

THE  
JOURNAL OF THE ASSEMBLY

DURING

THE FIRST SESSION

OF THE

Legislature of the State of Nevada

1864-5.

BEGUN ON MONDAY, THE TWELFTH DAY OF DECEMBER, AND ENDED  
ON SATURDAY THE ELEVENTH DAY OF MARCH.



CARSON CITY:  
JOHN CHURCH, STATE PRINTER.

1865.



JOURNAL

OF THE

PROCEEDINGS OF THE ASSEMBLY.



# NEVADA LEGISLATURE—ASSEMBLY.

---

## FIRST SESSION.

---

Begun and held in the city of Carson, the Capital of the State of Nevada, on Monday, the twelfth day of December, in the year of our Lord, one thousand eight hundred and sixty-four, pursuant to the provisions of Section Twelve of Article Seventeen of the State Constitution, entitled "Schedule," being the first session of the State Legislature.

On which day, being that fixed by the Constitution of the State, at twelve o'clock, m., the House was called to order by U. E. Allen, Esq., Clerk of the last Territorial House of Representatives.

On calling the roll of the members reported to have been elected, it was found that twenty-nine members of the whole House were present, and that seven were absent.

A quorum being present, a prayer was offered by the Rev. A. F. White.

Mr. Bishop offered the following:

WHEREAS, Section Six of Article Four of the State Constitution provides that each House of the State Legislature shall judge of the qualifications, elections, and returns of its own members; *and whereas*, it has come to the knowledge of this House that the seat of no member thereof is to be contested; therefore

*Resolved*, That it is the judgment of this House, and it is hereby declared, that the following persons were on the eighth day of November, A. D. one thousand eight hundred and sixty-four, pursuant to the provisions of the State Constitution, elected by the people of the several counties as members of this House, viz:

*From the county of Churchill*—James A. St. Clair.

*From the county of Esmeralda*—D. H. Haskell, D. Wellington, John S. Mayhugh, Cyril Hawkins.

*From the county of Humboldt*—D. H. Brown, B. H. Nichols, J. Anson Dun.

*From the county of Lander*—D. P. Walter, E. P. Sine, J. L. Hinckley. M. A. Rosenblatt.

*From the county of Lyon*—W. F. Toombs, Dr. W. G. Lee, H. G. Parker.

*From the county of Douglas*—James Small, Henry Epstein.

*From the county of Ormsby*—S. C. Denson, J. E. W. Cary, L. C. McKeeby.

*From the county of Nye*—A. C. Bearss.

*From the county of Storey*—W. M. Cutter, Edwin Patten, Erastus Bond, W. W. Bishop, Chas. W. Tozer, James A. Rigby, A. L. Greeley, H. M. Bien, John Leavitt, R. A. Young, James Bolan, Jacob Smith.

*From the county of Washoe*—L. M. Shackelford, H. H. Beck, J. A. Myrick.

Adopted unanimously.

Mr. Parker, of Lyon, offered the following resolution :

*Resolved*, That this House do now go into an election for the following permanent officers, in the following order, viz :

- 1st, Speaker ;
- 2nd, Clerk ;
- 3rd, Sergeant-at-Arms ;
- 4th, One Engrossing Clerk ;
- 5th, One Enrolling Clerk ;
- 6th, One Chaplain.

The clerk ruled the resolution not in order at this time, inasmuch as it was necessary for the members present to qualify before entering upon the election of permanent officers.

Mr. Brown, of Humboldt, moved that the members be now sworn in. So ordered.

Mr. Cutter, of Storey, moved that the Sergeant-at-Arms be instructed to invite one of the Justices of the Supreme Court to administer the oath of office to the members present.

Agreed to.

In time Judge Brosnan was introduced.

On motion of Mr. Brown, of Humboldt, the Clerk was ordered to call the roll, each member present to respond and present himself before the bar of the House, for the purpose of taking the oath prescribed by the Constitution of the State.

Judge Brosnan, of the Supreme Court of the State, then administered the oath of office to all the members except Messrs. John Leavitt and H. M. Bien, of Storey County, as follows :

We (the several members) do solemnly swear (or affirm) that we will support, protect, and defend, the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign, and that we will bear true faith, allegiance, and loyalty, to the same, any ordinance, resolution, or law, of any State Convention or Legislature to the contrary notwithstanding ; and, further, that we do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever. And we do further solemnly swear (or affirm) that we have not fought a duel, nor sent nor accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance,

since the adoption of the Constitution of the State of Nevada. And that we will not be so engaged or concerned, directly or indirectly, in or about any such duel during our continuance in office. And, further, that we will well and faithfully perform all the duties of the office of Assemblyman on which we are about to enter, (if an oath) So help me God; (if an affirmation) under the pains and penalties of perjury.

Members of the Assembly of the State of Nevada.

Mr. Shackelford, of Washoe, moved that the editors of newspapers present be invited to seats within the bar of the House.

Agreed to.

Mr. Parker, of Lyon County, again presented his resolution, previously offered, ordering an election for permanent officers of the House.

The Clerk again read the resolution.

Mr. McKeeby, of Ormsby, moved to amend the same, by inserting after the word "Clerk" contained therein, the words "Assistant Clerk."

The question on the amendment was put and decided in the negative.

Mr. Cutter, of Storey, moved to amend the resolution by striking out the word "Chaplain;" which motion was accepted by Mr. Parker, and the resolution as amended was then adopted unanimously, as follows:

*Resolved*, That this House do now go into an election for permanent officers in the following order, viz:

- 1st, Speaker;
- 2nd, Clerk;
- 3rd, Sergeant-at-Arms;
- 4th, One Engrossing Clerk;
- 5th, One Enrolling Clerk.

Under the order just established, nominations for Speaker were in order.

Mr. Greeley, of Storey, nominated Chas. W. Tozer, member from the county of Storey.

No other nominations being made, on motion of Mr. Parker, of Lyon, Chas. W. Tozer was unanimously declared elected Speaker of the House for the first session, by acclamation.

The Clerk appointed Messrs. Parker of Lyon, Myrick of Washoe, and Denson of Ormsby, a committee to escort the Speaker elect to the chair.

On assuming the chair, the Speaker delivered the following:

*Gentlemen of the Assembly:*

Be pleased to accept my grateful acknowledgement of the honor you have conferred upon me, and with it my assurance that it will be my steadfast purpose and my pride to discharge every duty incumbent upon me to the best of my ability, and with impartial integrity. I accept the honorable position, in which your too generous confidence has placed me, with much distrust of my ability and experience to fitly discharge its duties. I should shrink from the responsibility involved, did I not rely upon your kind forbearance and all possible courtesy and support as your presiding officer. Permit me, gentlemen, to express the hope that this, the first session of the Legislature of Nevada, may be characterized by industry, harmony, wise legislation, and, above all, a firm devotion to the Union, to the end that our young State may maintain the proud station among her loyal sisters so lately assumed. Again, gentlemen, accept my thanks.

The election of Clerk being next in order—

Mr. Bearss, of Nye County, nominated W. M. Gillespie, of Storey County.

Mr. McKeeby, of Ormsby, nominated U. E. Allen, of Ormsby County.

Pursuant to the provisions of the Constitution, the House proceeded to elect, by a *viva voce* vote, with the following result:

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

W. M. Gillespie received.....	26
U. E. Allen received.....	8

Those who voted for W. M. Gillespie were Messrs. Bearss, Brown, Bolan, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Young.

Those who voted for U. E. Allen were Messrs. Beck, Cary, Denson, Myrick, McKeeby, Shackelford, Tozer, Wellington.

Mr. W. M. Gillespie, having received a majority of all the votes of the members of the House, was declared duly elected Clerk of the House for the first session of the State Legislature.

And on motion of Mr. McKeeby, of Ormsby, W. M. Gillespie was declared the unanimous choice of the House for Clerk.

The election of a Sergeant-at-Arms being next in order, Mr. Brown, of Humboldt County, nominated J. M. Woodworth.

Mr. Mayhugh, of Esmeralda, nominated Jacob Levison.

Mr. Myrick, of Washoe, nominated L. H. Dyer.

Mr. Rosenblatt, of Lander, nominated R. T. Smith.

Mr. Cary, of Ormsby, nominated Thos. M. Carson.

Mr. Small, of Douglas, nominated Dr. M. Holmes.

The House then proceeded to a *viva voce* vote, with the following result:

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Levison received.....	5
Mr. Dyer.....	8
Mr. Woodworth.....	9
Mr. Holmes.....	4
Mr. Smith.....	5
Mr. Carson.....	3

Those voting for Mr. Dyer were Messrs. Beck, Denson, Epstein, Myrick, McKeeby, Small, Shackelford, Walter.

Those voting for Mr. Levison were Messrs. Greeley, Hawkins, Haskell, Mayhugh, Wellington.

Those voting for Mr. Woodworth were Messrs. Brown, Dun, Hinckley, Lee, Nichols, Sine, Toombs, Tozer, Young.

Those voting for Dr. M. Holmes were Messrs. Bolan, Bond, Patten, Rigby.



Those voting for R. T. Smith were Messrs. Bearss, Bien, Cutter, Rosenblatt, Smith.

Those voting for Mr. Carson were Messrs. Cary, Parker, St. Clair.

Mr. Patten, of Storey County, then withdrew the name of Dr. M. Holmes.

No election being had, the House proceeded to take another vote with the following result:

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Dyer received.....	8
Mr. Levison.....	6
Mr. Woodworth.....	13
Mr. R. T. Smith.....	3
Mr. Carson.....	4

Those voting for Mr. Dyer were Messrs. Beck, Denson, Myrick, McKeeby, Small, Shackelford, St. Clair, Walter.

Those voting for Mr. Levison were Messrs. Epstein, Greeley, Hawkins, Haskell, Mayhugh, Wellington.

Those who voted for Mr. Woodworth were Messrs. Brown, Bond, Dun, Hinckley, Lee, Nichols, Patten, Rigby, Sine, Smith, Toombs, Tozer, Young.

Those voting for Mr. Smith were Messrs. Bearss, Bolan, Rosenblatt.

Those voting for Mr. Carson were Messrs. Bishop, Cary, Cutter, Parker.

No choice having been made on the last vote, Mr. Mayhugh, of Esmeralda, withdrew the name of Jacob Levison. Mr. Jacob Smith, of Storey, withdrew the name of R. T. Smith.

The House then proceeded to another vote, resulting as follows:

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Dyer received.....	11
Mr. Woodworth.....	18
Mr. Carson.....	5

Those voting for Mr. Dyer were Messrs. Beck, Denson, Epstein, Myrick, McKeeby, Rosenblatt, Small, Shackelford, St. Clair, Walter, Wellington.

Those voting for Mr. Woodworth were Messrs. Bearss, Brown, Bolan, Bond, Dun, Greeley, Hinckley, Hawkins, Lee, Mayhugh, Nichols, Patten, Rigby, Sine, Smith, Toombs, Tozer, Young.

Those voting for Mr. Carson were Messrs. Bishop, Cary, Cutter, Haskell, Parker.

Mr. J. M. Woodworth having received a majority of the votes of the House was declared duly elected Sergeant-at-Arms of the Assembly for the first session.

Mr. Patten moved that the House do now adjourn till eleven (11) o'clock to-morrow. The yeas and nays, being called thereon, were ordered.

On calling the roll, the question on the motion was declared in the negative by the following vote :

Those voting in the affirmative were—

Messrs. Bolan, Bishop, Cutter, Dun, Greeley, Haskell, Nichols, Patten, Smith, St. Clair, Tozer, Walter, Wellington, Young.

Those voting in the negative were—

Messrs. Bearss, Beck, Brown, Bond, Cary, Denson, Epstein, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Toombs.

The election of an Engrossing Clerk being next in order, Mr. Jacob Smith, of Storey County, nominated A. S. Cook.

Mr. McKeeby, of Ormsby County, nominated C. S. Hammer.

Mr. Toombs, of Lyon County, nominated Capt. E. W. Haines.

Mr. Shackelford, of Washoe, nominated Hiram Gove.

The House proceeded to a vote which resulted as follows :

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Cook received.....	13
Mr. Gove.....	3
Mr. Haines.....	7
Mr. Hammer.....	11

Those voting for Mr. Cook were, Messrs. Bolan, Bishop, Cutter, Dun, Greeley, Hinckley, Patten, Rosenblatt, Rigby, Sine, Smith, Walker, Tozer.

Those voting for Mr. Gove were Messrs. Beck, Myrick, Shackelford.

Those voting for Mr. Haines were Messrs. Bearss, Brown, Bond, Small, St. Clair, Wellington, Young.

Those voting for Mr. Hammer were Messrs. Cary, Denson, Epstein, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Toombs.

No choice having been made, Mr. Shackelford withdrew the name of H. Gove.

The House then proceeded with another vote, with the following result :

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Cook received.....	16
Mr. Haines.....	5
Mr. Hammer.....	13

Those voting for Mr. Cook were Messrs. Bearss, Bolan, Bishop, Cutter, Dun, Greeley, Hinckley, Hawkins, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Speaker, Walter.

Those voting for Mr. Haines were Messrs. Bond, Haskell, St. Clair, Wellington, Young.

Those voting for Mr. Hammer were Messrs. Beck, Brown, Cary, Denson, Epstein, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Small, Toombs.

No choice having been made, the House proceeded to another vote with the following result :

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Cook received.....	15
Mr. Haines.....	4
Mr. Hammer.....	15

Those voting for Mr. Cook were Messrs. Bearss, Bishop, Cutter, Dun, Greeley, Hinckley, Hawkins, Nichols, Patten, Rosenblatt, Rigby, Sine, Smith, Walter, Speaker.

Those voting for Mr. Haines were Messrs. Bolan, Bond, Haskell, Young.

Those voting for Mr. Hammer were Messrs. Beck, Brown, Cary, Denson, Epstein, Lee, Myrick, Mayhugh, McKeeby, Parker, Small, Shackelford, St. Clair, Toombs, Wellington.

No choice having been made, Mr. Bond, of Storey, moved, that the House do now adjourn till twelve o'clock, M., to-morrow.

Lost.

The House then proceeded with another *viva voce* vote with the following result :

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

Mr. Cook received.....	15
Mr. Haines.....	1
Mr. Hammer.....	18

Those voting for Mr. Cook were Messrs. Bearss, Bishop, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Patten, Rosenblatt, Rigby, Sine, Smith, Walter, Speaker.

The one voting for Haines was Mr. Bond.

Those voting for Mr. Hammer were Messrs. Beck, Brown, Bolan, Cary, Denson, Lee, McKeeby, Small, Toombs, Myrick, Nichols, Haskell, Shackelford, Wellington, Mayhugh, Parker, St. Clair, Young.

C. S. Hammer having received a majority of all the votes of the members present, was declared duly elected Engrossing Clerk of the Assembly for the first session.

The election of an Enrolling Clerk of the House being in order, Mr. Sine, of Lander County, nominated W. B. Fulwiler.

Mr. Shackelford, of Washoe County, nominated Chauncey Stewart.

The House then proceeded to a *viva voce* vote with the following result :

Whole number of votes.....	34
Necessary to a choice.....	18

Of which

W. B. Fulwiler received.....	22
Chauncey Stewart.....	12

Those voting for W. B. Fulwiler were Messrs. Bearss, Brown, Bolan, Bond, Cary, Cutter, Walter, Denson, Dun, Hinckley, Lee, McKeeby, Nichols, Young, Parker, Rosenblatt, Small, Sine, Smith, Toombs, Patten, Speaker.

Those voting for C. Stewart were Messrs. Beck, Bishop, Epstein, Greeley, Hawkins, Haskell, Myrick, Mayhugh, Rigby, Shackelford, St. Clair, Wellington.

W. B. Fulwiler, having received a majority of all the votes of the members present, was declared duly elected Enrolling Clerk of the House for the first session.

Mr. Parker offered the following—

*Resolved*, That the Clerk be directed to notify the Senate of the organization of the House by the election of the Hon. C. W. Tozer, of Storey County, as Speaker, W. M. Gillespie as Chief Clerk, and J. M. Woodworth as Sergeant-at-Arms, and that the House are ready on their part to proceed with the business of the session.

Adopted.

Mr. Cutter moved to adjourn to eleven o'clock, A.M., to-morrow.

Lost—Ayes, 13; Noes, 19.

