank—19.

Absent—Messrs. Ballinger, Belding, Havenor, Johnson, McBurney, Mooney, Organ, Penton, Shepard, Smyth and Mr. Speaker.

Assembly Bill No. 155—An Act to prevent the carrying of concealed weapons by minors.

At 2:46 P. M. Mr. McKenzie moved a call of the House.

Motion carried.

Roll called and the following named members were found to be absent without leave: Messrs. Englis, Havenor, Organ and Penton.

Mr. McKenzie moved that the further call of the House be dispensed with.

Motion carried.

Consideration of Assembly Bill No. 155 resumed.

Mr. Ernst moved that the bill be indefinitely postponed.

Motion lost.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Newell, Organ, Parker, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Havenor, McBurney, Mooney, Moriarty, Penton and Shepard.

On motion of Mr. Tuska Senate messages were taken up:

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 140, "An Act concerning petitions of taxpayers in aid of the construction of railroads in the several



counties of this State," which passed the Senate this day. Yeas, 18; nays, 5.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Tuska moved to suspend the rules and take up for consideration Senate Bill No. 140.

Motion carried.

Senate Bill No. 140 under consideration.

Bill read partially, and pending the reading of the bill, Mr. Merrill moved that the rules be suspended, the bill considered read first time, rules further suspended, read second time by title; rules further suspended, considered engrossed and placed on final passage:

Motion carried.

Bill read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Masel, May, McGowan, McKenzie, Newell, Organ, Parker, Penoyer, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—41.

NAYS—Mr. Mallon.

Absent—Messrs. Ballinger, Belding, Havenor, Mooney, McBurney, Moriarty, Penton and Shepard.

On motion of Mr. Merrill the following message from the Senate was read:

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 141, "An Act to amend an Act entitled 'An Act to encourage the construction of a railroad from the town of Eureka, State of Nevada, to the Colorado River,'" approved March 2, 1881, which passed the Senate this day. Yeas, 16; nays, 5.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Merrill moved that the House now take up for consideration the above bill.

Motion carried.

Senate Bill No. 141 under consideration.

Mr. Merrill moved that the bill be indefinitely postponed.

Motion carried.

By Mr. Kelly (by leave):

*Resolved*, That the State Controller is authorized to draw his warrant in favor of George Roberts and Charles Dealey, Pages of the Assembly, in the sum of ten dollars each, for extra services in doing

errands and carrying messages for members of the Assembly, and the State Treasurer is hereby instructed to pay the same.

Mr. Kelly moved that the resolution be adopted.

Yeas and nays on adoption of resolution called for by Messrs. Gignoux, Coffin and Organ and adopted by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Berry, Bradshaw, Condon, Corbett, Copeland, Drexler, Englis, Fallon, Ford, Johnson, Kelly, Knight, McGowan, McKenzie, Newell, Organ, Parker, Penoyer, Plank, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—28.

NAYS—Messrs. Bell, Blair, Coffin, Duffy, Ernst, Gignoux, Green, Irvine, Lewers, Mallon, Masel, May and Richards—13.

Assembly Bill No. 157—An Act to amend an Act entitled “An Act to provide for the maintenance and supervision of public schools,” approved March 8, 1867.

Mr. Ernst moved that the consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 144—An Act to provide for the maintenance and supervision of public schools, approved March 20, 1865, etc.

Mr. Englis moved that the consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 156—An Act to provide for the maintenance and supervision of public schools in the State of Nevada.

Mr. Smyth moved that the bill be indefinitely postponed.

Motion lost.

Bill considered engrossed and read third time.

Mr. Ernst moved to amend by striking out the words “six months” wherever they occur and inserting in place thereof the words “three months.”

Amendment adopted.

At 3:21 Mr. Masel moved a call of the House.

Motion lost.

Roll called and bill passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Lewers, Masel, May, McGowan, McKenzie, Newell, Organ, Parker, Penoyer, Plank, Shier, Soule, Tuska, Waldorf and Mr. Speaker—37.

NAYS—Messrs. Ford and Smyth—2.

Absent—Messrs. Ballinger, Belding, Havenor, Longley, Mallon, McBurney, Mooney, Moriarty, Penton, Richards and Shepard.

Senate Bill No. 118—An Act concerning sureties on official bonds.

Mr. Ford moved that the bill be laid on the table.

Motion carried.

By Mr. Green (by leave) :

*Resolved*, That the action taken by the House on the resolution of



Mr. Kelly is hereby rescinded and that each member subscribe one dollar out of his own pocket for the benefit of the Pages.

Ruled out of order.

Assembly Bill No. 158—An Act to amend an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865, and Acts amendatory thereof.

Mr. Corbett moved that the consideration of the bill be indefinitely postponed.

Motion lost.

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

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Green, Irvine, Johnson, Kelly, Lewers, May, McGowan, Organ, Parker, Penoyer, Plank, Shier, Soule and Tuska—29.

NAYS—Messrs. Corbett, Ford, Gignoux, Mallon, Masel, Newell and Smyth—7.

Absent—Messrs. Ballinger, Belding, Havenor, Knight, Longley, McBurney, McKenzie, Mooney, Moriarty, Penton, Richards, Shepard, Waldorf and Mr. Speaker.

Senate Bill No. 29—An Act to amend an Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20; 1865; approved March 7, 1873.

Mr. Lewers moved to amend Section One, line sixteen, by striking out all after the word "provided" down to the word "district."

Pending the consideration of the amendment, at 3:45 P. M. Mr. Smyth moved a recess until 7 P. M.

Motion carried.

## HOUSE IN SESSION.

At 7 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The following reports were presented, out of order:

*Mr. Speaker:*

Your Committee on Trades and Manufactures have had under consideration Senate Bill No. 133, "An Act to provide for the appointment of inspectors of hides, defining their duties and mode of compensation," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

W. B. NEWELL, Chairman.

*Mr. Speaker:*

Your special committee, composed of the Eureka delegation, have had under consideration Senate Bill No. 132, "An Act authorizing the Board of County Commissioners of Eureka County to audit cer-

tain claims against the town of Eureka," and beg leave to report the same back to the Assembly with the recommendation that it do pass.

JAMES ADAMS, for Committee.

Mr. Irvine, by leave, introduced the following :

*Resolved*, That the Controller is hereby authorized to draw his warrant in favor of R. E. Lowery, Chief Clerk of the Assembly, for thirty-two dollars and fifty cents for extra clerical service and copying for the Assembly, and the State Treasurer is hereby authorized to pay the same out of the Legislative Fund.

Adopted.

Mr. Englis, by leave, introduced Assembly Bill No. 169—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State.

Bill read first time.

At 7:08 P. M. Speaker *pro tem.* in the Chair.

Mr. Englis moved that the rules be suspended, the bill read second time by title; the rules further suspended, considered engrossed and placed on final passage.

Motion carried.

Bill read third time and passed by the following vote :

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Kelly, Lewers, McBurney, McGowan, McKenzie, Newell, Organ, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Waldorf—34.

NAYS—Messrs. Adams, Irvine, Johnson, Knight, Longley and May—6.

Absent—Messrs. Belding, Gignoux, Havenor, Mallon, Masel, Mooney, Moriarty, Shepard and Mr. Speaker.

Mr. Knight moved to take up Assembly Bill No. 138—An Act concerning the office of County Assessor.

Bill read third time.

Question recurred on the amendment offered by Mr. Ernst, to add Section Three to the bill.