Mr. Dun moved to adjourn till 9 o'clock, A.M. to-morrow.

Lost.

Mr. Epstein moved to adjourn till 10 o'clock A.M. to-morrow.

Agreed to.

So the House adjourned.

---

## SECOND DAY.

TUESDAY, December 13th, 1864.

The House met, pursuant to adjournment, at ten o'clock A.M., and was called to order by the Speaker.

On calling the roll the following members were present: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Tozer, Walter, Wellington, Young—33.

Those who were absent were Messrs. Bien and Rosenblatt—2.

The Clerk being absent, Mr. Lee moved the reading of the journal of yesterday be dispensed with.

Lost.

Mr. Bond moved that the Sergeant-at-Arms be despatched for the Clerk.

Agreed to, and so ordered.

Mr. Haskell moved that the several officers elect have the oath of office administered to them.

Agreed to, and so ordered.

Mr. Hawkins moved that the House take a recess till twelve o'clock, M.

Lost.

Mr. Cutter moved that the House take a recess till 11 o'clock, A.M.

Agreed to.

So the House took a recess as ordered.

11 o'clock, A.M.

The journal of yesterday was read and approved.

The Clerk, Engraving Clerk, and Sergeant-at-Arms then took the oath of office prescribed by the Constitution.

Mr. Brown moved that the Sergeant-at-Arms be authorized to appoint an assistant who shall be doorkeeper.

Lost.

Mr. Parker offered the following:

*Resolved*, That the House do now go into an election for Speaker *pro tem.*, Sergeant-at-Arms, one porter, one messenger, and two pages.

Mr. Brown moved to amend the resolution, by inserting after the words "Speaker *pro tempore*," the words "Assistant Clerk," which amendment was accepted by Mr. Parker, and the original resolution as amended was then adopted—Ayes, 15; Noes, 15.

The Speaker decided in the affirmative.

H. M. Bien, Esq., member from the county of Storey, appeared, qualified by taking the oath of office, and took his seat.

Under the resolution passed this morning, the House proceeded to hold an election for Speaker *pro tempore*, Assistant Clerk, Sergeant-at-Arms, one porter, one messenger, two pages.

For Speaker *pro tem.*, Mr. Walter, of Lander County, nominated H. G. Parker, Esq., member from Lyon County.

Mr. Parker, of Lyon County, nominated Mr. Haskell, of Esmeralda County.

Mr. Haskell declined the nomination.

Mr. Bishop, of Storey County, moved that H. G. Parker, of Lyon County, be declared Speaker *pro tempore* by acclamation.

Agreed to unanimously.

For Assistant Clerk Mr. Parker, of Lyon County, nominated Charles D. King, of Lyon County.

Mr. Shackelford, of Washoe County, nominated Chauncey Stewart.

The House then proceeded to a *viva voce* vote for Assistant Clerk, which resulted as follows:

Whole number of votes.....	35
Necessary to a choice.....	18

Of which

Mr. King received .....	7
Mr. Stewart.....	28

Those voting for Mr. King were Messrs. Bond, Lee, Parker, Patten, St. Clair, Toombs, Young.

Those voting for Mr. Stewart were Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dan, Hinckley, Myrick, Nichols, Small, Smith, Epstein, Hawkins, Mayhugh, Rosenblatt, Shackelford, Walter, Greeley, Haskell, McKeeby, Rigby, Sine, Wellington, and Mr. Speaker.

Mr. Stewart, having received a majority of the votes of the members voting, was declared duly elected Assistant Clerk of the House.

For Assistant Sergeant-at-Arms Mr. McKeeby; of Ormsby County, nominated J. B. Cormack, of Ormsby County.

Mr. Brown, of Humboldt County, nominated Jacob Levison, of Esmeralda County.

Mr. Smith, of Storey County, nominated Dr. M. Holmes, of Storey County.

Mr. Small, of Douglas County, nominated J. B. Wilder of that county. A *viva voce* vote was had with the following result :

Whole number of votes.....	35
Necessary to a choice.....	18

Of which

Mr. Cormack received.....	6
Mr. Holmes .....	10
Mr. Levison.....	11
Mr. Wilder.....	8

Those voting for Mr. Cormack were Messrs. Cary, Denson, Lee, McKeeby, St. Clair, Toombs.

Those voting for Mr. Holmes were Messrs. Bearss, Bolan, Bishop, Bond, Cutter, Patten, Sine, Smith, Walker, Young.

Those voting for Mr. Levison were Messrs. Brown, Greeley, Mayhugh, Rigby, Bien, Hawkins, Nichols, Wellington, Dun, Haskell, Rosenblatt.

Those voting for Mr. Wilder were Messrs. Beck, Dun, Hinckley, Myrick, Parker, Small, Shackelford, and Mr. Speaker.

No one candidate receiving a majority, Mr. Smith of Storey County withdrew the name of Mr. Holmes.

Mr. McKeeby withdrew the name of Mr. Cormack.

The House then had another *viva voce* vote with the following result :

Whole number of votes.....	35
Necessary to a choice.....	18

Of which

Jacob Levison received .....	21
J. B. Wilder.....	14

Those voting for Mr. Levison were Messrs. Brown, Bolan, Bien, Bishop Bond, Cary, Cutter, Denson, Dun, Greeley, Hawkins, Haskell, Mayhugh McKeeby, Nichols, Patten, Rosenblatt, Rigby, Smith, Wellington, Young.

Those voting for Mr. Wilder were Messrs. Bearss, Beck, Epstein, Hinckley, Lee, Myrick, Parker, Small, Shackelford, Sine, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Levison having received a majority of the votes of the members present and voting, was declared duly elected Assistant Sergeant-at-Arms of the House.

The following messages were received from the Hon. the State Senate :

MESSAGES FROM THE SENATE.

STATE OF NEVADA, IN SENATE, }  
 CARSON, December 13th, 1864. }

To the Hon. the Assembly of the State of Nevada:

In obedience to the instructions of the Senate, I have the honor to inform your honorable body that a committee of three from this body has been appointed to wait upon the Governor, and inform him that the Senate has completed its organization, and is ready for the transaction of business—said committee consisting of Messrs. Ives, Winton, and James.

All of which is respectfully submitted.

L. B. MOORE,  
 Secretary.

STATE OF NEVADA, SENATE CHAMBER, }  
 December 13th, 1864. }

To the Hon. the Assembly of the State of Nevada:

By a resolution, the Secretary is ordered to inform the House that the Senate has completed its organization, and is ready to proceed to business.

L. B. MOORE,  
 Secretary of Senate.

For Porter, [Mr. Patten, of Storey, nominated Mr. John Stewart, of Storey County.

Mr. Denson, of Ormsby County, nominated J. B. Cormack, of Ormsby County.

The House had a *viva voce* vote, with the following result:

Whole number of votes.....	35
Necessary to a choice .....	18

Of which

Mr. Cormack received.....	18
Mr. Stewart.....	17

Those voting for Mr. Stewart were Messrs. Beck, Bolan, Bien, Bishop, Bond, Cutter, Hineckley, Greeley, Myrick, Mayhugh, Patten, Rigby, Shackleford, Sine, Smith, Young, and Mr. Speaker.

Those voting for Mr. Cormack were Messrs. Bearss, Brown, Cary, Denson, Dun, Haskell, Nichols, Small, Epstein, Lee, Parker, St. Clair, Hawkins, McKeeby, Rosenblat, Toombs, Walter, Wellington.

J. B. Cormack having received a majority of the votes of the members of the House was declared duly elected Porter of the House.

For Pages, Mr. Cary, of Ormsby County, nominated Frank Hildreth, of Ormsby.

Mr. Bishop, of Storey County, nominated Ferman Barclay, of Storey.

Mr. Hineckley, of Lander, nominated Master Charles Eaves, of Lander County.

Mr. Epstein, of Douglas, nominated F. H. Hackett, of Ormsby.

The House had a *viva voce* vote, with the following result:

Whole number of votes. ....	35.
Necessary to a choice.....	18

Master Barclay received.....	13
Master Eaves .....	23
Master Hackett.....	1
Master Hildreth.....	33

Those voting for Master Barclay were Messrs. Bolan, Bien, Bishop, Bond, Cutter, Greeley, Myrick, Patten, Rigby, Smith, St. Clair, Young, and Mr. Speaker.

Those voting for Master Eaves were Messrs. Brown, Beck, Cary, Denson, Dun, Epstein, Hinckley, St. Clair, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Rosenblatt, Small, Shackelford, Sine, Toombs, Walter, Wellington.

The one voting for Master Hackett was Mr. Bearss.

Those voting for Master Hildreth were Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Masters Eaves and Hildreth having received a majority of the votes of the members were declared duly elected Pages of the House.

For Messenger, Mr. Lee, of Lyon County, nominated Ferman Barclay, and on his motion Master Barclay was unanimously elected by acclamation.

W. B. Fulwiler, Enrolling Clerk, Chauncey Stewart, Assistant Clerk, and Jacob Levison, Assistant Sergeant-at-Arms, severally came forward and qualified by taking the prescribed oath of office, and entered on the discharge of their respective duties.

Mr. Lee offered the following resolution :

*Resolved*, That the Speaker of this House appoint a committee to act with a similar committee appointed by the Senate, to wait on his Excellency the Governor, and inform him that this House is now organized and ready to proceed to business, and ready to receive any communication he may be pleased to make.

Adopted.

Mr. Lee offered the following resolution :

*Resolved*, That the rules and orders of the House of Representatives, adopted for the session for one thousand eight hundred and sixty-three, for Nevada Territory, be adopted for the government of this House until otherwise ordered.

Adopted.

Mr. Bond offered the following resolution :

*Resolved*, That the House proceed to elect a Chaplain.

Mr. Patten offered the following resolution as a substitute :

*Resolved*, That we invite the officiating Union clergymen of this city to open each session hereafter of this House by prayer, each to officiate upon such day as they can agree upon among themselves.



Mr. Cutter moved the indefinite postponement of the substitute offered by Mr. Patten.

Lost—Ayes, 13; noes, 17.

Mr. Cutter moved that the whole subject matter of the election of Chaplain be laid on the table.

Agreed to.

Mr. Patten offered the following resolution :

*Resolved*, That a committee of five be appointed by the Speaker to prepare and report rules for the government of the Assembly, and that such committee be authorized to act with a similar committee from the Senate on joint rules; and, further, that the Speaker be one of that committee.

Adopted.

Mr. Bien, of Storey, offered the following :

WHEREAS, The first act of this Legislature for the newly risen State of Nevada should be one appropriate with the cotemporary gigantic national events, and in unison with our important duties fraught with the utmost consequences to this commonwealth ; be it therefore

*Resolved*, by this Assembly, the Senate concurring, That we perceive with deep gratitude in the course of the American history of our days, even in the midst of trials and struggles, the guiding and watchful hand of Providence, who has placed the right men at the right hour into the right positions, and who has stood thus far by the true patriots, civic, military, and naval, in their efforts to crush rebellion, restore the Union, and uphold the rights, liberties, and privileges of an enlightened people.

*Resolved*, That we congratulate the American Patriots on the result of the late election, especially as regards the Presidency, and that we deem this result as one of our most decisive victories, which will chiefly aid to ultimately secure peace, tranquility, and restore union to our now convulsed country.

*Resolved*, That the re-election of Abraham Lincoln as Chief Magistrate of these United States is an epoch in our national records, in which will be inscribed the immortal evidences which gave to this Republic the unconditional faith in his character, abilities, honesty, and willingness to steer the ship of State into the port of safety and security.

*Resolved*, That the profoundest thanks of the people of Nevada, with all true Americans, are eminently due, and are hereby fully tendered by us, to our brave hosts in the army and navy, and their noble leaders; that we are proud of our heroes, Grant, Sherman, Porter, and numberless others, who gallantly fight the battles of our country, and that we watch with throbbing pulses every one of them and their God-speed victorious proceedings.

*Resolved*, That we, as Representatives of the people of Nevada, pledge our lives, honor, and fortunes to the service of our country, to exterminate treason from the land, to wrest the sword of rebelldom from the fratricidal hand, that the supremacy of the constitution be re-established from North to South, from East to West, and the stars and stripes again be honored, respected, and duly acknowledged, as far as reaches civilization and as wide as extends humanity.

*Resolved*, That a copy of these resolutions, signed by all the individual members of the Senate (if concurring) and Assembly, duly authenti-

cated by the Secretary of State, with the great seal of Nevada, be placed in the hands of our United States Senators, to be transmitted by them to his Excellency Abraham Lincoln, President of the United States.

Laid over one day under the rules.

Mr. Cutter offered the following concurrent resolution :

*Resolved*, by the Assembly, the Senate concurring, That the two Houses meet in joint convention, for the election of two United States States Senators, on Wednesday, the fourteenth instant, at one o'clock P. M.

The resolution was read for the information of the House.

Mr. Hawkins moved that the rules be suspended, in order that the concurrent resolution just offered might be acted on immediately.

The question was put on suspending the rules, and lost by the following vote: Ayes, 20; noes, 13—two thirds not voting therefor.

So the resolution was laid over one day under the rules.

Mr. Patten moved to adjourn till ten o'clock A. M. to-morrow.

Lost.

Mr. Myrick moved that the Clerk of the House be authorized to appoint one Deputy Clerk.

On this, the ayes and noes were ordered by the members.

On calling the roll, the motion was agreed to by the following vote—Ayes, 19; noes, 16; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cary, Cutter, Dun, Epstein, Hawkins, Lee, Myrick, McKeeby, Parker, Rosenblatt, Small, Sine, Smith, Walter, and Mr. Speaker.

Those voting in the negative were—

Messrs. Beck, Brown, Bolan, Denson, Greeley, Haskell, Mayhugh, Nichols, Patten, Rigby, Shackelford, St. Clair, Toombs, Wellington, Young.

Mr. Myrick moved that the Sergeant-at-arms be directed to procure a clock for the use of the Assembly Chamber.

Agreed to.

Mr. Walter moved that the House do now adjourn till to-morrow, at ten o'clock A. M.

Agreed to.

So the House, at twelve o'clock and ten minutes, adjourned till ten o'clock A. M. to-morrow.

---

### THIRD DAY.

WEDNESDAY, December 14th, 1864.

The House convened at ten o'clock, pursuant to adjournment, and was called to order by the Speaker.

On calling the roll the following members were present: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker,

Patten, Rigby, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Those who were absent were: Messrs. Smith, St. Clair, Rosenblatt, Epstein, Dun, Bien.

Journals of yesterday read and approved.

The Speaker appointed on Standing and Joint Rules, Messrs. Lee, Parker, Haskell, Bond and Cutter.

Mr. Cutter moved that the concurrent resolution of yesterday that the House and Senate go into joint convention for the election of United States Senators, be taken up.

Agreed to—Ayes, 21; noes, 12.

Those voting in the affirmative were: Messrs. Brown, Bolan, Bien, Bond, Cary, Cutter, Denson, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, Toombs, Walter, Wellington.

Those voting in the negative were: Messrs. Bearss, Beck, Bishop, Epstein, Greeley, Hinckley, Myrick, Small, Shackelford, St. Clair, Young, and Mr. Speaker.

The question recurring on the adoption of the said concurrent resolution, Mr. Bearss moved to amend the same by striking out the words "Wednesday" and "14th," and inserting the words "Thursday" and "15th," in lieu thereof.

The ayes and noes were ordered.

On calling the ayes and noes, the motion to amend was agreed to by the following vote—Ayes, 17; noes, 16.

Those voting in the affirmative were:

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Denson, Epstein, Greeley, Hinckley, Lee, Myrick, Parker, Small, Shackelford, St. Clair, Walter, Young.

And in the negative—

Messrs. Brown, Bond, Cary, Cutter, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Sine, Toombs, Wellington, and Mr. Speaker.

The question recurring on the final passage of the concurrent resolution as amended, the ayes and noes were ordered thereon.

On calling the roll, the resolution was adopted by the following vote—Ayes, 30; noes, 3.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Toombs, Walter, Wellington, Young, Mr. Speaker.

Those voting in the negative were—

Messrs. Myrick, Nichols, St. Clair.

So the resolution as adopted read as follows:

*Resolved*, By the Assembly, the Senate concurring, That the two Houses meet in joint convention for the election of two United States Senators on Wednesday, the fifteenth instant, at one o'clock, P.M.

Mr. Shackelford offered the following:

*Resolved*, That the Secretary of State be, and he is hereby, requested to deliver to the Clerk of this House the following books, used by the late Territorial House of Representatives, now in his charge, viz: No. 1, Register of Bills. No. 2, General Orders. No. 3, Third Reading Book.

No. 4, Register of Bills transmitted to the Governor, and the Register of Petitions and Remonstrances.

Mr. Lee, from the select committee to wait on the Governor, submitted the following

## REPORT.

*Mr. Speaker :*

The joint select committee appointed to wait upon the Governor, and inform him that the House was now organized and ready to receive any communication he might be pleased to make, report that they have conferred with his excellency, and that he will be ready to communicate with the House to-day at eleven o'clock, A. M.

[Signed]

W. M. G. LEE,  
E. PATTEN,  
D. C. HASKELL.

The report was received, and the committee discharged.

## NOTICE OF BILLS.

Mr. Denson gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act concerning Specific Contracts."

Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act regulating the Elective Franchise," etc.

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill to regulate attachment proceedings.

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to regulate Proceedings in Civil Cases in the Courts of Justice in this State."

Mr. Bond introduced a bill entitled "An Act relating to Elections, and the manner of holding the same; Qualifications and Registrations of Electors; Removals from Office, and the manner thereof; Vacancies in Office, and the manner of filling the same; Contested Elections, and the manner thereof; Offices and Officers, and prescribing penalties to enforce official duty, and to punish extortion, frauds, embezzlement, and misconduct in office."

Mr. Bien called up House Concurrent Resolution No. 2, offered by him yesterday, relative to national affairs.

By request, the Clerk read the resolution for information of the House.

On motion of Mr. Bond, the resolutions were laid on the table for reference to the Committee on Federal Relations when that committee should be announced.

The Speaker submitted the following

## COMMUNICATION.

DEPARTMENT OF STATE, }  
CARSON CITY, December 14th, 1864. }

*To the Hon. CHARLES W. TOZER, Speaker of the Assembly :*

Sir—I have the honor to announce that Thomas Wells, Esq., has been appointed private secretary to the Governor, under an appointment bearing date December fifth, A.D. one thousand eight hundred and sixty-four, and which is now on file in my office.

[Signed]

C. N. NOTEWARE,  
Secretary of State.

## INTRODUCTION OF MOTIONS AND RESOLUTIONS.

Mr. Denson offered the following—

*Resolved*, That Robert Pixley be, and is hereby, elected as an additional messenger of the House, and that both messengers act as pages also when present.

Adopted.

Mr. Smith offered the following—

*Resolved*, That the Sergeant-at-Arms of the House be empowered to furnish paper, stamps and envelopes for members of this House.

Mr. Bond moved to lay the resolution on the table.

Lost—Ayes, 15; noes, 16.

Mr. Bond moved that the resolution be referred to a select committee of five.

Agreed to.

The Speaker appointed Messrs. Bond, Smith, Bearss, Hawkins, and Denson as such committee.

Mr. Cutter offered the following—

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized to procure such articles as may be necessary for the use of the House exclusive of stationery and stamps.

Adopted.

Thos. Wells, Esq., the private secretary of the Governor, submitted the following annual message of his excellency :

## MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, December 14, 1864. }

*Gentlemen of the Senate and Assembly :*

Upon the first Legislature of a new State is devolved a responsibility demanding the exercise of the most patient research and the soundest discretion. A carefully considered Constitution has been adopted by the people, the provisions of which are to be rendered operative by legislative enactments. Within its restrictions, and in obedience to its high authority, you and I have solemnly sworn to perform our allotted duties, and regulate and set in motion the machinery for the protection and government of the community owing to it their allegiance. In the older States, from which most of our people came, the ordinary subjects of legislation find ample precedents to serve as guides; and the experience of sister sovereignties may be invoked to enlighten us, so far as subjects requiring consideration are analogous. But we are, comparatively, without example in regard to the great universal resources which constitute our paramount interest, and demand the display of the most judicious management. Relying, as I do, upon the aid of Divine Providence to discharge the exalted trust reposed in me by our constituents, I shall co-operate with you in the enactment of such laws as shall be deemed promotive of the public welfare, tend to the protection of property, the preservation of personal liberty, and the fostering and advancement of the interests of the State.

The Constitution imposes upon me the duty of communicating to you, by message, the condition of the State, and recommending such measures as I may deem expedient. By its provisions, the officers of the Territory were continued in office until the time specified for their successors to qualify. Reports from the several Departments furnish you with detailed statements. They have been handed to me so recently, that I can do little more than commend them to your careful consideration.

No subject will engage your attention more immediately affecting all classes, than that of taxation. We embark with a debt inherited from the Territory, approximating the sum of two hundred and sixty-four thousand dollars, exclusive of the expenses of the last Constitutional Convention, with an empty treasury, and without resources for several months to come. Not an encouraging prospect, but one understood by our constituents when they decided to adopt a State Government.

However, if economy characterize expenditures, and you are successful in framing a well-devised revenue system, we shall be able to place the State upon a cash basis, and render the burdens of government comparatively light. If payment of the State officials be postponed until revenue is collected from taxation, many of them may be compelled to dispose of their warrants at ruinous rates of discount. Besides, such expenditures as the State will be required to make for purposes other than meeting salaries will be greatly augmented, unless we are in a condition to pay treasury orders on presentation.

The expenses of the State Government will, with the utmost economy, be necessarily large during the ensuing year, and will approximate the sum of \$175,000, exclusive of principal and interest of the Territorial debt, to be paid during 1865, amounting to \$92,000.

The amount of revenue to be collected for the last fiscal year, as shown by the late Territorial Auditor's report, will not probably exceed \$70,000.

It becomes necessary, then, to provide for the large deficiency.

I therefore submit for your consideration the following suggestions in this connection:

The prompt passage of a law levying one per cent. upon all real and personal property subject to taxation, to be assessed by the first of April next, and collected before the first of July following. I am satisfied that real and personal property tax can be more readily collected at this than at any other time of the year, as ordinarily at that period there is more money in the country, and less demand for its use.

A general license tax, payable quarterly; and also a poll tax, to the extent contemplated by the Constitution. The use of stamps, although somewhat inconvenient, is a ready method of collecting, in small sums, a very considerable aggregate. I would therefore recommend a "stamp tax" on all deeds, mortgages, leases, bonds, bills of exchange, promissory notes, checks, receipts, etc., similar in its general provisions to that of the Federal Government.

Provision for our present wants might be made by the issuance and sale of bonds, say \$100,000, payable on the first of October next, bearing such rate of interest as would ensure their sale at par. This may be safely done, as so much of the taxes will have been collected as to guarantee the payment of such bonds at maturity.

In any event, some efficient mode of raising money for the payment of current expenses should be speedily adopted, if we wish to proceed upon an economical cash basis. It is more than probable that with the

natural flow of capital into the State, encouraged by judicious legislation for its protection, and the progressing development of our natural wealth, the amount of our taxable property will be so much increased, that another year will find us able to reduce materially, the rate of taxation from that suggested.

Though the result of some anxious thought, I am aware that the foregoing suggestions are perhaps crude. They may, however, afford a basis for action; but should a better plan be digested by your honorable bodies, I shall readily and cheerfully concur therein.

In making appropriations of the public money, I trust you will constantly keep in view these important facts—that the amount of taxable property within the State is quite limited, that our population is comparatively small, and that our people draw largely upon their income, cheerfully it is true, in response to the great needs of the Union, in her gigantic efforts to sustain our nationality.

The amount of public debt which may be contracted, and the rate of taxation which may be levied, being confined within constitutional bounds, you will readily perceive the most exact and rigid economy will have to be observed in the management of our financial affairs; and I earnestly hope no offices will be created, or employment given, which shall become a charge upon the public revenues, unless such shall be absolutely indispensable; and that in all cases compensation should be fixed at moderate rates. The salaries of such State officials as are named in the Constitution, are specified in that instrument, and I need not suggest that they do not respectively exceed the necessary expenses of incumbents. In this connection, you will be expected to determine the kind of currency in which the revenues shall be payable. You will not overlook the fact that, by common consent, and at the instance of common convenience, gold and silver form the basis of all private dealings; and that upon this standard remuneration for services is predicated. We may therefore assume that the framers of our fundamental law, in establishing the salaries of officers, anticipated that the Legislature would so model the revenue system, as to place State transactions upon the footing occupied by those of the community at large.

The interests of this State are so nearly allied to those of California, that we shall probably find it to our advantage to assimilate our revenue system, and laws for the enforcement of private contracts, as nearly as may be to those of that State. They have an established policy which, from community of interest, has exerted an influence in giving shape to ours. The enterprise and adventure which have been so signally manifested by our people, have been participated in by them. Their capital has been mingled with ours in the march of improvement. Our interests are so interwoven with theirs that I apprehend, unless there is harmony on the currency question, serious embarrassments will ensue. Whether adhering to a policy differing so widely from that which obtains in the Atlantic States has been conducive to the public good, whether it was wise in its conceptions, will divide the opinions of able financiers. But it has become so thoroughly engrafted upon all public and private transactions in the Pacific States, that any departure therefrom would tend to disturb and unsettle what is now received as an established order of affairs.

The power of the Legislature to grant special privileges is so carefully guarded and circumscribed that I find little occasion for suggestion on this point. Heartily approving, as I do, the restrictions imposed on legislative discretion in this behalf, I trust there will be no difference of

opinion between the executive and legislative departments on the proper construction of the Constitution, and that no attempts will be made to exceed the authority so plainly described. The bestowment of exclusive grants tends to the centralization of wealth, separates communities into classes, imposes burdens upon that portion of the people least able to bear them; invites interference with, and exerts a powerful influence over, the body politic, and pre-occupies the avenues to those individual enterprises, which, when left untrammelled, so rapidly develop and expand the important interests of the State. While such special grants as were given by the Territory have been guaranteed by the adoption of the Constitution, and are thereby placed above the reach of legislative interference, we may congratulate ourselves that the future, in this respect, is safe.

You are required to provide for organizing and disciplining the militia of the State, the encouragement of volunteer corps, and the safe-keeping of the public arms. The struggle in which the mother government is now so nobly contending, the vast expenditures she is making to maintain an unimpaired nationality, the possibility—remote, I trust—of disturbance within our State borders, will admonish and stimulate you to make provision for the preservation of peace and good order, such as the abundant materials at hand afford.

Our isolation and the difficulty of obtaining speedy assistance in the event of trouble, our proximity to Indian tribes not always friendly, are cogent reasons for giving this subject your deliberate consideration. Our people will organize and discipline themselves, if a convenient plan is made and the necessary arms furnished. There must be system, or there will be lack of efficiency. Expenditures in this behalf will be cheerfully approved by the people, knowing, as they do, that the most effectual mode of avoiding a disturbance is ample means for its suppression.

The fundamental law of the State imposes upon you the duty of providing for an uniform system of common schools, and the founding of a State University. By the bounty of the Federal Government, and the authority invested in the legislative department to levy a special tax for educational purposes, there exists the nucleus for placing the acquirement of a practical education within the reach of every child in the State. The advantages accruing to the body politic, arising from an educated, well-informed thinking population, must be obvious to those into whose hands our people have confided the law-making power. Universal education is no longer an experiment of doubtful policy. Its general diffusion has been found promotive of piety, good order and a becoming regard for the constituted authorities. It induces the citizen to respect himself, and thus command the respect of others. Under that liberal and enlightened system of government which pervades all our institutions, and which guarantees to every citizen, however humble his station in life, a voice in the management and direction of State affairs, too much importance cannot be attached to a judicious inauguration of that system, which is to have such an important bearing upon the future prosperity and reputation of the State. I conjure you, therefore, to give your early and earnest attention to this subject; and by the wisdom of your enactments relating thereto, to lay broad and deep the foundation of that superstructure, on which shall rest the future moral, social and political well-being of our people. Although the General Government has made princely donations of lands which ours has appropriated to educational purposes, the experience of other States, to



which the same liberality has been extended, should teach us that the children of the present generation are not likely to receive the full benefit thereof, without further Congressional legislation. The uniform construction of these grants by the Department at Washington, has been that the State cannot convey title to any specific tracts, until the public lands shall have been surveyed, and the selections made by the State, recognized by Federal authority. This will be the work of many years, with such meager appropriations as will probably be made for that object. It is not only highly important for the purposes for which we have dedicated these lands, but for the general prosperity of the State, that our citizens should early become the owners of the soil which they cultivate, and on which they expend large sums in the erection of houses, mills, places of business and manufactories. Nothing tends more to the prosperity and stability of a people, than secure titles to real estate. It seems to me that Congress would cheerfully provide that the State authorities may select and survey, in conformity with the regulations for making United States surveys, the lands which are to become the property of the State, subject to the approval of such Surveyor-General as shall have jurisdiction in this Department. But I am not wedded to any particular mode, for the accomplishment of the desired object, and only ask the early and careful attention of the Legislature thereto.

Humanity requires that some general plan be devised for the care and support of such persons as from disease, poverty, or natural infirmities, "may have claims upon the sympathy and aid of society." To this end, county institutions may be organized, which it is hoped will be upon a sufficiently comprehensive scale, to avoid the necessity of founding immediately, such asylums for the comfort of the insane, blind, deaf and dumb, as would be a credit and honor to our people. In a short time our rich treasure-fields will have so expanded the wealth of the State, and so largely augmented its assessment rolls, that our benevolent institutions can then be established on a basis creditable to the State, and become enduring monuments to the humanity and liberality of its citizens.

Last winter some alarm was created by a proposition, discussed in Congress, to tax the proceeds of the mines. The title to these is unquestionably held by the General Government, and our people rest their claims thereto on possession alone. But the Federal Government has so long acquiesced in the tenure relied upon, not only in Nevada but in all the Pacific States, and by its non-interference invited and induced its citizens to embark in the hazardous pursuits of mining, that vast amounts of labor and capital have been laid out and expended, upon the implied assurance that there would be no departure from what seemed to have become the fixed and settled policy of the country. Upon this tacit understanding, extending over a period of fifteen years, the miner and capitalist have been stimulated to assume the risks of an uncertain calling. The adventurer, permitted to enjoy the undivided fruits of his toils, encouraged by that fostering care so generously extended to the citizens of the Republic, has predicated his plans and calculations upon an acquiescence indulged in by the Government, so long as to well nigh make it a rule of property. Nature has lavishly distributed the precious metals through the length and breadth of our State. The rapid increase of the population of Nevada, the evidences everywhere existing of the enterprise and prosperity of our people, furnish ample proof of the abundant wealth which has induced settlement here. And yet, our State is in its infancy, not alone in years, but in all the elements which

make up the framework of a great and powerful people. Our search for minerals, and our development of mines have been confined to small and limited districts, compared with our vast jurisdiction. Upon prospects so cheering and certain of realization no cloud should lower. Enterprise and adventure should be encouraged to continue the search for treasure unrestrained and unencumbered. That such will be the continued policy of the Government, I have no serious doubt. Besides, we shall soon be represented in each branch of the national councils by gentlemen whose ability and knowledge of this subject will enable them to explain our condition and necessities in this respect.

It is to be regretted that there is no regulation provided for the collection of facts in regard to the products of the mines. I recommend that it be made the duty of the County Assessor of each county to gather statistical information on this point, and transmit statements thereof to one of the State departments, to be laid before the Legislature, and thus reach the people.

Among the agencies which are to exert a powerful influence upon the growth and prosperity of our new State, the Pacific Railroad occupies a prominent position. Situated in the "Great Basin," between the Rocky Mountains and the Sierras, with no navigable rivers, and consequently no distinct water communication with the harbors of the Pacific, we are dependent upon the Railroad for the means of a more direct, rapid and cheap communication with the Pacific ocean than we now possess. The completion of this great national work from the points now reached, to and across our State, will greatly reduce the cost of freight and passage, add to the value of property, open new sources of industry, and stimulate those already existing, to an extent which cannot be over-estimated. In time of war it would prove of vast advantage as a means to aid in resisting invasion or suppressing insurrection. In view of the many advantages which would be conferred upon the people, either in peace or war, by the completion of this road, it would seem that their interests justify the adoption of such legislative policy, within the limits of the Constitution, and the financial ability of the State, as would most effectually aid and press forward this greatest enterprise of the age.