Amendment adopted by a vote of 25 to 4.

Mr. Duffy moved that the further consideration of the bill be indefinitely postponed.

Mr. Knight arose to discuss the question.

Mr. Ernst arose to a question of privilege: relative to statements made by Mr. Knight.

Yeas and nays on motion to indefinitely postpone called for by Messrs. Duffy, Richards and Coffin.

Motion lost by the following vote :

YEAS—Messrs. Barrett, Berry, Bradshaw, Coffin, Drexler, Duffy,



Ernst, Ford, Green, Irvine, Johnson, Lewers, Mallon, McGowan, McKenzie, Newell, Penoyer and Waldorf—18.

NAYS—Messrs. Adams, Bailey, Ballinger, Bell, Blair, Corbett, Copeland, Englis, Fallon, Gignoux, Havenor, Kelly, Knight, Longley, McBurney, Moriarty, Organ, Parker, Penton, Plank, Richards, Smyth, Soule and Tuska—24.

Mr. Kelly moved to amend by striking out the word "seventeen" and inserting the word "sixteen" in lieu thereof wherever the word "seventeen" occurs.

Motion carried.

Mr. Duffy moved to amend Section Three by adding "this Act to take effect only in Eureka County."

Motion carried.

Mr. Kelly moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

The following report was presented, out of order :

*Mr. Speaker :*

Your committee, composed of the Washoe County delegation, to whom was referred Senate Bill No. 114, have had the same under consideration and a majority of said committee beg leave to report unfavorably on said bill and recommend that it do not pass.

ROSS LEWERS,  
E. Z. BAILEY.

Senate Bill No. 135—An Act to provide for certain legislative expenses.

Bill read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Berry, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, McBurney, McGowan, McKenzie, Parker, Penoyer, Penton, Plank, Richards, Shier, Soule, Tuska and Mr. Speaker—32.

NAYS—Messrs. Bell, Blair, Corbett, Copeland, Newell, Organ and Smyth—7.

Absent—Messrs. Ballinger, Belding, Bradshaw, Coffin, Condon, Masel, May, Mooney, Moriarty, Shepard and Waldorf.

The following resolution was presented, out of order :

*Resolved*, That the State Controller be and is hereby authorized to draw his warrant on the Legislative Fund for forty dollars in favor of Andrew Fitzgerald, Porter of the Assembly, for extra services and for rearranging and putting the Assembly Chamber in order after the adjournment of the Assembly, and that the State Treasurer is directed to pay the same.

Adopted.

Assembly Bill No. 146—An Act concerning crimes against the Legislative power.

Considered engrossed and read third time.



Mr. Waldorf moved that the further consideration of the bill be indefinitely postponed.

The yeas and nays were called for by Messrs. Green, Adams and Kelly and motion lost by the following vote :

YEAS—Messrs. Englis, Organ, Moriarty and Waldorf—4.

NAYS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, McBurney, McGowan, McKenzie, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth and Tuska—37.

The roll was called and the bill passed by the following vote :

YEAS—Messrs. Adams, Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule and Tuska—40.

NAYS—Mr. Waldorf.

Absent—Messrs. Belding, Coffin, Condon, Knight, Masel, May, Mooney, Shepard and Mr. Speaker.

Senate Bill No. 29—An Act to amend an Act amendatory of an Act entitled “An Act to provide for the maintenance and supervision of public schools,” approved March 20, 1865; approved March 7, 1873.

Question recurred on the adoption of the amendment offered by Mr. Lewers before recess.

Amendment lost.

Bill read third time and lost by the following vote :

YEAS—Messrs. Ballinger, Barrett, Bell, Blair, Bradshaw, Corbett, Duffy, Ernst, Fallon, Gignoux, Havenor, Irvine, Johnson, Kelly, McBurney, Newell, Parker, Penton, Plank, Shepard, Shier, Soule, Tuska and Mr. Speaker—21.

NAYS—Messrs. Adams, Copeland, Drexler, Englis, Ford, Gignoux, Green, Lewers, Longley, Mallon, McKenzie, Penoyer, Richards and Smyth—14.

Mr. Gignoux gave notice that he would move for a reconsideration.

Mr. Smyth arose to a point of order: that at this late day of the session a notice to reconsider should not be entertained.

Point sustained.

Senate Bill No. 120—An Act entitled “An Act to amend an Act entitled ‘An Act in relation to the State Library,’ ” approved February 14, 1865; approved March 5, 1877.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Corbett, Drexler, Ernst, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, McBurney, McKenzie, Newell, Parker, Penoyer, Penton and Soule—26.



NAYS—Messrs. Copeland, Duffy, Englis, Plank, Smyth, Tuska and Mr. Speaker—7.

Absent—Messrs. Ballinger, Barrett, Belding, Coffin, Condon, Fallon, Johnson, Masel, May, McGowan, Mooney, Moriarty, Organ, Richards, Shepard, Shier and Waldorf.

Assembly Bill No. 154—An Act to prevent fraudulent gaming.

Bill read third time.

Mr. Newell moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 141—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of the State, and other matters relating thereto," approved March 11, 1879.

Mr. Mallon moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 161—An Act to amend an Act entitled "An Act concerning courts of justice in this State and judicial officers," approved January 26, 1865.

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

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Mallon, McBurney, McGowan, McKenzie, Newell, Organ, Parker, Penoyer, Plank, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—36.

Absent—Messrs. Ballinger, Barrett, Belding, Condon, Gignoux, Knight, Longley, Masel, May, Mooney, Moriarty, Penton, Richards and Shepard.

Assembly Bill No. 140—An Act in relation to challenges of jurors for implied bias in criminal cases.

Mr. Smyth moved that the bill be indefinitely postponed.

Motion carried.

The following report was presented, out of order :

*Mr. Speaker :*

The joint committee appointed to draft a concurrent resolution relative to woman suffrage and to amend the Constitution in order to allow said suffrage report that they have drafted such a resolution and desire leave to introduce it.

Leave granted, and the committee introduced Assembly Concurrent Resolution No. 23, relative to woman suffrage.

Resolution read first time.

Mr. Englis moved to lay the resolution on the table.

Yeas and nays called for by Messrs. Plank, Kelly and Coffin, and motion lost by the following vote:

YEAS—Messrs. Bailey, Barrett, Blair, Coffin, Drexler, Duffy, Englis, Ford, Green, Irvine, Kelly, Lewers, Longley, McBurney, Newell, Shier, Soule and Waldorf—18.

NAYS—Messrs. Adams, Bell, Berry, Bradshaw, Copeland, Corbett, Ernst, Fallon, Gignoux, Havenor, Johnson, Mallon, McGowan, McKenzie, Organ, Parker, Penoyer, Penton, Plank, Smyth, Tuska and Mr. Speaker—22.

Assembly Bill No. 159—An Act to amend an Act entitled “An Act to provide for the maintenance and supervision of public schools.”

Mr. Englis moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 111—An Act for the relief of insolvent debtors and protection of creditors.

Mr. Coffin, by permission, withdrew the bill.

Senate Bill No. 114—To authorize the County Commissioners of Washoe County to issue bonds for the purchase of lands and fair grounds, pavilion, and all other property belonging to the Nevada State Agricultural, Mining and Mechanical Society, situate in Washoe County.

Mr. Smyth moved that the further consideration of the bill be indefinitely postponed.

Motion withdrawn.

Bill read third time.

At 9:45 P. M. Mr. Speaker in the Chair.