An issue formerly existed between the State of California and the Territory of Nevada, as to the true location of the line dividing the two jurisdictions. We have defined our limits on the west by the eastern boundary of that State. Hence, the line has been established, unless negotiations with our sister State result in her relinquishment to us of the district in question, which would be of value to us and is of little importance to her. I recommend that you take some action in this matter.

You are required by the Constitution to provide, "by law, for the registration of the names of the electors within the counties of which they may be residents, and by the ascertainment by proper proofs of the persons who shall be entitled to the right of suffrage," "to preserve the purity of elections and to regulate the manner of holding and making returns of the same." The just and convenient execution of a "Registry Act" will be attended with some labor and expense. But the advantages and benefits to be secured thereby outweigh these considerations.

In long settled and permanently established communities, where every voter is personally known to those charged with deciding the admissibility of the ballot, laws upon this subject are not so essential and may be dispensed with. But where a State is so suddenly peopled as ours,

the population so migratory, and the accessions to our numbers so constant, it is highly advisable that every safeguard, even at some cost and inconvenience, should be thrown around the elective franchise and the purity of the ballot-box.

The overwhelming majority cast at the late Presidential election in favor of the supremacy of Federal authority, and the maintenance of an undivided country, is most gratifying to every loyal heart, and prompts the most devout thanksgiving to Almighty God for His signal favor in thus directing the public purpose. Surely, He has been kind to this great nation, in its season of perplexity and peril. His watchfulness has guided our rulers to the adoption of wise, though severe, measures for the perpetuation of free and liberal institutions. From the efforts of the lovers of equal rights to defend and uphold the most beneficent of all governments, He has never withdrawn the light of his countenance.

The success which has attended President Lincoln's Administration in preserving peaceful foreign relations amid so many novel and conflicting questions constantly arising, especially when a disposition so manifestly exists to embroil the Union in foreign complications—the energy displayed in the prosecution of the war—the magnitude of the proportions to which the army and navy have been brought—the brilliant achievements which have crowned their efforts—testify conclusively in favor of the prudence, the patriotism, the discretion and determination by which the destinies of the Republic have been guided and governed. The policy of the Administration, in the great paramount proposition to preserve inviolate and to the fullest extent the Union of the States, has met with such a spirited and united indorsement by the masses of the loyal States as to set at rest, for the full term of four years, the principles by which our rulers shall be guided. War did not exist, though threatened, at the time when Mr. Lincoln was first chosen President. When he entered upon the discharge of his duties, the country did not realize the magnitude of the preparation already made to destroy the Government. The mutterings of civil strife elicited the serious attention of the more reflecting; but the great body of the people were unprepared for succeeding events, incredulous as to the deep-dyed wickedness of secession, and could not be made to anticipate the gigantic struggle forcing itself upon them. The doubts of the hour, the conflicting opinions of the real friends of the Government, the dread of national indebtedness, the fear of onerous taxation, all found access to the Presidential ear, and were calculated to confuse rather than establish the line of Federal authority. A defeated but numerous party, smarting under the loss of power rather than actuated by a desire to see secession successful, distorted facts, poisoned the public mind, predicted national ruin, discouraged enlistments, fraternized with traitors, thus embarrassing the Administration, and extending aid and comfort to the enemy.

But the President rose with resolution and determination equal to the emergencies of the occasion, and conscientiously proceeded to fulfil his solemn vow to his country and his God, to preserve the Constitution and the Union. With his progress the people kept pace. As their patriotism became manifest—as they realized the magnitude of the crime of secession—as their national pride became aroused—as fast as they invited taxation in support of the holy cause, and consented to dedicate their lives to the service of the country—in harmonious accord therewith did the President enlarge his plans, expand his policy and elaborate means for sustaining and vindicating the majesty of the law, and the paramount obligation of the Federal authority. Slow to move,

but terrible in their might, the great mass of the people of the loyal States have harmonized with the Administration. In an unprecedented short space of time, the most efficient and powerful navy in the world has been created, and now stands sentinel around thousands of miles of the national seaboard, floating the flag of freedom in every quarter of the globe, and compelling the respect of those jealous of our greatness and who desire our dismemberment. There have been marshaled and led to fields of victory and immortal fame, armies numbering hundreds of thousands, better disciplined and more thoroughly equipped with the enginery of destruction and death than ever before recorded the horrors of war, or marked the progress of an intelligent people moving in their majesty for the maintenance of the right.

If the Administration has ever been in doubt as to the real position occupied by the masses on the issues of the hour, that doubt was unmistakably solved at the last Presidential election. For four years to come, the policy of the country has been proclaimed through the ballot-box. The issue to quiet the title to the Union, in its length and breadth, its bays and harbors, its inland seas and rivers, its boundless plains, stretching from ocean to ocean, its brief but marvelous history, its individual and universal liberty and freedom, has been tried and sustained by a court from which there is no appeal, a court possessing the power to carry out and enforce its own decrees and to execute its own mandates. War is now the settled, approved policy of the country. With all its sacrifices, its onerous burdens, its deranging tendencies, it has been deliberately accepted by the people. The fiat has gone forth that so long as there remains an armed traitor in the land, the war must and shall be waged.

But notwithstanding this solemn resolution has been so deliberately taken, I most devoutly hope and pray that better and wiser counsels may prevail in the revolted States; that reason and patriotism may regain the ascendant; that the beneficent blessings of peace may soon pervade the whole country; and that the authority of the Constitution may everywhere be recognized, unquestioned and unchallenged. May Almighty God so breathe His spirit into the hearts and minds of all as to hasten the dawning of the day so devoutly and earnestly desired!

And now, in conclusion, permit me to say that, while I have purposely avoided the mention of some matters from the lack of present information, and while many subjects of importance have probably been overlooked in this communication, still, as it will be my privilege and duty to make suggestion from time to time to your honorable bodies, such omissions may be hereafter supplied.

Let the different branches of our State government work together in harmony, with unselfish desire to promote the interests of the State of Nevada, and thus we shall advance the cause of liberty and free government, and secure the best reward of public servants—the consciousness of duty well performed.

H. G. BLASDEL.

The Clerk had read a portion of the message, but had not gone through therewith, when Mr. Lee moved the further reading of the Governor's message be suspended, and that five hundred copies thereof be ordered printed.

Agreed to, and so ordered.

Mr. Bien moved to reconsider the vote just taken.

Lost.

Mr. Mayhugh offered the following—

*Resolved*, That the different subjects of the Governor's message be referred to the appropriate committees.

Agreed to.

Mr. Bishop moved that the Clerk of the House be authorized to appoint an additional deputy at the desk.

Mr. Hawkins moved to lay the motion on the table.

On this the ayes and noes were ordered.

On calling the roll, the motion was decided in the affirmative by the following vote—Ayes, 21 ; noes, 13.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bond, Cary, Denson, Epstein, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Sine, Wellington, Young.

Those voting in the negative were—

Messrs. Bearss, Bishop, Cutter, Greeley, Lee, Parker, Patten, Rosenblatt, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

So the motion was laid on the table.

Mr. Myrick moved to take from the table the resolution relative to the chaplains, laid on the table yesterday.

Agreed to.

The question pending being the adoption of a substitute resolution, offered by Mr. Patten for the one offered by Mr. Bond yesterday, as set forth in the journal.

Mr. Cutter moved to amend by adding to the substitute, the words "provided they shall receive no compensation for such services," which amendment was accepted by Mr. Patten.

Mr. Mayhugh moved to indefinitely postpone the whole subject.

On this the ayes and noes were ordered.

On calling the roll, the motion was lost by the following vote—Ayes, 16 ; noes, 18.

Those voting in the affirmative were—

Messrs. Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Greeley, Hawkins, Mayhugh, Parker, Patten, Rosenblatt, Sine, St. Clair, Walter.

Those voting in the negative were—

Messrs. Bearss, Beck, Bond, Epstein, Hinckley, Haskell, Lee, Myrick, McKeeby, Nichols, Rigby, Small, Shackelford, Smith, Toombs, Wellington, Young, Mr. Speaker.

The question recurring on the adoption of the substitute resolution, it was ordered that the question be divided so as to first put the first or original part of the substitute resolution, and, second, the accepted amendment offered by Mr. Cutter.

The question was then put on the first division and carried.

On the second division, the ayes and noes were ordered.

On calling the roll, the same was adopted by the following vote—in the affirmative, 20 ; in the negative, 14 ; as follows :

Those voting in the affirmative were—

Messrs. Brown, Bolan, Bien, Bishop, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Small, Sine, St. Clair, Walter.

Those voting in the negative were—

Messrs. Bearss, Beck, Bond, Cary, Haskell, Lee, Myrick, Rigby, Shackelford, Smith, Toombs, Wellington, Young, Mr. Speaker.

So the substitute resolution of Mr. Patten as amended was adopted, and the original resolution offered by Mr. Bond consequently fell.

The resolution as adopted stands as follows :

*Resolved*, That we invite the officiating Union clergymen of this city to open each session hereafter of this House by prayer, each to officiate on such day as they can agree upon among themselves; *provided*, they shall receive no compensation for such services.

By unanimous consent of the House, Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act providing for the survey and establishment of a Boundary Line between the State of Nevada and the State of California, commencing at the town of Aurora and running southeast to the thirty-seventh degree of latitude."

By unanimous consent, Mr. Cutter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to create a Contingent Fund for the Senate and Assembly."

By unanimous consent, Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting."

Mr. Hawkins moved that the House do now adjourn till to-morrow, at ten o'clock A. M.

Lost.

Mr. Bishop moved that the House do now take a recess till two o'clock P. M.

Lost.

Mr. Hawkins again moved that the House adjourn till ten o'clock A. M. to-morrow.

Agreed to.

So the House adjourned, at twelve o'clock M. till ten o'clock A. M. to-morrow.

---

#### FOURTH DAY.

THURSDAY, December 15th, 1864.

The House convened at ten o'clock, pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, the following members were present—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, Toombs, Walter, Wellington, Mr. Speaker.

And the following were absent—

Messrs. Small, Shackelford, Smith, St. Clair, Young.

The journal of yesterday was read and approved.

## COMMUNICATION FROM THE SECRETARY OF STATE.

The following communication was received from C. N. Noteware, Secretary of State:

DEPARTMENT OF STATE, }  
CARSON CITY, December 14, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

Gentlemen:—In transmitting the books of Legislative records called for in your resolution passed this day, I have to say that in my opinion, so far as this office is concerned, great confusion will arise from a combination in one book of Territorial and State matters.

Very respectfully, your obedient servant,  
C. N. NOTEWARE,  
Secretary of State.

Laid on the table.

## NOTICES OF BILLS.

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for the formation of Corporations for certain purposes."

Mr. McKeeby gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act relating to Elections and the manner thereof, mode of supplying vacancies," etc.

Mr. Bond moved that the introduction of all bills be deferred until to-morrow.

Lost.

At a quarter after ten o'clock, Mr. Denson moved that the House take a recess until half past twelve o'clock P. M.

Agreed to.

So the House took a recess till twelve and a half o'clock P. M.

## AFTERNOON SESSION.

12½ O'CLOCK P. M.

On calling the roll, the following members were present—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, Mr. Speaker.

Those who were absent were—

Messrs. Brown, Bolan, Bien, Epstein, Patten, Small, St. Clair.

Present, 28; absent, 7.

## MESSAGE FROM THE SENATE.

The following communication was received from the Senate:

STATE OF NEVADA, }  
SENATE CHAMBER, December 15, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I have the honor to inform your honorable body that the Senate has concurred in House Concurrent Resolution No. 1, and that the Senate

will meet the House in joint convention, at one P. M. to-day, for the election of United States Senators.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary.

RESOLUTIONS.

Mr. Hawkins offered the following resolution :

*Resolved*, That the Pages and Messengers of the Assembly be, and are hereby, ordered to act as paper folders, and the Sergeant-at-Arms is hereby authorized to furnish them with the necessary material for that purpose.

Adopted.

Mr. Smith offered the following :

*Resolved*, That the Speaker of the House appoint a select committee of five, who shall report salaries for the officers of the House, and that until the salaries of said officers are so fixed, they shall receive out of the State Treasury the same per diem as the officers of the last Territorial House of Representatives.

Mr. Patten moved to lay the resolution on the table.

Agreed to, and so ordered.

Mr. Parker moved that the Clerk inform the Senate that the House were ready to go into joint convention.

Mr. Young gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to regulate the Compensation of the Attachés of the Legislature of Nevada."

L. B. Moore, Secretary of the Senate, made a verbal communication to the House that the Senate were ready to go into joint convention, and at one o'clock P. M. the honorable the Senate of the State of Nevada, preceded by the Lieutenant-Governor and its Sergeant-at-Arms, Thomas Peasley, were announced at the bar of the House for the purpose of going into a

JOINT CONVENTION.

The joint convention of the two Houses was called to order by Lieutenant-Governor Crosnan as President; L. B. Moore, Secretary of the Senate, and W. M. Gillespie, Clerk of the House, acting as Secretaries.

On calling the rolls of the Senate and Assembly, the following Senators and Assemblymen were present, viz :

Senators Haines, Doran, Ives, Hutchins, Thompson, Larrowe, Hobart, James, Proctor, Lockwood, Seely, Winton, Clagett, Kellogg, Sumner, Lambert, Slingerland.

Absent—Senator Hastings.

The Assemblymen present were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Shackelford, St. Clair, Wellington, Hinkley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Sine, Toombs, Young, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Smith, Walter, Mr. Speaker.

Present—17 Senators, 35 Assemblymen.



The Secretary then read the order for the convention, as follows :

*Resolved*, by the Assembly, the Senate concurring, That the two Houses meet in joint convention, for the election of two United States Senators, on Thursday, the fifteenth instant, at one o'clock P. M.

IN ASSEMBLY, December 14, 1864.

Passed.

W. M. GILLESPIE,  
Clerk.

IN SENATE, December 15, 1864.

Concurred in.

GEO. R. AMMOND,  
Assistant Secretary.

Mr. Haskell offered the following resolution :

*Resolved*, That when this convention proceeds to elect United States Senators, it shall vote for two at a time, and those two candidates for whom the highest number of votes are cast shall be declared elected ; *provided*, they each be voted for by a majority of the members composing this convention.

Adopted.

Senator Kellogg moved that the convention do now go into an election for two United States Senators.

Agreed to, and the following nominations were made :

Wm. M. Stewart, of Storey County, by Senator Clagett, of Storey County.

Charles E. DeLong, of Storey County, by Senator Slingerland, of Washoe County.

James W. Nye, of Ormsby County, by Assemblyman McKeeby, of Ormsby County.

John Cradlebaugh, of Ormsby County, by Senator Lockwood, of Ormsby County.

B. C. Whitman, of Storey County, by Assemblyman Shackelford, of Washoe County.

Assemblyman Hinckley, of Lander County, offered the following resolution :

*Resolved*, That the respective candidates put in nomination for the office of United States Senator be invited to address this convention upon the following points : First, Federal taxation of the mines. Second, The final settlement of our national difficulties.

Lost.

Senator Ives, of Esmeralda, moved that the two United States Senators when elected be invited to address the convention.

Agreed to.

Pursuant to order, the convention then proceeded to a *viva voce* vote for two United States Senators, in accordance with the provisions of the State Constitution.

The first vote resulted as follows :

Whole number of votes.....	52
Necessary to a choice .....	27

Of which

W. M. Stewart received.....	33
Charles E. DeLong.....	23
James W. Nye.....	23
John Cradlebaugh.....	12
B. C. Whitman .....	13

Those voting for W. M. Stewart were—

Senators Clagett, Doran, Hutchins, Ives, Larrowe, Lockwood, Seely, Sumner, Thompson; and Assemblymen Bearss, Brown, Bolan, Bien, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, Nichols, Patten, Rosenblatt, Rigby, Sine, Smith, St. Clair, Tozer, Walter, Wellington.

Those voting for James W. Nye were—

Senators Hutchins, Ives, Lambert, Larrowe, Proctor, Thompson; Winton; and Assemblymen Brown, Cary, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington.

Those voting for John Cradlebaugh were—

Senators Clagett, Doran, Haines, Hobart, James, Lockwood, Seely; and Assemblymen Denson, Epstein, Myrick, Patten, Small.

Those who voted for B. C. Whitman were—

Senators Haines, James, Kellogg, Slingerland, Sumner; and Assemblymen Beck, Bishop, Cutter, Epstein, McKeeby, Small, Shackelford, Young.

Those voting for Chas. E. DeLong were—

Senators Hobart, Kellogg, Lambert, Proctor, Slingerland, Winton; and Assemblymen Bearss, Beck, Bolan, Bien, Bishop, Bond, Lee, Myrick, Parker, Rosenblatt, Rigby, Shackelford, St. Clair, Toombs, Tozer, Walter, Young.

W. M. Stewart, having received a majority of all the votes given by the members of the joint convention, was by the President declared elected a United States Senator from the State of Nevada.

Assemblyman Bien moved that the joint convention do now adjourn until Saturday, at eleven o'clock A. M.

Senator Larrowe moved as a substitute, that the convention take a recess for five minutes.

Senator Kellogg moved to adjourn until ten o'clock A.M. to-morrow.

Assemblyman Hawkins, of Esmeralda, moved to lay the three preceding motions on the table.

The ayes and noes were ordered thereon by three members, and on calling the roll, the motion to lay on the table prevailed by the following vote—ayes, 37; noes, 15, as follows:

Senators voting in the affirmative were: Messrs. Hutchins, Hobart, Ives, Kellogg, Lambert, Larrowe, Seely, Slingerland, Thompson, Winton; and Assemblymen Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Walter, Wellington, Young, Mr. Speaker.

And in the negative were—

Senators Clagett, Doran, Haines, James, Lockwood, Proctor, Sumner; and Assemblymen Bien, Cutter, Epstein, Small, Sine, Smith, St. Clair, Toombs.

So the several motions were laid on the table.

The convention then proceeded to a second *viva voce* vote, resulting as follows:

Whole number of votes.....	52
Necessary to a choice.....	27
Of which	
James W. Nye received.....	23
Charles E. DeLong.....	17
John Cradlebaugh.....	9
B. C. Whitman.....	3

Senators voting for James W. Nye were Messrs. Hutchins, Ives, Lambert, Larrowe, Thompson, Winton; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington.

Those voting for John Cradlebaugh were—

Senators Clagett, Doran, Haines, James, Lockwood, Seely; and Assemblymen Epstein, Patten, Small.

Those voting for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter, Shackelford.

Those voting for Charles E. DeLong were—

Senators Hobart, Kellogg, Proctor, Slingerland; and Assemblymen Bearss, Beck, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, Mr. Speaker.

No one candidate having received a majority of the votes, Assemblyman Brown, of Humboldt, moved that a majority of all the votes cast be declared sufficient to elect a U. S. Senator.

The President ruled the motion out of order, inasmuch as the convention had already decided that point by the adoption of Assemblyman Haskell's resolution.

The convention then had a third *viva voce* vote with the following result:

Whole number of votes.....	52
Necessary to a choice.....	27
Of which	
James W. Nye received.....	23
Charles E. DeLong.....	17
John Cradlebaugh.....	9
B. C. Whitman.....	3

Those voting for James W. Nye were—

Senators Hutchins, Ives, Lambert, Larrowe, Thompson, Winton; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington.

Those who voted for John Cradlebaugh were—

Senators Clagett, Doran, James, Lockwood, Seely, Haines; and Assemblymen Epstein, Patten, Small.

Those who voted for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter and Shackelford.

Those voting for Charles E. DeLong were—

Senators Hobart, Kellogg, Proctor, Slingerland; and Assemblymen Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, Mr. Speaker.

No candidate having received a majority of the votes, Senator James moved to adjourn till half past nine o'clock A.M. to-morrow.

Assemblyman Cutter moved to lay the motion on the table.

Agreed to.

The convention then proceeded to a fourth *viva voce* vote, resulting as follows:

Whole number of votes.....	52
Necessary to a choice.....	27

Of which

James W. Nye received.....	23
Charles E. DeLong.....	17
John Cradlebaugh.....	9
B. C. Whitman .....	3

Those voting for James W. Nye were—

Senators Hutchins, Ives, Lambert, Larrowe, Thompson, Winton; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington.

Those voting for John Cradlebaugh were—

Senators Clagett, Doran, Haines, James, Lockwood, Seely; and Assemblymen Epstein, Patten, Small.

Those voting for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter and Shackelford.

Those voting for Charles E. DeLong were—

Senators Hobart, Kellogg, Proctor, Slingerland; and Assemblymen Bearss, Beck, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, Mr. Speaker.

No one candidate having received a majority of the votes, Assemblyman Patten moved to adjourn to meet again to-morrow, at eleven o'clock A.M.

Senator Slingerland moved to lay that motion on the table.

Agreed to.

The convention then proceeded to a fifth *viva voce* vote with the following result:

Whole number of votes.....	52
Necessary to a choice.....	27

Of which

James W. Nye received.....	23
Charles E. DeLong.....	17
John Cradlebaugh. ....	9
B. C. Whitman .....	3

Those voting for James W. Nye were—

Senators Hutchins, Ives, Lambert, Larrowe, Thompson, Winton; and Assemblyman Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington.

Those voting for John Cradlebaugh were—

Senators Clagett, Doran, Haines, James, Lockwood, Seely; and Assemblymen Epstein, Patten, Small.

Those voting for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter and Shackelford

Those voting for Charles E. DeLong were—

Senators Hobart, Kellogg, Proctor, Slingerland; and Assemblymen Bearss, Beck, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, Mr. Speaker.

No one candidate having received a majority of the votes, the convention proceeded to a sixth *viva voce* vote, which resulted as follows:

Whole number of votes.....	52
Necessary to a choice.....	27

Of which

James W. Nye received.....	24
John Cradlebaugh.....	8
Charles E. DeLong.....	17
B. C. Whitman.....	3

Those voting for James W. Nye were—

Senators Ives, Hutchins, Thompson, Larrowe, Seely, Winton, Lambert; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Lee, Nichols, Smith, Hawkins, Mayhugh, Parker, Toombs, Haskell, McKeeby, Sine, Wellington.

Those voting for John Cradlebaugh were—

Senators Haines, Doran, James, Lockwood, Clagett; and Assemblymen Epstein, Patten, Small.

Those voting for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter and Shackelford.

Those voting for Charles E. DeLong were—

Senators Hobart, Proctor, Kellogg, Slingerland; and Assemblymen Bearss, Beck, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, Mr. Speaker.

No one candidate having received a majority of the votes, the convention proceeded to a seventh *viva voce* vote, with the following result:

Whole number of votes.....	52
Necessary to a choice.....	27

Of which

James W. Nye received.....	23
Charles E. DeLong.....	17
John Cradlebaugh.....	9
B. C. Whitman.....	3

Those voting for James W. Nye were—

Senators Hutchins, Ives, Lambert, Larrowe, Thompson, Winton; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington, Lee.

Those voting for John Cradlebaugh were—

Senators Clagett, Doran, Haines, James, Lockwood, Seely; and Assemblymen Epstein, Patten, Small.

Those voting for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter and Shackelford.

Those voting for Charles E. DeLong were—

Senators Hobart, Kellogg, Proctor, Slingerland; and Assemblymen

Bearss, Beck, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, Mr. Speaker.

No candidate having received a majority of the votes, Assemblyman Bond moved that the convention adjourn till eleven o'clock A.M. to-morrow.

Senator Larrowe moved to lay the motion on the table. The ayes and noes were thereon ordered.

On calling the roll, the motion to lay on the table prevailed by the following vote—Ayes, 27; noes, 25, as follows:

Those voting in the affirmative were—

Senators Hutchins, Ives, Lambert, Larrowe, Lockwood, Seely, Thompson, Winton; and Assemblymen Beck, Brown, Bishop, Cary, Denson, Dun, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Smith, Toombs, Wellington, Young.

Those voting in the negative were—

Senators Clagett, Doran, Haines, Hobart, James, Kellogg, Proctor, Slingerland, Sumner; and Assemblymen Bearss, Bolan, Bien, Bond, Cutter, Epstein, Hawkins, Myrick, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Walter, Mr. Speaker.

The convention then proceeded to an eighth *viva voce* vote, with the following result:

Whole number of votes.....	52
Necessary to a choice..	27

Of which

James W. Nye received.....	24
Charles E. DeLong.....	17
John Cradlebaugh.....	8
B. C. Whitman.....	3

Those voting for James W. Nye were—

Senator Hutchins, Ives, Lambert, Larrowe, Seely, Thompson, Winton; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Sine, Smith, Toombs, Wellington.

Those voting for John Cradlebaugh were—

Senators Doran, Haines, James, Lockwood, Clagett; and Assemblymen Epstein, Patten, Small.

Those voting for B. C. Whitman were—

Senator Sumner; and Assemblymen Cutter and Shackelford.

Those voting for Charles E. DeLong were—

Senators Hobart, Kellogg, Proctor, Slingerland; and Assemblymen Bearss, Beck, Bolan, Bien, Bishop, Bond, Myrick, Rosenblatt, Rigby, St. Clair, Walter, Young, and Mr. Speaker.

No candidate having received a majority, Assemblyman Hawkins moved that the convention adjourn till one o'clock, P.M. to-morrow.

Assemblymen Rosenblatt moved to adjourn till eleven o'clock, A.M. to-morrow.

Senator Larrowe moved as a substitute that the convention take a recess till seven o'clock P.M. to-day.

The question first recurring on the longest time proposed to adjourn to, the ayes and noes were ordered thereon.

On calling the roll, the motion to adjourn till one o'clock P. M. to-morrow was negatived by the following vote—Ayes, 24; noes, 28, as follows:

Those voting in the affirmative were—

Senators Haines, Doran, Hobart, James, Proctor, Clagett, Kellogg, Sumner, Slingerland; and Assemblymen Bearss, Bolan, Bien, Bond, Cutter, Epstein, Hawkins, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Walter and Mr. Speaker.

Those voting in the negative were—

Senators Ives, Hutchins, Thompson, Larrowe, Lockwood, Seeley, Winton, Lambert; and Assemblymen Beck, Brown, Bishop, Cary, Denson, Dun, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Smith, Toombs, Wellington, and Young.

The question then recurring on the motion of Mr. Rosenblatt to adjourn till ten o'clock A. M. to-morrow, the ayes and noes were ordered thereon.

On calling the roll, the motion prevailed by the following vote—ayes, 28; noes, 24, as follows:

Those voting in the affirmative were—

Senators Haines, Doran, Hobart, James, Proctor, Lockwood, Clagett, Kellogg, Sumner, Slingerland; and Assemblymen Bearss, Bolan, Bien, Bishop, Bond, Cutter, Epstein, Hawkins, Myrick, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Walter and Mr. Speaker.

Those voting in the negative were—

Senators Ives, Hutchins, Thompson, Larrowe, Seeley, Winton, Lambert; and Assemblymen Beck, Brown, Cary, Denson, Dun, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Toombs, Wellington, and Young.

So at three o'clock P. M., pursuant to order, the Joint Convention adjourned till ten o'clock A. M. to-morrow, and the Senate withdrew from the Hall of the Assembly.

IN ASSEMBLY, 3 o'clock P. M.

Speaker Tozer in the chair.

Mr. Rosenblatt moved that the House do now adjourn till half-past nine o'clock A. M. to-morrow.

Agreed to, and the House then adjourned, pursuant to order, till half-past nine o'clock A. M. to-morrow.

---

## FIFTH DAY.

FRIDAY, December 16th, 1865.

The House convened at half-past nine o'clock A. M., pursuant to adjournment, and was called to order by the Speaker *pro tem.*, Mr. Parker.

On calling the roll, the following members were present:

Messrs. Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Young.

Those absent were:

Messrs. Bearss, Bolan, Bien, Epstein, Small, McKeeby, Patten, St. Clair, and Mr. Speaker.

The Journal of yesterday was read and approved.

Mr. Cutter moved that the House take a recess for ten minutes.

Lost.

Mr. Tozer moved that the clerk of the House be instructed to inform verbally an officer of the Hon. the Senate, that the Assembly would be ready to meet them in Joint Convention at ten o'clock A. M.

Agreed to, and so ordered.

The following communication from the Senate, by L. B. Moore, its Secretary, was presented :

STATE OF NEVADA, }  
SENATE CHAMBER, December 16, 1864. }

*To the Hon. the Assembly:*

I have the honor to inform your honorable body that the Senate will meet your honorable body in Joint Convention at ten o'clock A. M.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The hour of ten o'clock having arrived, and the Hon. the Senate of the State appearing at the bar of the Assembly, the House went with the Senate into a

#### JOINT CONVENTION.

Pursuant to adjournment, had yesterday, the Convention again convened at ten o'clock A. M.

Present—Lieutenant-Governor Crosnan as President, L. B. Moore, Secretary of the Senate, and Wm. M. Gillespie, Clerk of the House, as Secretaries, and the following Senators and Assemblymen were present :

Senators Doran, Haines, Hutchins, Ives, James, Kellogg, Lambert, Larrowe, Lockwood, Proctor, Seeley, Slingerland, Sumner, Thompson, Winton; and Assemblymen Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The reading of the Journal being called for, Assemblymen Cutter moved the same be dispensed with.

Lost.

The Journal of yesterday was then read and approved.

The election of one United States Senator being in order, Assemblyman Shackelford withdrew the name of B. C. Whitman as a candidate.

The Convention then proceeded to a ninth *via voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice .....	27

Of which

James W. Nye received.....	29
Chas. E. DeLong.....	16
John Cradlebaugh.....	7

Those voting for Chas. E. DeLong were: Senators Haines, Hobart, Kellogg, Slingerland; and Assemblymen Bearss, Beck, Bolan, Bien,



Bishop, Bond, Myrick, Rigby, Shackelford, Walker, Young and Mr. Speaker.

Those voting for James W. Nye were : Senators Hutchins, Ives, James, Lambert, Larrowe, Proctor, Seeley, Thompson, Winton ; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Sine, Smith, St. Clair, Toombs, and Wellington.

Those voting for John Cradlebaugh were : Senators Doran, Lockwood, Sumner ; and Assemblymen Cutter, Epstein, Rosenblatt, and Small.

James W. Nye having received a majority of all the votes of the members of this Convention, was by the President declared one of the United States Senators from the State of Nevada.

Senator Ives moved that a committee of three be appointed to wait on the Hon. W. M. Stewart and Hon. Jas. W. Nye, United States Senators elect, and invite them to address the Convention before its dissolution.

Agreed to.

The President appointed Senator Ives of Esmeralda, and Assemblymen Bond of Storey, and Brown of Humboldt.

Senator Claggett offered the following :

*Resolved*, that this Convention do now proceed to elect a United States Senator to succeed the Senator whose term expires on the 3d day of March, A. D. 1865.

Senator Slingerland moved to lay the resolution on the table and proceed to debate the same, when Assemblyman Hawkins raised the point of order that the motion was not a debateable one.

The President ruled the point of order well taken.

Senator Seely rose to a question of privilege, and called for the reading of the concurrent resolution, under which the Joint Convention was acting.

The Secretary then read the said concurrent resolution.

Whereupon, Senator Seeley raised the point of order that Senator Claggett's resolution was not in order, inasmuch as the Convention had been convened for the express purpose of electing two United States Senators, and having performed that duty, the election of a third United States Senator was not within the province of the Convention. The Convention clearly could transact no business other than that authorized by the concurrent resolution ordering it.

The President ruled the point of order well taken.

Assemblyman Cutter appealed from the decision of the chair. The question being : " Shall the decision of the chair stand as the judgment of the Convention ? " and being put, the same was decided in the affirmative.

On calling the roll, the ayes and noes being ordered by the following vote :

Those voting in the affirmative were—

Senators Doran, Haynes, Hutchins, James, Kellogg, Lambert, Larrowe, Lockwood, Proctor, Seeley, Slingerland, Sumner, Winton ; and Assemblymen Bearss, Beck, Brown, Bolan, Bishop, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Those voting in the negative were—

Senators Claggett, Thompson ; and Assemblymen Bein, Cutter, and St. Clair.

So the decision of the Chair was sustained, and Senator Clagett's resolution consequently fell.

The select committee appointed to wait upon the United States Senators elected appeared, accompanied by United States Senators Stewart and Nye, who severally addressed the Convention at length.

The journal of the Joint Convention of to-day was then read and proved, at the conclusion of which the President declared the Joint Convention dissolved, and the Hon. the State Senate, in a body, then retired.