Roll called and bill lost by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Berry, Bradshaw, Coffin, Corbett, Fallon, Irvine, Johnson, Kelly, Knight, Mallon, McBurney, McGowan, McKenzie, Organ, Parker, Penton, Plank, Richards, Shier, Soule and Mr. Speaker—24.

NAYS—Messrs. Blair, Copeland, Drexler, Duffy, Englis, Ernst, Ford, Gignoux, Green, Havenor, Lewers, Longley, Moriarty, Newell, Penoyer, Smith, Tuska and Waldorf—18.

Absent—Messrs. Bailey, Ballinger, Belding, Condon, Masel, May, Mooney and Shepard.

Mr. Newell moved that hereafter no member shall be allowed the floor for more than five minutes in debating on any one question.

Motion carried.

Senate Bill No. 99—An Act to amend an Act entitled “An Act concerning the writ of habeas corpus,” approved December 19, 1862.

Mr. Kelly moved that the further consideration of the bill be indefinitely postponed.

Motion carried.

Mr. Ernst moved that the House now take up Senate messages.

Motion carried.



## SENATE MESSAGES.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 111—An Act amendatory of an Act entitled "An Act to amend Sections One, Three, Four, Five and Twenty-two of an Act entitled 'An Act to provide for the government of the State Prison of the State of Nevada,'" approved March 7, 1873; approved February 8, 1877, which passed the Senate this day. Yeas, 21; nays, 2.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 66—An Act for the relief of insolvent debtors and protection of creditors, which passed the Senate this day. Yeas, 21; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 165—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State, which passed the Senate this day. Yeas, 17; nays, 5.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body substitute for Assembly Bill No. 106—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, which passed the Senate this day. Yeas, 13; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 163—An Act to pay the deficiencies in the appropriations for the fifteenth and sixteenth fiscal years, which passed the Senate this day. Yeas, 23; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 97—An Act to amend an Act entitled "An Act to establish a State Printing Office and to create the office of Superintendent of State Printing," approved March 11, 1879, and to add certain sections to said Act, which was amended and as amended passed the Senate this day. Yeas, 22; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 151—An Act to authorize the Board of County Commissioners of Nye County to negotiate a loan, and to provide for the payment thereof, which passed the Senate this day. Yeas, 23; nays, none.

Also, Assembly Bill No. 153—An Act to repeal an Act entitled "An Act to authorize the publication of the laws enacted by the Legislature of Nevada," approved March 2, 1877, which passed the Senate this day. Yeas, 24; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate substitute for Assembly substitute for Assembly Bill No. 16—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State, which passed the Senate this day. Yeas, 19; nays, 4. I also return the original substitute.



Also, Senate Concurrent Resolution No. 22—Relative to amending Article XI. of the Constitution, which passed the Senate this day. Yeas, 14; nays, 7.

Also, Senate Bill No. 101—An Act to provide for the preservation of fish in the waters of this State, which passed the Senate this day. Yeas, 21; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body substitute for Assembly Bill No. 61—An Act providing for the appointment of short-hand or phonographic reporters in certain criminal cases and examinations, and defining their duties and fixing their compensation, which was lost in the Senate on the 1st instant—yeas, 9; nays, 8; but was held over on a motion to reconsider, and this day the Senate refused to reconsider the same.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Senate Joint Memorial and Resolution No. 10—Relative to a national appropriation for the purpose of improving the navigation of the Colorado River.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Barrett, Bell, Berry, Bradshaw, Coffin, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, McBurney, McGowan, McKenzie, Moriarty, Newell, Organ, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—36.

NAYS—Messrs. Bailey, Blair, Green, Mallon, Parker and Waldorf—6.

Absent—Messrs. Ballinger, Belding, Condon, Copeland, Masel, May, Mooney and Shepard.

At 9:19 p. m. Mr. Englis moved to adjourn.

Motion lost.

Assembly Bill No. 97—An Act to amend an Act entitled "An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing," approved March 11, 1879, and to add certain sections thereto.

Amendments made in the Senate read and concurred in.

Senate Bill No. 70—An Act defining the duration of each regular and special session of the Legislature.

At 9:26 p. m. Mr. Moriarty moved to adjourn.

Motion lost.

At 9:27 P. M. Mr. Englis moved a call of the House.  
Motion lost.

Mr. Kelly moved that the bill be indefinitely postponed.  
Motion carried.

Senate Bill No. 121—An Act to amend Sections Two, Four and Five of an Act entitled "An Act to amend an Act entitled 'An Act to preserve wild game, and to repeal all other Acts in relation thereto,' " approved February 23, 1877; approved March 6, 1879.

Read third time.

Speaker *pro tem.* in the Chair.

Mr. Johnson moved to amend the bill by striking out the words "fifteenth of April," wherever they occur, and inserting the words "first of April" in place thereof.

Motion carried.

Roll called and the bill passed by the following vote:

YEAS—Messrs. Adams, Bell, Blair, Coffin, Corbett, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Havenor, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, McGowan, McKenzie, Parker, Penoyer, Penton and Shier—26.

NAYS—Messrs. Bailey, Bradshaw, Copeland, Gignoux, Newell, Organ, Plank, Richards, Smyth, Soule and Tuska—11.

Absent—Messrs. Ballinger, Barrett, Belding, Berry, Condon, Masel, May, McBurney, Mooney, Moriarty, Shepard, Waldorf and Mr. Speaker.

Senate Bill No. 132—An Act authorizing the allowance by the Board of County Commissioners of Eureka County of a certain claim against the town of Eureka.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Blair, Bradshaw, Coffin, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Kelly, Knight, Lewers, Longley, Mallon, McGowan, McKenzie, Newell, Organ, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Berry, Condon, Johnson, Masel, May, McBurney, Mooney, Moriarty, Shepard and Waldorf.

At 9:43 P. M. Mr. Newell moved to adjourn.

Motion lost.

Senate Bill No. 133—An Act to provide for the appointment of inspectors of hides, and defining their duties and mode of compensation.

Read third time and passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Coffin, Corbett, Drexler, Duffy, Englis, Ernst, Ford, Green, Irvine, Johnson, Kelly, Lewers,



Longley, Mallon, McGowan, Newell, Parker, Penoyer, Shier, Smyth, Soule, Tuska and Mr. Speaker—26.

NAYS—Messrs. Barrett, Berry, Blair, Bradshaw, Copeland, Fallon, Gignoux, Havenor, Knight, McKenzie, Organ, Penton and Plank—13.

Absent—Messrs. Ballinger, Belding, Condon, Masel, May, McBurney, Mooney, Moriarty, Richards, Shepard and Waldorf.

Senate Bill No. 97—An Act to prohibit the employment of fighters and to prevent bloodshed, and prescribing punishment therefor.

Read third time.

At 9:54 P. M., on motion of Mr. Ernst, the House adjourned.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest : ROBT. E. LOWERY,

Chief Clerk of the Assembly.

## SIXTIETH DAY.

CARSON CITY (Thursday), March 3, 1881.

The House met pursuant to adjournment.

Mr. Speaker in the Chair.

Roll called.

Absent—Messrs. Belding, McBurney, Mooney and Shepard.

Mr. May asked leave of absence for Mr. McBurney.

Granted.

Mr. Tuska moved that the reading of the Journal be dispensed with.

Motion carried.

## MOTIONS AND RESOLUTIONS.

By Mr. Irvine :

*Resolved*, That the State Controller is hereby authorized to draw his warrant in favor of Edward McFadden for the sum of sixty dollars for six days' extra clerical service rendered the Chief Clerk and his assistant, and the State Treasurer is hereby authorized to pay the same.