IN ASSEMBLY, 11:40 o'clock A. M.

On motion of Mr. Parker, the regular order of business was ordered called through.

Mr. Lee, from the select committee on Standing Rules, submitted the following report, which was received:

*Mr. Speaker:*

Your Select Committee, comprising Messrs. Lee, Bond, Cutter, Haskell, Denson and the Speaker, appointed for the purpose of drafting and reporting Standing Rules for the government of the House for the adoption of the House, respectfully submit the following

## STANDING RULES OF THE ASSEMBLY.

### I.

#### MEETING.

The House shall meet, each day of sitting, at eleven o'clock A. M., unless the House shall adjourn to some other hour.

### II.

#### ORDER OF BUSINESS.

After the reading and approval of the journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Motions and Resolutions.
6. Messages from the Senate.
7. Notices.
8. Second Reading and Reference of Bills.
9. Introduction and First Reading of Bills.
10. Business on General File and Third Reading of Bills.
11. Unfinished Business of the Preceding Day.
12. Special Orders of the Day.

### III.

It shall be in order for the Committee on Enrolled and Engrossed Bills to report at any time.

### IV.

Messages from the Governor, State Officers, and from the Senate, may be considered at any time by a vote of the House.

## V

Petitions, memorials, and other papers, addressed to the House, shall be presented by the Speaker, or by a member, in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as this House shall determine.

## VI.

Every bill shall be introduced by giving at least one day's notice, or by leave of two thirds of the House, except such bill shall be introduced by a committee in accordance with a rule of the House.

## VII.

Every bill shall receive three readings previous to its passage. The Speaker shall give notice at each reading whether it be the first, second, or third reading. The first and second readings may be on the same day, by consent of two thirds of the House. No bill shall be amended or committed until twice read. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall then take the usual course.

## VIII.

General appropriation bills shall be in order in preference to any other bills, unless otherwise ordered by a majority of the House.

## IX.

All proceedings touching appropriations of money shall first be considered in a committee of the whole House, and no addition to any appropriation shall be made out of Committee of the Whole.

## X.

A bill or resolution may be committed, with special instructions, at any time before the final vote is taken.

## XI.

## DUTIES OF SPEAKER.

He shall take the chair precisely at the hour appointed for meeting; shall immediately call the House to order, and on the appearance of a quorum shall cause the journal of the preceding day to be read.

## XII.

He shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

## XIII.

He shall have a general direction of the Hall. He shall have a right

to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

## XIV.

All Acts, Addresses, and Joint Resolutions shall be signed by the Speaker; and all writs, warrants, and subpoenas, issued by order of the House, shall be under his hand, attested by the Clerk.

## XV.

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have the power to order the same to be cleared.

## XVI.

## SERGEANT-AT-ARMS AND DOORKEEPER.

The Sergeant-at-Arms shall attend the House during the sittings, to execute the commands of the House, and all process issued by authority thereof, directed to him by the Speaker. He shall be sworn to keep the secrets of the House.

## XVII.

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar; and for traveling expenses for himself or a special messenger, going and coming, twenty-five cents per mile. But no compensation shall be allowed for the arrest, custody, or releasement of members, under a call of the House, within the limits of the capitol building. All fees accruing to the Sergeant-at-Arms for arrests, custody, and release of members, shall be paid by the member so arrested, held in custody, and released, unless excused by a vote of the House, and when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

## XVIII.

The Door Keeper shall be sworn to keep the secrets of the House.

## XIX.

The Standing Committees of the House shall be as follows:

1. A Committee on Elections, to consist of five members.
2. A Committee on Corporations, to consist of five members.
3. A Committee on Public Printing, to consist of three members.
4. A Committee on Ways and Means, to consist of seven members.
5. A Committee on Claims, to consist of five members.
6. A Committee on Judiciary, to consist of seven members.
7. A Committee on Military and Indian Affairs, to consist of five members.
8. A Committee on Counties and County Boundaries, to consist of five members.
9. A Committee on Trade and Manufactures, to consist of five members.
10. A Committee on Education, to consist of five members.
11. A Committee on Agriculture, to consist of five members.

12. A Committee on Internal Improvements, to consist of five members.
13. A Committee on State Institutions, to consist of five members.
14. A Committee on Contingent Expenses and Accounts, to consist of five members.
15. A Committee on Mines and Mining Interests, to consist of five members.
16. A Committee on Federal Relations, to consist of five members.
17. A Committee on Engrossment, to consist of three members.
18. A Committee on Enrollment, to consist of three members.
19. A Committee on Mileage, to consist of three members.
20. A Committee on Public Morals, to consist of three members.
21. A Committee on State Library, to consist of three members.

## XX.

All Committees shall be appointed by the Speaker, unless otherwise specially directed by the House.

## XXI.

It shall be the duty of the Committee on Elections to examine and report upon the certificate of election, or other credentials, of the members returned to serve in this House, and to take into their consideration all such petitions, and other matters touching elections and returns, as shall or may be presented, or come into question, and be referred to them by the House.

## XXII.

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue as may be referred to them by the House; to inquire into the state of the public debt, or the revenue, and of the expenditure, and report from time to time their opinion thereon.

## XXIII.

It shall be the duty of the Committee on Claims to take into consideration all such petitions, and matters or things touching claims and demands on the State, as shall be presented, or shall or may come in question, and be referred to them by the House, and to report their opinion thereupon.

## XXIV.

It shall be the duty of the Committee on Trades and Manufactures to take into consideration all such petitions, and matters or things touching the trade and manufactures of the State, as shall be presented, or shall or may come into question, and be referred to them by the House, and to report from time to time their opinion thereon.

## XXV.

It shall be the duty of the Committee on Contingent Expenses and Accounts to examine the books and accounts of the several public departments, and of the several officers of this House, and to examine particularly into laws making appropriations of money, and to report

whether the moneys have been disbursed conformably with such laws; and also to report from time to time such provisions and arrangements as may be necessary to add to the economy of the departments and the accountability of their offices; and to report from time to time the character and amount of the various appropriations made by the Legislature.

## XXVI.

It shall be the duty of the Committee on Military and Indian Affairs to take into consideration all subjects relating to the military establishment and public defense, which may be referred to them by the House, and to report their opinion thereupon; and also, to report from time to time such measures as may contribute to economy and accountability in such establishments.

## XXVII.

It shall be the duty of the Committee on Internal Improvements to take into consideration all such petitions and matters relating to roads and canals, and the improvements of the navigation of rivers, as shall be presented or may come into question and be referred to them by the House, and to report thereupon.

## XXVIII.

It shall be the duty of the Committee on Public Institutions to consider all subjects relating to the public edifices belonging to the State, which may be referred to them, and report their opinion thereon.

## XXIX.

It shall be the duty of the Committee on Mileage to ascertain and report the distance for which each member shall receive pay.

## XXX.

No committee shall be permitted to employ a clerk at the expense of the State, without first obtaining leave of two thirds of the House for that purpose.

## XXXI.

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole House;
2. A Standing Committee;
3. A Select Committee.

## XXXII.

In forming a Committee of the whole House, a Chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the House by the chairman. After report, the bill shall again be subject to amendment before the question is taken.

## XXXIII.

The rules of the House shall be observed in Committee of the Whole, as far as may be applicable, except limiting the times of speaking, and except that the ayes and noes shall not be taken.

## XXXIV.

A motion that the Committee rise shall always be in order, and shall be decided without debate.

## XXXV.

## DECORUM AND DEBATE.

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order—in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House; but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Chair.

## XXXVI.

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

## XXXVII.

Every member, when he speaks, shall, standing in his place, address Mr. Speaker; and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave; and members who have spoken once shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

## XXXVIII.

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken, or other business has intervened, after the words spoken and before exception to them shall have been taken.

## XXXIX.

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

## XL.

If a question pending be lost by adjournment of the House, and revived on the succeeding day, no member who shall have spoken on the

preceding day shall be permitted again to speak without leave of two thirds of the House.

### XXI.

#### MOTIONS, ETC.

No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker or any member, and be read by the Clerk before the same shall be debated. A motion may be withdrawn at any time before amendment or decision.

### XXII.

A motion to adjourn, or fix the time to which the House will adjourn, shall always be in order. The Clerk shall enter on the journal the name of any member moving an adjournment, and also the hour at which the motion was made.

### XXIII.

When a question is under debate, or before the House, no motion shall be received but to adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate. And no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

### XXIV.

The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate, and bring the House to a vote on the question or questions before it.

### XXV.

All incidental questions of order, arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate.

### XXVI.

The previous question shall only be put when demanded by three members.

### XXVII.

When a question is postponed indefinitely, the same shall not again be introduced during the session.

### XXVIII.

Any member may call for a division of the question, which shall be divided, if it comprehend propositions in substance so distinct that, one



being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

## XLIX.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therein, any other bill or resolution pending before the House.

## L.

A proposition to print an extra number of any document or other matter shall be on the table one day for consideration, unless otherwise ordered by unanimous consent of the House.

## LI.

No bill or other matter shall be printed without first being specially ordered by the House, and the Sergeant-at-Arms shall be required to certify to the reception, by the House, of all such printed matter, and the quantity, before payment shall be made or bills audited.

## LII.

Maps accompanying documents shall not be printed under the general orders to print, without the special direction of the House.

## LIII.

In filling up blanks, the least sum and shortest time shall be put first.

## LIV.

All questions relating to the priority of business shall be decided without debate.

## LV.

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House without debate.

## LVI.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. But there shall be no reconsideration of a vote on a motion to indefinitely postpone.

## LVII.

In all cases of election by the House, the vote shall be taken *viva voce*.

## LVIII.

The ayes and noes shall be taken when called for by three members present, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare, openly and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the journal the names of those demanding the ayes and noes.

## LIX.

No member or other person shall remain by the clerk's table while the ayes and noes are being called, or while the votes are being counted.

## LX.

No member shall vote on any question in the result of which he is personally interested or involved.

## LXI.

Upon a division and count of the House on any question, no person without the bar shall be counted.

## LXII.

No member shall be allowed to explain, or change his vote, or discuss the question, while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the Chair.

## LXIII.

## CALL OF THE HOUSE.

Upon a call of the House, the names of the members shall be called over by the clerk, and the absentees noted; after which, the names of the absentees shall again be called over. The doors shall then be shut, and those for whom no excuse, or insufficient excuses, are made, may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose.

## LXIV.

## MISCELLANEOUS.

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule VII relating to third reading of bills.

## LXV.

No member shall absent himself from the service of the House, without leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his *per diem* shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

## LXVI.

No persons, except Senators, State officers, and ladies, shall be admitted within the bar of the House, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the House cleared of all such persons.

## LXVII.

No smoking shall be allowed within the Assembly Chamber during the session of the House.

## LXVIII.

The rules of parliamentary practice contained in Jefferson'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 Assembly.

## LXIX.

The Assembly Chamber shall not be used for any public or private business, other than legislative, except by permission of the House.

## LXX.

Witnesses summoned to appear before the House, or any of its committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars. For each mile he shall travel, in coming to or going from the place of examination, the sum of twenty-five cents; but nothing shall be paid for traveling home when the witness has been summoned at the place of trial. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

## LXXI.

It shall be in order for any member or members to protest against action of the House, and have such protest entered upon the minutes.

## LXXII.

All bills reported to the House, by either standing or special committees, after receiving their second readings, shall be placed upon a general file, to be kept by the clerk, and no bill shall be considered by the House until the regular order of business shall have been gone through, and then bills shall be taken from the general file and acted upon in the order in which they were reported, unless otherwise specially ordered by the House. But engrossed bills shall be placed at the head of the file, in the order in which they are received. The clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the general file, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day.

## LXXIII.

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

## LXXIV.

No increase of the pay of any officer or attache of the Assembly shall be made by resolutions, except by unanimous consent.

W. G. LEE,  
Chairman Select Committee.

The Clerk proceeded to read the Standing Rules so reported for the consideration of the House, when, on motion of Mr. Cutter, the House resolved itself into a Committee of the Whole for the consideration of said Rules.

Mr. Haskell in the chair.

In time the Committee rose, and its chairman reported that the Committee of the Whole had had under consideration the "Standing Rules the for Government of the Assembly," as reported by the select committee thereon for the adoption of the House, had gone through therewith and made some amendments thereto, and directed the chairman to report the same back to the House as amended, and recommend their adoption.

The report was agreed to, and, pending the adoption of the Standing Rules, Mr. Haskell moved that the House do now adjourn. Subsequently he withdrew the same to permit Mr. Bolan to offer the following:

*Resolved*, That a special committee of three be appointed to inquire into the necessity of procuring a new set of books for the Clerk of this House, such committee to be appointed by the Speaker.

Adopted.

The Speaker announced Messrs. Bolan, Hawkins and Beck as the committee ordered by the resolution offered by Mr. Bolan.

On motion of Mr. Brown the House adjourned till eleven o'clock, A. M. to-morrow.

---

 SIXTH DAY.

SATURDAY, December 17th, 1864.

The House met, pursuant to adjournment, at 11 o'clock.

The Speaker in the Chair.

On calling the roll the following members were present:

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Waller, Wellington, Young, and Mr. Speaker.

Absent, Messrs. Leavitt and St. Clair.

Prayer by the Rev. Mr. Nimms.

The journal of yesterday was read and approved.

Mr. Lee, from the select committee, comprising Messrs. Lee, Bond,

Cutter, Haskell, Denson and the Speaker, submitted the following report:

*Mr. Speaker:*

Your Select Committee, appointed to act conjointly with a like Committee of the Senate in drafting and submitting Joint Rules for the government of the two Houses in the transaction of business between them, respectfully submit the following:

## JOINT RULES.

### I.

In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient, the result of their conference to their respective Houses for their action.

### II.

When a message shall be sent from either House, it shall be announced at the door by the doorkeeper, and shall be respectfully communicated to the chair by the person by whom it may be sent.

### III.

Messages shall be sent by the Secretary, Clerk, or by such persons as a sense of propriety of each House may determine to be proper.

### IV.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

### V.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the Assembly, or of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the Governor of the State.

### VI.

When bills are enrolled they shall be examined by the Enrolling Committee of the House in which they originate, who shall carefully compare the enrollment with the engrossed bill, as passed in the two Houses, and any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

### VII.

After examination and reports, each bill shall be signed in the respective Houses, first by the Speaker and Clerk of the Assembly, then by the President and Secretary of the Senate.

## VIII.

After a bill shall have thus been signed in each House, it shall be presented by the Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated), the said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

## IX.

All orders, resolutions and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined and signed, and shall be presented in the manner, and by the same committee, as provided in the case of bills.

## X.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

## XI.

When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same shall have been passed.

## XII.

When a bill or resolution, which has been passed in one House, is rejected in the other, it shall not be brought in during the same session without a notice of five days, and leave of two thirds of that House in which it shall be renewed.

## XIII.

Each House shall transmit to the other papers on which any bills or resolution shall be founded.

## XIV.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

## XV.

No bill or resolution, that shall have passed the Assembly and Senate, shall be presented to the Governor for his approval on the last day of the session.

## XVI.

No appropriations of money, for any purpose whatever, shall be made except by bill.

## XVII.

Each House may order the printing of bills introduced, and reports of its own committees, but no other printing shall be ordered, except by a concurrent resolution passed by both Houses.

## XVIII.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

## XIX.

No increase of the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

## XX.

All concurrent or joint resolutions which relate to, or contain communications to the Federal Government, shall be treated in all respects as bills.

W. G. LEE,  
Chairman House Committee.

FRED HUTCHINS,  
Chairman Senate Committee.

CHAS. A. SUMNER,  
JAMES S. SLINGERLAND.

The report was accepted, and on motion of Mr. Brown, the House resolved itself into a Committee of the Whole, for the consideration of the same.

Mr. Parker in the Chair.

In time the committee rose and Mr. Parker reported that the Committee of the Whole have had under consideration the Joint Rules for the government of the Senate and Assembly, as reported from the select committee for the adoption of the House, have gone through therewith, have made no amendments, and have directed their chairman to report the same back to the House without recommendation.

The report was agreed to.

The Speaker stated the question to be on the adoption of the Joint Rules, and inasmuch as the Standing Rules of the House had not been, as yet, adopted, that being the pending question at the time the House adjourned on yesterday, he would put the question and take the vote of the House on the adoption of both at once.

On calling the roll, the Standing Rules of the Assembly and the Joint Rules of the Senate and Assembly were both adopted by the following vote:

In the affirmative, 35.

In the negative, none.

Those voting in the affirmative were: Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Lee moved that two hundred copies of the Rules be ordered printed.

Mr. Bond moved to lay that motion on the table.

Agreed to.

Mr. Bond submitted the following report:

*Mr. Speaker :*

Your committee, consisting of Messrs. Bond, Smith, Bearss, Denson and Hawkins, to whom was referred the resolution of Mr. Smith, authorizing the Sergeant-at-Arms to procure stationery, postage stamps, etc., have had the same under consideration, have come to a favorable conclusion thereon, and directed him to report by bill entitled "An Act to provide for the actual expenses of the Members of the Legislature for stationery, postage and express charges."

E. BOND, Chairman.

The bill was read a first time.

Thereupon, by unanimous consent, the rules were suspended and the bill read a second time by title, and, on motion of Mr. Catter, the same was committed to the Committee of the Whole.

The Speaker announced the following Standing Committees for the session :

*Elections*—Messrs. Leavitt, McKeeby, Myrick, Walter and Young.

*Corporations*—Messrs. Bearss, Cutter, Myrick, Sine and Hawkins.

*Public Printing*—Messrs. Bishop, Parker and Nichols.

*Ways and Means*—Messrs. Parker, Rigby, Rosenblatt, Smith, Beck, Leavitt and Young.

*Claims*—Messrs. Bond, Mayhugh, Small, Rosenblatt and Rigby.

*Judiciary*—Messrs. Denson, Bishop, Sine, McKeeby, Lee, Greeley and Haskell.

*Military and Indian Affairs*—Messrs. Bond, Lee, Bolan, Rosenblatt and Shackelford.

*Counties and County Boundaries*—Messrs. Patten, Dun, Nichols, Toombs and Small.

*Trade and Manufactures*—Messrs. Epstein, Bolan, Bien, Beck and Hinckley.

*Education*—Messrs. Lee, Bond, Cary, Bein and Shackelford.

*Agriculture*—Messrs. Wellington, Cary, Myrick, Epstein and Brown.

*Internal Improvements*—Messrs. Hawkins, Toombs, Myrick, Cutter and Wellington.

*State Institutions*—Messrs. Toombs, Greeley, Denson, Bearss and Nichols.

*Contingent Expenses and Accounts*—Messrs. St. Clair, Brown, Rigby, Smith and Beck.

*Mines and Mining Interests*—Mayhugh, Patten, Leavitt, Walter and Dun.

*Federal Relations*—Messrs. Haskell, Bein, Shackelford, Walter and Epstein.

*Engrossment*—Messrs. Cutter, Beck and St. Clair.

*Enrollment*—Messrs. Hawkins, Cary and Hinckley.

*Mileage*—Messrs. Mayhugh, Dun and Epstein.

*Public Morals*—Messrs. Lee, Haskell and Small.

*State Library*—Messrs. Shackelford, Bearss and Bond.

Mr. Rigby offered the following Joint Resolution :

*Be it Resolved*, By the People of the State of Nevada, represented in Senate and Assembly, as follows : That the Senate of the United States be, and they are hereby, respectfully requested to defer any action in reference to the taxation or disposal of the mineral lands until the Senators elect—the Hon. W. M. Stewart and James W. Nye—take their seats in that Honorable Body.



Under the rules the resolution would lay over one day, but on motion of Mr. Hawkins, the rule in this was suspended by a two-third vote.

The Clerk then read the resolution.

Mr. Bien moved that it be referred to the Standing Committee on Federal Relations.

Mr. Patten moved to amend Mr. Bein's motion so as to refer it to a Joint Committee of the Senate and Assembly instead.

Lost. Ayes, 11; Noes, 18.

By unanimous consent the rules were again suspended and the resolution read a second time.

Mr. Hawkins moved that the rules be again suspended, the resolution considered engrossed and ordered read a third time forthwith.

Agreed to by a two-thirds vote.

And, pursuant to order, the Clerk then read the resolution.

On calling the roll, the same was passed by the following vote:

Those voting in the affirmative were Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The resolution was then ordered engrossed and transmitted to the Senate.

Mr. Denson gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act adopting the Common Law in the State of Nevada."

Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the Limitation of Civil Actions in Courts of Justice."

Mr. Cary gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to secure to all heads of families a Homestead against forced sale."

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to enable Cities and Towns incorporated under the laws of the Territory of Nevada to disincorporate."

Mr. Bishop gave notice that he would, at some future day ask leave to introduce a bill entitled "An Act to divide Storey County and to create the County of Union."

Mr. Haskell gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to regulate Fees of Office."

Mr. Rosenblatt gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to create the office of Coroner in the various counties of this State."

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act establishing a Common School System for the State of Nevada."

Pursuant to previous notice, and by leave, Mr. Lee introduced a bill entitled "An Act to regulate proceedings in Civil Cases in the Courts of Justice of this State," which was read a first time, whereupon the rules were suspended and the bill read a second time and referred to the Standing Committee on the Judiciary.

On motion of Mr. Cutter the bill was then referred to a joint committee consisting of the standing committees on Judiciary and Trade and Manufactures.

Pursuant to previous notice, and by leave, Mr. Cutter introduced a bill entitled "An Act to create a Contingent Fund for the Senate and

Assembly, which was read a first time; whereupon the rules were suspended, the bill read a second time and referred to the Standing Committee on Contingent Expenses.

Pursuant to previous notice, and by leave, Mr. Bond introduced a bill entitled "An Act relating to Elections, Electors, qualifications and disabilities of Electors, Officers; qualifications, times of election and terms of office; of officers' official duty; misconduct at elections and in office, etc.," which was read a first time; whereupon the rules were suspended, the bill read a second time by title and referred to the Standing Committee on Elections.

Pursuant to previous notice, and by leave, Mr. Denson introduced a bill entitled "An Act concerning Specific Contracts," which was read a first time; whereupon the rules were suspended, the bill read a second time and referred to the Standing Committee on Judiciary.

Pursuant to previous notice, and by leave, Mr. Bein introduced a bill entitled "An Act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting, entitled 'A Registry Act,'" which was read a first time; whereupon the rules were suspended and the bill read a second time by title and referred to the Standing Committee on Elections.

Pursuant to previous notice, and by leave, Mr. Mayhugh introduced a bill entitled "An Act to regulate Attachment Proceedings," which was read a first time; whereupon the rules were suspended and the bill read a second time and referred to the Judiciary Committee.

Mr. Haskell offered the following:

*Resolved*, That a committee be appointed to wait upon the resident clergymen of Carson City, and invite them to officiate in accordance with a resolution adopted by the House, December 13th.

Adopted.

On motion of Mr. Cutter the House considered itself in a Committee of the Whole, the Speaker retaining the chair, for the consideration of the Assembly Bill entitled "An Act to provide for the actual expenses of the Members of the Legislature for stationery, postage stamps and express envelopes." The Committee rose and the Clerk reported that the Committee of the Whole had had under consideration Assembly Bill, entitled "An Act to provide for the actual expenses of the Members of the Legislature for stationery, postage and express envelopes," had gone through therewith, had made no amendments thereto, and directed him to report the same back to the House and recommend its passage.

The report was agreed to and the bill ordered engrossed for a third reading.

The Clerk announced that he had appointed, on the thirteenth inst., John Hunter as one of his deputies.

Mr. Bishop moved that the motion offered by him the other day, authorizing the Clerk of the House to appoint a Journal Clerk, be taken from the table.

Agreed to and so ordered.

Mr. Brown moved to indefinitely postpone the motion.

Lost.

Mr. Bearss moved to amend the motion so as to require the election of an Assistant Clerk, which amendment was accepted by Mr. Bishop.

The motion was then agreed to.

On motion of Mr. Cutter it was ordered that the House do now go into an election for an Assistant Clerk.

The House then proceeded to an election for an Assistant Clerk.

Mr. Bishop nominated Chas. D. King, of Lyon County.

Mr. Cary nominated Charles M. Gregory, of Ormsby County.

Mr. Bearss nominated R. G. McIntire, of Nye County.

Mr. Haskell nominated J. H. Smith, of Esmeralda County.

The House then had a *viva voce* vote, with the following result:

Whole number of votes, 32; necessary to a choice, 17; of which

Chas. D. King received.....	19
C. M. Gregory received.....	8
R. G. McIntire received.....	2
J. H. Smith received.....	3

Those voting for Chas. D. King were Messrs. Beck, Brown, Bolan, Bishop, Bond, Cutter, Denson, Dun, Epstein, Greeley, Lee, McKeeby, Nichols, Parker, Small, Shackelford, St. Clair, Toombs, and Mr. Speaker.

Those voting for C. M. Gregory were Messrs. Cary and Smith.

Those voting for R. G. McIntire were Messrs. Bien, Bearss, Hinckley, Rosenblatt, Rigby, Sine, Walter, and Young.

Those voting for J. H. Smith were Haskell, Mayhugh, and Wellington.

Mr. King, having received a majority of all the votes, was declared by the Speaker duly elected Assistant Clerk.

By unanimous consent, Mr. Bolan, from a Select Committee, submitted the following report:

*Mr. Speaker and Gentlemen of the Assembly:*

Your Committee, to whom was referred the matter of inquiring into the necessity of procuring books for the Clerk, after examination, do, in their opinion, find it of importance to have the records of this new State in separate and distinct books; would therefore recommend that some person be authorized to purchase the same.

JAMES BOLAN,  
Chairman Select Committee.

The report was accepted.

On motion of Mr. Cutter the House adjourned till eleven o'clock, A. M., on Monday next.

---

## EIGHTH DAY.

MONDAY, December 19th, 1864.

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

The Speaker in the chair.

On calling the roll the following members were present:

Messrs. Bearss, Beck, Brown, Bein, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh,

McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Those absent were Messrs. Bolan, Leavitt, Patten, and Smith.

Prayer by the Rev. Mr. White.

The journal of Saturday was read and approved.

The Chair announced Messrs. Haskell, McKeeby and Dun as the select committee to confer with the resident clergymen of the city as to the opening of the daily session of the House with prayer, under the resolution passed on Saturday last.

Mr. Brown presented the petition of Hiram Welsh for relief, which was read, and, on motion of Mr. Brown, was laid on the table.

Mr. Parker offered the following :

*Resolved*, That the Standing Committee of the House on Public Printing be, and it is hereby, instructed to act conjointly with the like committee of the Senate in the making of the necessary arrangements for the printing required by the two Houses until other provisions are made.

Mr. Greeley offered the following :

*Resolved*, That the members of this House draw lots for the choice of seats.

On a motion, and by a vote of seventeen to nine, the House laid the resolution on the table.

Mr. Mayhugh offered the following concurrent resolutions, which were read and referred to the Committee on Federal Relations :

*Resolved*, unanimously, by the House, (and Senate concurring), That the Legislature of the State of Nevada, in session assembled, do most emphatically endorse the principles embraced in the Monroe Doctrine, and that they deem it highly offensive to the political interest and general welfare and prosperity of the Government and the people of the United States of America, for any foreign power, emperor, king, prince or potentate to plant, colonize, establish, maintain, support, protect and defend any anti-Republican Government of the Old World upon the North American continent.

*Resolved*, That we hail with patriotic exultation the recent splendid victories achieved by the Union arms as indicating the sure and speedy triumph of the Union armies, as of vital importance to the speedy termination of the war and preservation of the country from hostility with foreign powers.

*Resolved*, That while, in common with the whole country, we deplore the ravages of war, and would hail with heartfelt rejoicing the return of peace, we deem it inconsistent with the honor and dignity of the nation to make any other terms of peace with men in arms against the Government than such as are embodied in the Constitution of the United States, under which they can at any time resume their station in the American Union, with their rights, except such as they may have lost or incurred by violation of its law; and that while we would have the Government deal in the most liberal spirit with all those who may lay down their arms, and resume their just allegiance to the Constitution and Government of the United States, we will consent to no peace which involves the abandonment of the principle of the Emancipation Procla-

mation of the first day of January, A. D. 1863, or a separation of the American Union, or the recognition of the rights or power of any State to decide on any change in the Constitution of the United States, except such as may be made by the people or the States, in accordance with the terms which it prescribes.

*Resolved*, That the unparalleled difficulties that the Administration has had to encounter, deserve the gratitude of the American people for the ability and steadfast courage with which it has prosecuted the war for the preservation of the Union; and that we find in the signal success of its financial policy, and its preservation of peace with foreign nations, evidences of wisdom and patriotism which entitle it to the support and confidence of the American people.

Mr. Cutter offered the following:

*Resolved*, That a special committee of three be appointed by the Speaker to procure suitable rooms for the Engrossing and Enrolling Clerks of the Assembly.

Adopted.

The Speaker appointed as such committee Messrs. Cutter, Denson and Hawkins.

Mr. Brown gave notice that he would to-morrow, or at some future day, introduce a bill for the relief of Hiram Welsh.

Mr. Denson gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act fixing the terms of the Courts of Justice in the State of Nevada."

Mr. Denson gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act in relation to the Boards of County Commissioners in the several counties of this State, defining their powers and duties, and other matters in relation thereto."

Mr. Greeley gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for the preservation of files of the various newspapers published in the State of Nevada."

Mr. Cary, of Ormsby, gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the suppression of certain public nuisances."

Mr. Cutter reported that the Standing Committee on Engrossment had carefully compared the following entitled House Bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act to provide for the actual expenses of the members of the Legislature for stationery, postage and express envelopes."

(Signed)

W. M. CUTTER,

Chairman.

By unanimous consent, Mr. Lee, for Mr. Speaker, introduced a bill entitled "An Act supplementary to an Act concerning conveyances," passed November 5th, 1861, which was read the first time; whereupon the rules were suspended, and the bill read a second time and referred to the Standing Committee on Judiciary.

By unanimous consent, Mr. Bishop introduced a bill entitled "An Act creating the office of Public Administrator," which was read the first time; whereupon the rules were suspended and the bill read a second time, and referred to the Standing Committee on Judiciary.

Pursuant to previous notice, Mr. Denson introduced a bill entitled "An Act adopting the Common Law in the State of Nevada," which was read the first time; whereupon the rules were suspended and the bill read a second time, and referred to Standing Committee on Judiciary.

Pursuant to previous notice, Mr. Young introduced a bill entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties, and establish their pay," which was read the first time; whereupon the rules were suspended and the bill read a second time, and referred to a special committee, composed of Messrs. Young, Brown, Haskell, Bearss and Smith.

Pursuant to previous notice, Mr. Bien introduced a bill entitled "An Act for the limitation of Civil Actions in Courts of Justice," which was read the first time; whereupon the rule was suspended, and the bill read a second time, and referred to the Standing Committee on Judiciary.

### THIRD READING OF BILLS.

The House Bill entitled "An Act to provide for the actual expenses of the members of the Legislature for stationery, postage and express envelopes," was read a third time. This bill having been read three several times, in accordance with the provisions of the State Constitution, the question was on the final passage, which, being put, was, on calling the roll, decided in the affirmative by the following vote—ayes, 27; noes, 2.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cutter, Cary, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, Walter, Wellington, and Young.

Those voting in the negative were—

Messrs. Denson and Mr. Speaker.

The bill having received a majority of all the votes of the members elected to the House, was declared duly passed, and ordered transmitted to the Senate for its concurrence.

Mr. Bien moved to take from the table the concurrent resolution relating to the affairs of the Union.

Agreed to.

Mr. Hawkins moved to refer the same to the Committee on Federal Relations.

Agreed—ayes, 15; noes, 8; and the resolution was so referred.

Mr. Cutter reported that the Standing Committee on Engrossment had carefully compared the following entitled House concurrent resolution with the original, as ordered engrossed, and found the same correctly engrossed, viz: Joint Resolution No 1.

This joint resolution having finally passed the House on the 17th inst., was ordered transmitted to the Senate for its concurrence.

Mr. Bond moved that the House Committee on Federal Relations be instructed to act conjointly with the like committee in the Senate on all matters which may have been referred to that Committee; and further, that the Hon. the Senate be informed of the action of the House thereon.