Referred to Committee on Claims.

*Resolved*, That the Controller of State be and is hereby authorized and directed to draw his warrant on the Legislative Fund in favor of John Brady, Journal Clerk of the Assembly, for the sum of eighty-

five dollars for extra clerical hire and for writing up Journal of the Tenth Session of the Nevada Legislature after adjournment, and the State Treasurer is directed to pay the same.

Mr. Waldorf moved the adoption of the resolution.

Mr. Coffin moved to amend by referring to the Committee on Claims.

*Resolved*, That the State Controller is hereby authorized and instructed to draw his warrant upon the Legislative Fund in favor of H. C. Street, Chief Committee Clerk of the Assembly, for the sum of one hundred and sixty-one dollars, for incidental expenses of committees, and the State Treasurer is authorized and instructed to pay the same.

Referred to the Committee on Claims.

#### MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State Assembly Bill No. 51, "An Act to detach a portion of the territory of White Pine County from said county and attach the same to Eureka County;" also, Assembly Bill No. 63, "An Act to provide for a certain claim against the State of Nevada;" also, Assembly Bill No. 85, "An Act to amend an Act entitled 'An Act defining the rights of husband and wife,'" approved March 10, 1873; also, substitute for Assembly Bill No. 104, "An Act to prevent minors from gambling."

JOHN H. KINKEAD, Governor.

#### REPORT OF STANDING COMMITTEE.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 129; also, Assembly Bill No. 122; Substitute for Senate Bill No. 77, and Assembly Joint Resolution No. 5, and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

#### INTRODUCTION AND FIRST READING OF BILLS.

Assembly Joint Resolution No. 23—Relative to woman suffrage.  
Read second time.

Mr. Smyth moved to suspend the rules, that the resolution be considered engrossed and placed on final passage.

The yeas and nays were called for by Messrs. Coffin, May and Kelly and the motion lost by the following vote :

• YEAS—Messrs. Adams, Bell, Blair, Bradshaw, Condon, Ernst,



Fallon, Gignoux, Havenor, Johnson, Masel, McGowan, Moriarty, Parker, Plank, Smyth, Waldorf and Mr. Speaker—18.

NAYS—Messrs. Bailey, Barrett, Coffin, Corbett, Duffy, Englis, Ford, Green, Irvine, Kelly, Lewers, Mallon, May, McKenzie, Newell, Organ, Penoyer, Penton, Richards, Shier, Soule and Tuska—22.

Senate Bill No. 111 under consideration.

Rules suspended, read second time by title and referred to the Committee on Judiciary.

Senate Bill No. 101 under consideration.

Rules suspended, considered read first time, read second time by title and referred to the Committee on State Institutions.

The following report was presented, out of order :

*Mr. Speaker :*

Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 126, entitled "An Act to amend an Act entitled 'An Act providing for the taxation of the net proceeds of mines,' " approved February 28, 1871, have had the same under consideration and beg leave to report the same back with the recommendation that it do not pass; also, Assembly Bill No. 127, entitled "An Act providing for the taxation of mines that produce ten hundred pounds or less of ore or mineral bearing material per day, and to encourage prospecting of undeveloped mines," have had the same under consideration and beg leave to report the same back with the recommendation that it do not pass.

ALEX. G. MCKENZIE, Chairman.

#### GENERAL FILE.

Senate Concurrent Resolution No. 22—Relative to amending Article XI. of the Constitution.

Read third time.

Mr. Bell moved that the resolution be referred to the Committee on Public Lands.

Motion carried.

Senate Bill No. 97—An Act to prohibit the employment of fighters and to prevent bloodshed, and to prescribe punishment therefor.

Roll called and lost by the following vote :

YEAS—Messrs. Barrett, Bell, Blair, Bradshaw, Corbett, Englis, Fallon, Gignoux, Green, Havenor, Masel, McGowan, McKenzie, Moriarty, Newell, Parker, Penoyer, Richards, Shier, Soule, Waldorf and Mr. Speaker—22.

NAYS—Messrs. Adams, Bailey, Berry, Coffin, Condon, Copeland, Drexler, Duffy, Ernst, Ford, Irvine, Johnson, Lewers, Longley, Mallon, May, Plank and Tuska—18.

Absent—Messrs. Ballinger, Belding, Kelly, Knight, McBurney, Mooney, Organ, Penton, Shepard and Smyth.

The following report was presented, out of order :

*Mr. Speaker :*

Your Committee on Public Lands have had under consideration Senate Bill No. 90, and offer an amendment to Section Three and recommend that the bill do pass as amended.

GEORGE ERNST, Chairman.

On motion of Mr. Ernst the above bill, "An Act relative to selection and sale of lands granted by the United States to the State of Nevada," was taken up.

Amendments made in committee read and adopted and bill read third time.

Mr. Bradshaw moved to amend Section Four, line one, by striking out "sixty" and inserting "ninety."

Motion carried.

Roll called and bill passed by the following vote :

YEAS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McGowan, Moriarty, Newell, Parker, Penoyer, Penton, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Ballinger, Belding, Knight, McBurney, McKenzie, Mooney, Organ, Plank, Shepard and Waldorf.

The following report was presented, out of order :

*Mr. Speaker :*

Your Committee on Contingent Expenses and Accounts, to whom was referred Senate Bill No. 137, beg leave to report that they have had the same under consideration and return it without recommendation.

L. P. DREXLER, Chairman.

Mr. Smyth moved to take up Senate messages.

Motion carried.

SENATE CHAMBER,  
CARSON CITY, March 2, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 84—An Act to create a State Board of Equalization, to define its powers and duties and to fix the compensation of its members, which passed the Senate this day. Yeas, 19 ; nays, 2.

WM. HY. DOANE,  
Assistant Secretary of the Senate.



Mr. Tuska moved to take up for consideration Senate Bill No. 84 and make the same the special order for 1 p. m.

Motion carried.

The following resolution was presented, out of order :

*Resolved*, That the State Controller is hereby authorized and requested to draw his warrant in favor of Miss C. Lowman for the sum of fifteen dollars, for extra copying for the Assembly, and the State Treasurer is hereby authorized to pay the same out of the Legislative Fund.

Mr. Kelly moved that the resolution be adopted.

Motion carried.

Senate Bill No. 89—An Act to appropriate money for the payment of certain claims against the State of Nevada.

At 11:26 Mr. Englis moved that the House resolve itself into Committee of the Whole for the purpose of considering the bill.

Motion carried.

Mr. Speaker in the Chair.

In due time the committee arose and made the following report :

*Mr. Speaker :*

Your Committee of the Whole have had under consideration Senate Bill No. 89 and beg leave to report the same back without recommendation.

Mr. Kelly moved that the bill, as above, be now taken up.

Motion carried.

Bill read third time and lost by the following vote :

YEAS—Messrs. Bailey, Bell, Englis, Fallon, Gignoux, Green, Havenor, Johnson, Kelly, McGowan, Moriarty, Parker, Penoyer and Penton—14.

NAYS—Messrs. Adams, Barrett, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Drexler, Duffy, Ford, Irvine, Lewers, Longley, Mallon, Masel, May, Newell, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—26.

Absent—Messrs. Ballinger, Belding, Corbett, Ernst, Knight, McBurney, McKenzie, Mooney, Organ and Shepard.

The following report was presented, out of order :

*Mr. Speaker :*

Your Committee on Internal Improvements have had under consideration Assembly Bill No. 49, "An Act to amend an Act entitled 'An Act to amend an Act in relation to highways,' approved March 15, 1875 ; approved March 2, 1877, and beg leave to report the same back to the Assembly with the recommendation that it do not pass.

J. A. JOHNSON, Chairman.

Assembly Bill No. 126—An Act to amend an Act entitled "An

Act providing for the taxation of the net proceeds of mines," approved February 28, 1871.

Mr. Kelly moved that the bill be indefinitely postponed.

Motion withdrawn.

Bill considered engrossed and read third time.

At the request of Mr. Corbett a petition from the citizens of Lyon County relative to the above bill was read.

At the request of Mr. Englis a petition from the citizens of Storey County relative to the above bill was read.

Roll called and bill lost by the following vote:

YEAS—Messrs. Corbett, Drexler, Englis, Fallon, Gignoux and McKenzie—6.

NAYS—Messrs. Adams, Bailey, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Copeland, Duffy, Ernst, Ford, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McGowan, Moriarty, Newell, Parker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—37.

Absent—Messrs. Ballinger, Belding, Knight, McBurney, Mooney, Organ and Shepard.

At 12:02 P. M. Mr. Waldorf moved that the House take a recess for one hour.

Motion carried.

## HOUSE IN SESSION.

At 1:02 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. Ernst moved to defer action on special order and take up Senate messages.

Motion carried.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 94—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, etc., which was amended, and as amended passed the Senate this day. Yeas, 17; nays, 1.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Assembly Bill No. 94 under consideration.

Amendments made in the Senate read and concurred in.

The following report was presented, out of order:

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Bill No. 66, "An Act for the relief of insolvent debtors;" also,



Assembly Bill No. 165, "An Act for the reapportionment of Senators and Assemblymen;" also, Assembly Bill No. 142, "An Act fixing the price of land within the limits of the Central Pacific Railroad," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

At 1:13 the special order of the day, Senate Bill No. 84, was taken up.

At 1:14 Mr. Copeland moved a call of the House.

Motion carried.

Roll called and the following members were found absent without leave: Messrs. Ballinger, Belding, Mooney, Knight and Organ.

Mr. Waldorf moved that Mr. Mooney be granted leave of absence for the day.

Granted.

At 1:18 Mr. Bell moved that further proceedings under the call of the House be dispensed with.

Motion carried.

Senate Bill No. 84—An Act to create a State Board of Equalization, to define its duties and powers and to fix the compensation of its members, under consideration.

Mr. Bell moved that the rules be suspended, bill considered read first time, rules further suspended and read second time by title.

Motion carried.

Mr. Parker moved that the bill be indefinitely postponed.

Motion withdrawn.

Mr. Soule moved that the rules be further suspended and the bill placed on final passage.

Motion carried.

Bill read third time.

Mr. Englis moved that the bill be indefinitely postponed.

Motion withdrawn.

Mr. Ernst moved to amend Section Five by striking out said section and inserting in place a substitute therefor.

Motion lost.

Mr. Barrett moved to indefinitely postpone.

Motion withdrawn.

Mr. Tuska, by leave, introduced a substitute for the bill.

Substitute read partially.

Mr. Smyth moved that the substitute be adopted.

Motion carried.

Substitute considered engrossed, roll called and passed by the following vote:

YEAS—Messrs. Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Lewers, Longley, Mallon, Masel, May, McGowan, McKenzie, Moriarty, Newell, Par-



ker, Penoyer, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—41.

NAYS—Mr. Bailey.

Absent—Messrs. Adams, Ballinger, Belding, Knight, McBurney, Mooney, Organ and Shepard.

The following reports were presented, out of order :

*Mr. Speaker :*

Your Committee on Public Lands, to whom was referred Senate Concurrent Resolutions Nos. 8 and 22, have had the same under consideration and recommend that No. 8 do pass and that the further consideration of No. 22 be indefinitely postponed.

GEORGE ERNST, Chairman.

*Mr. Speaker :*

Your Committee on Elections, to whom was referred Senate Bill No. 117, entitled "An Act relating to elections," beg leave to report favorably on the same and recommend that it do pass.

H. H. PENOYER, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration a resolution relative to the payment of a claim of H. C. Street, and find on examination that there are two items in said claim which we are not prepared to approve, and beg leave to report the same back to the Assembly without recommendation, that they may take such action as they deem proper.

CHAS. GREEN, Chairman.

*Mr. Speaker :*

Your Committee on Claims have had under consideration a resolution in reference to paying E. McFadden for extra clerical service ; also, a resolution in reference to paying John Brady, Journal Clerk of the Assembly, for writing up the Journal after the adjournment of the session, and beg leave to report the same back to the Assembly with the recommendation that they do pass.

CHAS. GREEN, Chairman.

*Mr. Speaker :*

Your Committee on State Institutions have had under consideration Senate Bill No. 101, "An Act to provide for the preservation of fish ;" also, Senate Bill No. 124 ; also, Senate Bill No. 123, and beg leave to report the same back to the Assembly with the recommendation that they do pass.

EUGENE MAY, for Committee.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Senate Bill No. 56, "An Act to amend an Act entitled 'An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,' " approved March 11,



1879, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BELL, Chairman.

*Mr. Speaker :*

Your Committee on Ways and Means have had under consideration Senate Bill No. 105, "An Act concerning the office of Public Administrator and the estates of deceased persons," approved April 4, 1867, and beg leave to report the same back to the Assembly with the recommendation that it do pass.

T. J. BELL, Chairman.

Mr. Coffin moved that the resolutions reported favorably by the committee be adopted.

Motion carried and resolutions adopted and approved.

Mr. Coffin moved that the resolution relative to H. C. Street be referred back to the Committee on Claims to be corrected.

Motion carried.

On motion of Mr. Ernst, Senate Memorial and Joint Resolution No. 8, relative to desert lands, was taken up.

Mr. Smyth moved to suspend the rules and place the resolution on final passage.

Motion carried.

Read third time and passed by the following vote :

YEAS—Messrs. Adams, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Kelly, Lewers, Mallon, Masel, May, McGowan, McKenzie, Moriarty, Newell, Parker, Penton, Plank, Shier, Smyth, Soule, Waldorf and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Ballinger, Bailey, Belding, Duffy, Havenor, Irvine, Johnson, Knight, Longley, McBurney, Mooney, Organ, Penoyer, Richards, Shepard and Tuska.

Senate Concurrent Resolution No. 22—Relative to amending the Constitution.

Mr. Smyth moved that the resolution be indefinitely postponed.

Motion carried.

Mr. Coffin moved to take up Senate messages.

Motion carried.

#### SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 143—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties of this State, and other matters relating thereto,"



approved March 11, 1879, which passed the Senate this day. Yeas, 22; nays, none.

Also, to return to your honorable body Assembly Bill No. 78—An Act to amend an Act entitled “An Act to regulate the sale of opium, and to prohibit the keeping of places of resort for smoking or otherwise using that drug,” approved February 9, 1877, which passed the Senate this day. Yeas, 23; nays, none.

Also, substitute for Assembly Bill No. 81—An Act to provide for a new compilation of all the Statute laws of Nevada, including the laws of 1881, and properly index the same, which was this day amended and as amended passed the Senate. Yeas, 14; nays, 11.

WM. HY. DOANE,

Assistant Secretary of the Senate.

Mr. Coffin moved to take up for consideration Assembly Bill No. 81.

Motion carried.

Amendments made in Senate read.

At 2:50 P. M., on motion of Mr. Ernst, the House resolved itself into Committee of the Whole for the purpose of considering amendments made in the Senate.

Mr. Speaker in the Chair.

At 2:58 P. M. the committee arose and made the following report:

*Mr. Speaker:*

Your Committee of the Whole have had under consideration Assembly Bill No. 81, and the amendments made thereto in the Senate, and report the same back with the recommendation that it do pass.

Substitute for Assembly Bill No. 81 under consideration.

Amendments made in Senate concurred in.

Bill read third time as amended and lost by the following vote:

YEAS—Messrs. Adams, Barrett, Coffin, Condon, Corbett, Cope-land, Drexler, Duffy, Englis, Kelly, Masel, May, Moriarty, Plank, Tuska and Mr. Speaker—16.

NAYS—Messrs. Bell, Berry, Blair, Bradshaw, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Lewers, Longley, Mallon, McGowan, Mooney, Newell, Parker, Penton, Richards, Shier, Smyth and Soule—22.

Absent—Messrs. Ballinger, Belding, Havenor, Johnson, Knight, McBurney, McKenzie, Organ, Penoyer, Shepard and Waldorf.

The following report was presented, out of order:

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Bill No. 148, “An Act to authorize Lyon County to issue certain bonds;” Assembly Bill No. 135, relative to manufacturing industries at the State Prison; Assembly Bill No. 151, “An Act to authorize



Nye County to issue certain bonds," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

At 3:05 P. M. Mr. Tuska moved for a recess until 7 P. M.  
Motion lost.

# SENATE MESSAGE.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 144, "An Act to amend Section Five of an Act fixing the salaries of county officers," which passed the Senate this day. Yeas, 19; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

Mr. Coffin moved that the above bill be taken up for consideration.  
Motion carried.

Mr. Coffin moved to suspend the rules, consider the bill read first time; further suspend the rules, read second time by title and place on final passage.

Motion carried.

Bill read third time.

Roll called and bill passed by the following vote :

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Gignoux, Green, Irvine, Lewers, Mallon, Masel, May, McGowan, McKenzie, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Ballinger, Barrett, Belding, Duffy, Havenor, Johnson, Kelly, Knight, Longley, McBurney, Mooney, Penoyer, Shepard and Waldorf.

Mr. Plank, by leave, introduced Assembly Concurrent Resolution No. 24, relative to printing the Constitution.  
Adopted.

At 3:17 P. M., on motion of Mr. Gignoux, the House took a recess until 7 P. M.

# HOUSE IN SESSION.

At 7 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

By Mr. Green :

*Resolved*, That the State Controller is hereby authorized and in-

structed to draw his warrant upon the Legislative Fund in favor of H. C. Street, Chief Committee Clerk of the Assembly, for the sum of one hundred dollars for incidental expenses of committees, and the State Treasurer is authorized and instructed to pay the same.

Adopted.

At 7:05 p. m., on motion of Mr. Tuska, the House resolved itself into Committee of the Whole for the purpose of considering Senate Bill No. 129, and several other matters.

Mr. Speaker in the Chair.

At 7:16 p. m. the committee arose and made the following report:

*Mr. Speaker :*

Your Committee of the Whole have had under consideration Senate Bill No. 129, which we recommend do pass; also, Senate Bill No. 113, and Assembly Bill No. 128, which we report back without recommendation; also, Assembly Bill No. 90, without recommendation.

The following resolutions were introduced out of order :

*Resolved,* That the State Controller is hereby authorized and instructed to draw his warrant on the Legislative Fund in favor of J. W. Richards, Chairman of the Committee on Enrollment, for the sum of two hundred and sixty-eight dollars for extra enrolling, and the State Treasurer is hereby authorized and instructed to pay the same.

Mr. Bell moved that the resolution be adopted.

Motion carried.

By Mr. Parker :

*Resolved,* That the State Controller be and is hereby instructed to draw his warrant in favor of John M. Crawford for the sum of fifteen dollars for extra clerical engrossment, and that the State Treasurer pay the same out of the Legislative Fund.

Adopted.

By Mr. Johnson :

*Resolved,* That the State Controller is hereby authorized to draw his warrant in favor of Miss M. Morgan for the sum of forty-three dollars for extra copying for the Assembly as per order of the Clerk, and the State Treasurer is hereby authorized and directed to pay the same out of the Legislative Fund.

Mr. Johnson moved to refer the resolution to the Committee on Claims.

Motion carried.

By Mr. Tuska :

*Resolved,* By the Assembly, that the thanks of this body is hereby tendered to W. D. Jones, Assistant Clerk, for the efficient manner in which he has discharged the duties of his office.

Adopted.



*Mr. Speaker:*

Your Committee on Federal Relations beg leave to report that they have had under consideration Senate Joint Resolution No. 7, in relation to mail service between Columbus and Gold Mountain in this State, have considered the same and recommend that it do pass.

JAS. Z. KELLY, Chairman.

Senate Joint Resolution No. 7—Relative to mail service between Columbus and Gold Mountain in this State.

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

YEAS—Messrs. Bailey, Ballinger, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—41.

NAYS—None.

ABSENT—Messrs. Adams, Barrett, Belding, Duffy, Gignoux, Havenor, Moriarty, Penoyer and Shepard.

Mr. Ernst moved to take up Senate messages.

Motion carried.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 155—An Act to prohibit the carrying of concealed weapons by minors, which passed the Senate this day. Yeas, 21 ; nays, 1.

Also, Assembly Bill No. 161—An Act to amend an Act entitled "An Act concerning the courts of justice of this State and judicial officers," approved January 26, 1865, which passed the Senate this day. Yeas, 17 ; nays, 6.

Also, Assembly Bill No. 156—An Act to provide for the maintenance of public schools in the State of Nevada, which passed the Senate this day. Yeas, 23 ; nays, none.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 131—An Act to create the Austin Gas Company, which passed the Senate this day. Yeas, 18 ; nays, none.

Also, Assembly Bill No. 133—An Act concerning Justices of the Peace, which passed the Senate this day. Yeas, 20 ; nays, none.

Also, Assembly Bill No. 147—An Act to procure meteorological reports, which passed the Senate this day. Yeas, 16; nays, 5.

Also, Assembly Bill No. 149—An Act to amend Section Thirty-one of an Act entitled "An Act to regulate proceedings in civil cases," which passed the Senate this day. Yeas, 23; nays, none.

Also, Assembly Memorial and Joint Resolution No. 2—Relative to amending the Constitution, which passed the Senate this day. Yeas, 14; nays, 6.

Also, Assembly Bill No. 152—An Act to reimburse the Sheriffs of Humboldt and Elko Counties, which was amended and as amended passed the Senate this day. Yeas, 15; nays, 10.

WM. HY. DOANE,

Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 164—An Act fixing the salaries of the District Judges in the several districts, and matters relating thereto, which passed the Senate this day. Yeas, 21; nays, none.

WM. HY. DOANE,

Assistant Secretary of the Senate.

Mr. Bradshaw moved to take up Assembly Bill No. 152—An Act to reimburse the Sheriffs of Humboldt and Elko Counties for expenses incurred in certain cases.

Motion carried.

Amendments made in Senate read and concurred in.

Mr. Corbett moved to suspend the rules and to reconsider the vote by which Senate Bill No. 89 was lost to-day.

Motion carried.

Mr. Bell moved to take up Senate Bill No. 89—An Act to appropriate money for the payment of certain claims against the State of Nevada.

Motion carried.

Roll called and bill passed by the following vote:

YEAS—Messrs. Bailey, Ballinger, Bell, Berry, Blair, Coffin, Condon, Corbett, Copeland, Englis, Ernst, Ford, Gignoux, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Mooney, Newell, Organ, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—32.

NAYS—Messrs. Fallon, Parker, Plank and Shier—4.

Absent—Messrs. Adams, Barrett, Belding, Bradshaw, Drexler, Duffy, Havenor, McKenzie, Moriarty, Penoyer, Penton, Richards and Shepard.



Senate Bill No. 129—An Act to amend an Act entitled “An Act amendatory of an Act entitled ‘An Act concerning jurors,’” approved March 5, 1874.

Mr. Kelly moved that the consideration of the bill be indefinitely postponed.

Motion withdrawn.

Read third time, roll called and bill passed by the following vote:

YEAS—Messrs. Adams, Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Englis, Ernst, Fallon, Ford, Green, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Parker, Penton, Plank, Shier, Smyth, Soule, Tuska, Waldorf and Mr. Speaker—37.

NAYS—Messrs. Gignoux, Newell and Organ—3.

Absent—Messrs. Ballinger, Barrett, Belding, Duffy, Havenor, Masel, Penoyer, Richards and Shepard.

Senate Bill No. 113—An Act to amend an Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada, approved November 26, 1861.

Mr. Kelly moved that the consideration of the bill be indefinitely postponed.

Motion carried.

Assembly Bill No. 90—An Act to provide for taking care of the insane of Nevada.

Indefinitely postponed.

Assembly Bill No. 128—An Act amendatory of and supplementary to an Act relating to officers, terms of office, removals, vacancies in office, and to enforce official duty, approved March 9, 1866.

Indefinitely postponed.

Senate Bill No. 66—An Act relating to salaries of county officers. Indefinitely postponed.

Senate Bill No. 124—An Act transferring the money in the Soldiers' Fund to the General Fund of the State.

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

YEAS—Messrs. Bailey, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Irvine, Johnson, Kelly, Knight, Lewers, Longley, Mallon, Masel, May, McBurney, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Shier, Smyth, Soule, Tuska and Mr. Speaker—40.

NAYS—Mr. Ballinger.

Absent—Messrs. Adams, Barrett, Belding, Green, Havenor, McKenzie, Penoyer, Shepard and Waldorf.

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Bill No. 106, “An Act to provide revenue for the support of the

government of the State of Nevada;" also, Assembly Bill No. 94, "An Act fixing the salaries of various county officers;" also, Assembly Bill No. 97, "An Act in reference to the State printing," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

Senate Bill No. 123—An Act transferring the amount in the State Building Fund and the amount that may hereafter come into it to the General Fund of the State.

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

YEAS—Messrs. Bailey, Ballinger, Bell, Berry, Blair, Bradshaw, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Green, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, May, McBurney, McGowan, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Richards, Smyth, Soule, Tuska and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Adams, Barrett, Belding, Coffin, Condon, Corbett, Gignoux, Havenor, Lewers, McKenzie, Penoyer, Shepard, Shier and Waldorf.

Senate Bill No. 137—An Act to repeal an Act entitled "An Act to repeal an Act to prevent the unauthorized expenditure of State money."

Indefinitely postponed.

*Mr. Speaker:*

Your Committee on Claims have had under consideration a resolution in reference to paying a claim of Miss M. Morgan and beg leave to report favorably on the same and recommend its adoption.

CHAS. GREEN, Chairman.

Read and adopted.

Senate Substitute for Substitute for Assembly Bill No. 16—An Act for the reapportionment of Senators and Assemblymen in the several counties of this State.

Indefinitely postponed.

Substitute for Assembly Bill No. 16 under consideration.

Indefinitely postponed.

Assembly Bill No. 49—An Act to amend an Act entitled "An Act in relation to highways," approved March 15, 1875; approved March 2, 1877.

Indefinitely postponed.

Senate Bill No. 101—An Act to provide for the preservation of fish in the waters of this State.

Indefinitely postponed.

Senate Bill No. 143—An Act to amend an Act entitled "An Act fixing the salaries of the various county officers in the several counties



of this State and other matters relating thereto," approved March 11, 1881.

Indefinitely postponed.

Senate Bill No. 117—An Act supplementary to an Act entitled "An Act relating to elections," approved March 12, 1873.

Read third time, roll called and lost by the following vote:

YEAS—Messrs. Bailey, Bell, Berry, Bradshaw, Corbett, Copeland, Drexler, Duffy, Ernst, Ford, Gignoux, Kelly, Mallon, Masel, McBurney, McKenzie, Moriarty, Newell, Plank, Richards and Smyth—21.

NAYS—Messrs. Blair, Coffin, Condon, Englis, Green, Havenor, Irvine, Johnson, Knight, Lewers, May, McGowan, Mooney, Organ, Parker, Penton, Shier and Tuska—19.

Absent—Messrs. Adams, Ballinger, Barrett, Belding, Longley, Penoyer, Shepard, Soule, Waldorf and Mr. Speaker.

Wal. J. Tuska, in a few appropriate remarks, presented Speaker Merrill with a beautiful cane, on behalf of the members of the Assembly, in token of their appreciation of his wise, impartial and just rulings.

Speaker Merrill responded in a feeling manner.

By Mr. Bell:

WHEREAS, The Assembly of Nevada has enjoyed the somewhat unusual experience of a session of the Legislature, now nearly ended, without a single appeal from the decision of our honored presiding officer; therefore, be it

*Resolved*, That this agreeable fact be noted in our minutes and thus be preserved as a matter of record, pleasing for us all to remember.

Adopted.

Speaker *pro tem.* in the Chair.

Senate Bill No. 105—An Act to repeal "An Act concerning the office of Public Administrator and the estates of deceased persons," approved April 4, 1867.

Bill read third time.

Roll called and passed by the following vote:

YEAS—Messrs. Bailey, Ballinger, Barrett, Bell, Berry, Blair, Bradshaw, Coffin, Condon, Corbett, Copeland, Drexler, Duffy, Englis, Ernst, Fallon, Ford, Gignoux, Green, Havenor, Irvine, Johnson, Kelly, Knight, Longley, Mallon, Masel, May, McBurney, McGowan, McKenzie, Mooney, Moriarty, Newell, Organ, Parker, Penton, Plank, Shier, Smyth, Soule, Tuska and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Adams, Belding, Lewers, Penoyer, Richards, Shepard and Waldorf.

Assembly Bill No. 127—An Act relating to the taxation of the proceeds of mines.

Indefinitely postponed.



Mr. Speaker in the Chair.

By Mr. Smyth :

*Resolved*, That a vote of thanks be extended by this House to the reporter of the Virginia *Enterprise* and Carson *Appeal* (Mrs. E. C. Carlton) for correct and impartial reports of the proceedings of the Assembly during this session.

Adopted unanimously.

The following communication was received and read by the Speaker :

*Mr. Speaker :*

Please return the thanks of the reporter of the *Enterprise* and *Appeal* to the members and clerks of the Assembly for their uniform good nature and courtesy in giving information whenever called upon. Also, return my thanks and assurance that I appreciate the kindly feelings which prompted their most pleasing testimonial.

Yours, respectfully,

MRS. E. C. CARLTON.

By Mr. Copeland :

*Resolved*, That the thanks of the House be and are hereby tendered to Hon. T. J. Bell, the Speaker *pro tem.*, for the able and courteous manner in which he has discharged his duties in such capacity.

Adopted.

Mr. Bell replied to the resolution, as follows :

*Mr. Speaker and Members of the Assembly :* The time will soon arrive for the dissolution of this body ; we will hear the sound of the gavel for the last time that has called us to order for sixty days past. We have been associated together to advance the interests of our constituency and promote civilization. Whether our labors have been crowned with success or not time alone must say. We have all won victories and met defeat, but, in my opinion, we have had but one object in view, and that the welfare of our State. To-morrow we will leave for our homes to resume our usual occupations in the walks of life, and in a short time we will be scattered, perhaps never to meet again. Let your lot be cast where it will, high or low, with you all goes my heartfelt wishes of success and happiness. I am glad that my release is near at hand, so that I can return to my wife and children, who are anxiously awaiting my coming. Nevertheless, I feel a pain dart through my heart when I realize that we part to meet no more. One and all, members and attachés, I bid you an affectionate farewell.

By Mr. Smyth :

*Resolved*, That the thanks of this House are hereby tendered to the Minute Clerk (Henry Welch) for the efficient and able manner in which he has discharged his duties.

Adopted.



*Resolved*, That the thanks of this Assembly be tendered to D. D. Donovan, Sergeant-at-Arms, and Col. J. W. Hall, Assistant Sergeant-at-Arms, for their careful and prompt discharge of the duties of their respective offices during the tenth session of the Nevada Legislature.

Adopted.

By Mr. Smyth :

*Resolved*, That the members of this House, duly appreciating the many courtesies extended by the people of Carson City during the present session of the Legislature, return a vote of thanks, and bid them a kind farewell.

Adopted.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 164, "An Act fixing the salaries of the District Judges in the several districts in this State," Assembly Bill No. 152, "An Act to reimburse the Sheriffs of Humboldt and Elko Counties," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

At 9:03 P. M., on motion of Mr. Organ, the House took a recess for one hour.

#### HOUSE IN SESSION.

At 10 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

Mr. McBurney was permitted to withdraw a petition introduced by him at a previous date.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 78, "An Act to regulate the sale of opium," Assembly Bill No. 131, "An Act to create the Austin Gas Company," and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

By Mr. Moriarty :

*Resolved*, That the thanks of this House be and are hereby tendered to Mr. John Brady for the prompt and very efficient manner in which he has discharged the duties of Journal Clerk of this House.

Adopted.

By Mr. Copeland :

*Resolved*, That a committee of three be appointed to await on His Excellency, the Governor, and inform him that the Assembly will adjourn *sine die* at 12 o'clock and ask His Excellency if he has any further communication to make to the House.

Adopted.

The Speaker appointed as such committee Messrs. Copeland, Coffin and Condon.

By Mr. Knight :

*Resolved*, That the sum of fifty dollars be and is hereby appropriated out of the Legislative Fund to be paid to W. D. Jones, Assistant Chief Clerk of the Assembly, for extra clerical services.

Adopted.

By Mr. Corbett :

*Resolved*, That the thanks of the Assembly are tendered to Mr. A. Fitzgerald for the prompt manner in which he has discharged the duties as Porter of this House.

Adopted.

At 10:04 P. M. Mr. Gignoux moved a recess for one hour.

Motion lost.

At 10:10 P. M. Mr. Englis moved a recess until 11 P. M.

Motion carried.

### HOUSE IN SESSION.

At 11 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

The committee appointed to await on the Governor reported that they had awaited on His Excellency as per instruction and was informed that he had no further messages for the Assembly.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body substitute for Assembly Bill No. 40—An Act to grant the right of way for a street railroad track in the town of Eureka, State of Nevada, which passed the Senate this day. Yeas, 18 ; nays, 5.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

SENATE CHAMBER,  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly :*

I have the honor herewith to return to your honorable body Assembly Bill No. 22—An Act concerning corporations and persons engaged in the business of banking, which was amended and lost in the Senate this day. Yeas, 8 ; nays, 15.

WM. HY. DOANE,  
Assistant Secretary of the Senate.

At 11:08 Mr. Waldorf moved a recess until 11:45 P. M.  
Motion carried.



## HOUSE IN SESSION.

At 11:45 P. M.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 156, Assembly Bill No. 149, Assembly Bill No. 133, and Assembly Bill No. 147 and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

By Mr. Johnson :

*Resolved*, That the Sergeant-at-Arms is hereby directed to draw his warrant on the State Controller and the State Controller is directed and authorized to draw his warrant in conformity therewith on the Legislative Fund for the sum of twenty-five dollars in favor of W. J. Westerfield, to repay him for money paid by him for room rent, said room having been used for the purpose of copying for the Assembly, and the State Treasurer is hereby authorized and directed to pay the same out of said Legislative Fund.

Adopted.

Mr. Coffin moved that the resolution relative to allowing W. D. Jones fifty dollars be rescinded.

Motion carried.

*Mr. Speaker :*

Your Committee on Enrollment have carefully compared Assembly Bill No. 155, Assembly Bill No. 161, and Assembly Bill No. 44, and have found the same correctly enrolled.

J. W. RICHARDS, Chairman.

## MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 3, 1881. }

*To the Honorable the Assembly :*

I have this day approved and deposited with the Secretary of State, Assembly Bill No. 122, "An Act to redistrict the State of Nevada;" also, Assembly Bill No. 129, "An Act to amend an Act entitled an Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865; also, Assembly Bill No. 142, "An Act fixing the price of lands within the limits of the Central Pacific Railroad grant and requiring applicants to pay U. S. Land Office fees, also, defining the amount of land allowed to each applicant and in relation to issuing patents and the purchase of township plats and authorizing the State Land Register to perform certain duties; also, Assembly Bill No. 165, "An Act for the re-

apportionment of Senators and Assemblymen in the several counties of this State."

JOHN H. KINKEAD, Governor.

By Mr. Englis :

*Resolved*, That the thanks of the Assembly are hereby tendered to the Virginia "Chronicle" and Carson "Tribune" for the impartial manner in which they have reported the proceedings of this Assembly.

Adopted.

Mr. Merrill then addressed the members of the Assembly as follows :

*Gentlemen of the Assembly*: The time for the dissolution of this Assembly is at hand. Upon the eve of our separation I desire to express my hearty thanks for the kindness, courtesy and indulgence extended to me during our deliberations. I am pleased to be able to congratulate you upon the fact that peace and harmony has continuously prevailed; that courtesy has always existed between the majority and minority; that acrimonious political discussion has failed to enter our councils as a disturbing element, while each has vied with the other in promoting the varied interests of the different sections of our State. While reason lingers with me the kindest of feelings toward all and the pleasant associations connected with each member of the tenth session of the Nevada Legislature will occupy a large space in my memory. In accordance with the requirements of law I now declare the tenth session of the Legislature of Nevada adjourned *sine die*.

Approved :

GEO. W. MERRILL,

Speaker of the Assembly.

Attest: ROBT. E. LOWERY,

Chief Clerk of the Assembly.



## GENERAL INDEX.

ABBREVIATIONS.—S. B., Senate Bill ; A. B., Assembly Bill ; S. C. R., Senate Concurrent Resolution ; A. C. R., Assembly Concurrent Resolution ; S. J. R., Senate Joint Resolution ; A. J. R., Assembly Joint Resolution.



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