On motion of Mr. Parker, the House, at twelve o'clock m., adjourned till eleven o'clock a. m. to-morrow, pursuant to rule.

## NINTH DAY.

TUESDAY, December 20th, 1864.

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

On calling the roll the following members were present: Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Cutter, Dun, Epstein, Greeley, Hineckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeedy, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Those who were absent were: Messrs. Bolan, Bond, Denson, Leavitt, Patten and Shackelford.

Prayer by Rev. Mr. White.

The journal of yesterday was read and approved.

Mr. Rigby, of Storey county, asked leave of absence for his colleague, Mr. Patten, for one day, which was granted.

Mr. St. Clair, from the Standing Committee on Contingent Expenses, submitted the following report:

*Mr. Speaker:*

Your Committee on Contingent Expenses have had under consideration the Assembly Bill No. 3, entitled "An Act to create Contingent Funds for the Senate and Assembly," and beg leave to report back said bill, and recommend its passage, with the following amendment:

Section one amended to read as follows: "The State Treasurer is hereby authorized and directed to set apart from the first moneys coming into the General Fund, not otherwise appropriated, the sum of eight thousand dollars—three thousand dollars of which shall constitute a contingent fund for the Senate, and five thousand a contingent fund for the Assembly."

All of which is respectfully submitted.

JAMES A. ST. CLAIR,  
Chairman.

On motion of Mr. Cutter, the report was laid on the table.

Mr. Bishop, from the Standing Committee on Public Printing, submitted the following report:

*Mr. Speaker:*

The joint committee, consisting of the Standing Committee of the Senate and Assembly on State Printing, beg leave to submit the following report:

Your Committee have had under consideration the matter of State Printing, and have awarded the said printing to P. Lynch, of the *Gold Hill News* office, with the understanding that said Lynch is to do all the printing required by either branch of the Legislature at the same scale of prices as may hereafter be allowed to the State Printer, if such officer shall be elected by the present Legislature; and, further, that said printing is to be done in a neat, substantial and workmanlike manner.

All of which is respectfully submitted, with the recommendation that the same be adopted.

M. S. THOMPSON,	} Senate Committee.
WM. W. BISHOP,	
H. G. PARKER,	} House Committee.
B. H. NICHOLS,	

The Minority on Printing beg leave to make the following report, and recommend its adoption :

Believing, as a matter of convenience to the Legislature, and as a matter of economy to the State, that the printing of all bills, and other matters passed upon by the Legislature, should be done under the immediate supervision of the committee appointed for that purpose, and knowing that such supervision cannot be exercised if the printing be done at a point remote from the State Capital, we therefore recommend the adoption of the following resolution :

*Resolved*, That the printing of all matters passed upon by either branch of the Legislature be done at the office of the *Carson Post* until otherwise provided for by law.

(Signed)

LEWIS DORAN,  
ALFRED JAMES.

The question being first on agreeing to the minority report, the ayes and noes were called for, with the following result :

In the affirmative—

Messrs. Bearss, Beck, Cary, Denson, Dun, Epstein, Greeley, Hinkley, Hawkins, Myrick, McKeeby, Rosenblatt, Rigby, Small, Sine, St. Clair, Walter, Wellington, and Young.

In the negative—

Messrs. Brown, Bolan, Bien, Bishop, Bond, Cutter, Haskell, Lee, Mayhugh, Nichols, Parker, Patten, Smith, Toombs, and Mr. Speaker.

In the affirmative, 19; in the negative, 12.

Mr. Young, from the Committee to whom was referred the bill entitled "An Act fixing the number of the officers and employees of the Senate and Assembly, to define their duties, and to establish their pay," made the following report :

*Mr. Speaker :*

Your Committee recommend that the first part of Section three be amended so as to read as follows :

"Section Three. There shall be paid to the several officers and employees named in this Act, for all services rendered by them under the provisions of this Act, the following sums, and no more, except by a two thirds vote of the house in which they are employed : To the Secretary of the Senate and Chief Clerk of the Assembly, each, the sum of ten dollars per day. Your Committee also recommend the passage of the bill.

R. A. YOUNG,  
Chairman Committee.

On motion, the report was laid on the table.

The following report was received and read :

*Mr. Speaker :*

Your Committee appointed to procure suitable rooms for the Engrossing and Enrolling Clerks of the Assembly, would respectfully report that they have performed the duty assigned them, and obtained the use of two convenient rooms without expense to the State.

(Signed)

W. M. CUTTER,  
C. HAWKINS,  
SAM'L C. DENSON.



No objection being made, the report of the Committee was received and adopted, and the Committee discharged.

Mr. Cutter offered the following concurrent resolutions, which were read :

WHEREAS, The necessity for the speedy completion and establishment of railroad communication between the navigable tide waters of the Pacific and the mining regions of the State of Nevada, is apparent to us as great and imperative ; and,

WHEREAS, Congress has provided what was deemed to be a liberal bonus for the construction of such a railroad ; and said Congressional provision has been secured exclusively to and under a corporation named and known as the Central Pacific Railroad Company, which, up to this date, has constructed only thirty miles upon its proposed route, and whose principal labor seems to have been to reduce the number of miles ordered to be built per year (on pain of forfeiture) in the original Pacific Railroad Bill, having particular reference to this section of the great trans-continental railway ; and,

WHEREAS, Competition and rivalry in the construction of railways which are to command the enormous passenger and freight traffic between the Pacific and the eastern slope of the Sierras, on a railway line, is eminently desirable ; and,

WHEREAS, A line of railroad has already been constructed from the town of Freeport, at the head of tide water, on the Sacramento, and the town of Latrobe—it being a distance of thirty-eight miles, on a nearly direct line of communication with the Capital of Nevada ; and,

WHEREAS, We have credible information that a large and wholly responsible body of respectable capitalists are prepared, with reasonable encouragement, to push forward the railroad from Latrobe to the Capital of our State, on a route direct and feasible ; therefore, be it

*Resolved*, By the Assembly, the Senate concurring, that our Senators be instructed, and our Representative in Congress requested, to use their utmost endeavors to secure the passage of an Act giving to the corporation or corporations undertaking, or which shall undertake, the construction of a road from Latrobe, in the State of California, to Carson City or Virginia, in the State of Nevada, the sum of ten millions of dollars, in United States six per cent. bonds, at dates of thirty years or less ; the same to be issued and made over to said corporation or corporations at such time as the work herein described shall have been completed. *Provided*, that the railway communication by this line from the town of Freeport, at the head of tide water on the Sacramento river, to Carson City or Virginia, in the State of Nevada, be fully established and in perfect running order, without break or interval of stage transportation, within a period not exceeding three years from the fourth day of March, A. D. eighteen hundred and sixty-five.

*Resolved*, That his Excellency the Governor be requested to transmit a copy of these resolutions to each of our Senators and Representative in Congress.

Mr. Cutter moved that the resolutions be referred to a committee of five.

Agreed to.

The Speaker announced Messrs. Cutter, Rosenblatt, St. Clair, Brown and Beck as such select committee.

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to regulate licenses."

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize and require the County Commissioners of Esmeralda county to procure the necessary books and stationery for the transcribing of certain records and indexes now in the possession of S. P. Moffit, Mining District Recorder of said county."

Mr. Greeley gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend Art. 15 of Sec. 1 of the State Constitution."

Pursuant to previous notice, Mr. McKeeby introduced a bill entitled "An Act to provide for the election of Presidential electors, Members of Congress, and State and County Officers, and to preserve the purity of elections," which was read the first time; whereupon the rules were suspended, and the bill read the second time, and referred to the Standing Committee on Elections.

Pursuant to previous notice, Mr. Brown introduced a bill entitled "An Act for the relief of Hiram Welsh," which was read the first time; whereupon the rules were suspended, and the bill read a second time, and, on motion of Mr. Parker, was referred to the Humboldt delegation.

Pursuant to previous notice, Mr. Haskell introduced a bill entitled "An Act to regulate the fees of office," which was read the first time; whereupon the rules were suspended, and the bill read a second time, and referred to the Standing Committee on Judiciary.

Pursuant to previous notice, Mr. Mayhugh introduced a bill entitled "An Act to provide for the survey of the boundary line between the State of California and this State," which was read the first time; whereupon the rules were suspended, and the bill read a second time, and referred to select committee, comprising the Esmeralda delegation.

Pursuant to previous notice, Mr. Denson introduced a bill entitled "An Act in relation to the Boards of County Commissioners in the several counties in this State, defining their powers and duties, and other matters in relation thereto," which was read the first time; whereupon the rules were suspended, and the bill read a second time, and referred to the Standing Committee on Judiciary.

By unanimous consent, Mr. Haskell introduced a bill entitled "An Act to amend an Act to provide for assessing and collecting County and Territorial Revenue," approved December 20th, 1862, which was read the first time; whereupon the rules were suspended, and the bill read a second time, and referred to the Standing Committee on Ways and Means.

Mr. Cutter moved to take up the bill, which was laid upon the table, entitled "An Act fixing the number of the officers of the employees of the Senate and Assembly, to define their duties, and to establish their pay," which was agreed to.

The bill was taken up, and upon the motion of Mr. Parker, the rules were suspended, and the bill taken up for its second reading; but Mr. Bond then moved to reconsider the vote on Mr. Parker's motion, which was carried, and the House then, on motion of Mr. Bond, went into Committee of the Whole to consider the bill first referred to.

Mr. Brown in the chair.

Mr. Brown reported that the Committee of the Whole had had under consideration the House bill entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties,

and to establish their pay," had gone through therewith, had made some amendments thereto, and had directed their chairman to report the bill to the House, and recommend its passage.

The report was agreed to; whereupon Mr. Wm. M. Gillespie, Chief Clerk of the House, offered his resignation in the following communication:

STATE OF NEVADA, ASSEMBLY CHAMBER, }  
CARSON, December 20, 1864. }

*To the Hon. the Assembly:*

Having ascertained it to be the final disposition of your honorable body that the clerk of the Assembly shall be paid from five to eight dollars per diem less than was paid my predecessor in the last House of Representatives in the Territorial Legislative Assembly—appreciating your desire to prove to your respective constituencies your economical disposition as Legislators—I fully feel myself unable to fill the office of Clerk of the Assembly at a per diem any less than that heretofore established by precedent. Accordingly, I respectfully resign my position as Clerk of the Assembly of the State of Nevada.

Respectfully,

W. M. GILLESPIE.

On motion of Mr. Smith, it was accepted by the House, and a motion was made by Mr. Walter that we proceed to the election of another clerk to-morrow morning, which was agreed to.

Mr. Smith then moved that the House do now adjourn. Accordingly, at two o'clock P. M., the House adjourned till eleven o'clock A. M. to-morrow, pursuant to rule.

---

## TENTH DAY.

WEDNESDAY, December 21st, 1864.

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

The Speaker in the chair.

On calling the roll, the following members were present:

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. St. Clair, Sine and Leavitt.

Prayer by Rev. Mr. White.

The Journal of yesterday was read and approved.

Mr. Young moved that we now proceed to the election of a Chief Clerk, to fill the vacancy occasioned by the resignation of Wm. M. Gillespie.

Mr. Brown nominated Col. U. E. Allen for the position of Chief Clerk.

Mr. Bond moved that Col. U. E. Allen be unanimously declared elected Chief Clerk of the Assembly, which was agreed to.

The Chief Clerk, Col. U. E. Allen, and Assistant Clerk John H

Hunter then appeared and took the oath of office, administered by Judge Brosnan.

Mr. Brown, of Humboldt, made the following report :

*Mr. Speaker :*

Your Committee, to whom was referred the Act entitled "An Act for the relief of Hiram Welsh," having had the same under consideration, would beg leave to report the same back to the House, and recommend its passage.

D. H. BROWN,  
J. A. DUN,  
B. H. NICHOLS.

Bill and report placed on file.

Mr. Denson, from the Judiciary Committee, reported the following :

*Mr. Speaker :*

Your Committee reports that the Judiciary Committee have carefully examined the following House bill, as ordered, and recommend that the same be passed by this House, viz: "An Act adopting the Common Law in the State of Nevada."

Report agreed to.

Mr. Sine offered the following resolution :

*Resolved,* That the Sergeant-at-Arms is hereby authorized and required to procure the necessary stationery for the use of the different clerks of the Assembly.

Mr. Hawkins moved to lay the resolution on the table.

Agreed to.

Mr. Smith offered the following resolution :

*Resolved,* That the Speaker appoint a committee of three to confer with a like committee from the Hon. the Senate, to meet the County Commissioners of Ormsby county, and ascertain what arrangements can be made for renting the present rooms for the term of three years, etc., for State and other purposes.

Mr. Young moved to lay the resolution on the table.

Lost.

The question was then upon the adoption of the resolution; but before the vote was taken the original resolution was withdrawn.

Mr. Haskell moved that the Judiciary Committee provide rooms for themselves.

Carried.

Mr. Parker moved that the Committee on Ways and Means provide themselves with a committee room.

Agreed to.

Mr. Carey offered the following resolution :

*Resolved,* That the Sergeant-at-Arms of the Assembly be, and is hereby instructed to procure suitable rooms for the various committees not otherwise provided for.

Mr. Bond moved to lay the resolution on the table, which was carried.

Mr. Smith offered the following concurrent resolution:

*Resolved*, By the Assembly, the Senate concurring, that a committee of three be appointed by the presiding officers of the two Houses respectively, whose duty it shall be, acting conjointly, to investigate into and report as to the legality of the title, and the general condition of the State Prison.

Under the rules, the resolution was laid over one day.

Mr. Rosenblatt moved to take up the resolution of Mr. Smith, which was laid on the table this morning, relating to renting rooms of the County Commissioners of Ormsby county, which was agreed to.

The resolution was taken up, and, on motion of Mr. Patten, it was referred to the Committee on State Institutions.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, December 20th, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I have the honor to transmit herewith, for the concurrence of your honorable body, Senate Concurrent Resolution No. 2, as passed by the Senate, and respectfully ask that your honorable body concur therein.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The question being on concurring with the concurrent resolution of the Senate, the clerk called the roll, with the following result:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Maybugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Sine, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Affirmative, 34; negative, 0; absent, 2.

#### NOTICE OF BILLS.

Mr. Hawkins gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend, and supplementary to, an Act to provide for the assessing and collecting county and Territorial revenue."

Mr. Hawkins gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend an Act creating Boards of County Commissioners and defining their duties."

Mr. Hawkins gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend an Act in relation to County Treasurers."

Mr. Sine gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act prescribing the mode of maintaining and defending possessory actions on public land in the State of Nevada."

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the encouragement of mining."

Mr. Cutter gave notice that he would, at some future day, ask leave

to introduce a bill entitled "An Act to issue bonds and coupons, or certificates of indebtedness."

Mr. Cutter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

Mr. Toombs gave notice that he would, at some future day, ask leave to introduce a bill to amend an Act entitled "An Act authorizing the County Commissioners of the several counties to cause the county limits to be established."

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize the County Commissioners of Esmeralda county to build or purchase a building for a court house and jail for said county."

Mr. Hawkins, by unanimous consent, introduced the following bill entitled "An Act creating a State Legislative Fund," which was read the first time; whereupon the rules were suspended and the bill read the second time, and on motion of Mr. Hawkins, the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Speaker reported that the Committee of the Whole had had under consideration the House bill entitled "An Act creating a State Legislative Fund," had made some amendments thereto, had directed their chairman to report the same to the House, and recommend its passage.

The report was agreed to.

Mr. Hawkins moved that the rules be suspended, and the bill be considered engrossed, and placed on its final passage.

The question being on the suspension of the rules, it was agreed to, and ordered to be engrossed before being transmitted to the Senate. The bill was read a third time, and upon the roll being called, the bill passed, with the following result:

In the affirmative, 33; in the negative, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Wellington, and Walter.

Those voting in the negative were—

Mr. Young and Mr. Speaker.

On motion of Mr. Parker, the clerk was ordered to transmit the bill to the Senate forthwith.

Pursuant to previous notice, Mr. Rosenblatt introduced the following bill entitled "An Act to create the office and to define the duties of Coroner," which was read the first time; whereupon the rules were suspended and the bill read a second time, and referred to the Standing Committee on Judiciary.

On motion of Mr. Brown, the bill entitled "An Act for the relief of Hiram Welsh," was taken up, and the rules were suspended, and the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

The Chairman reported that the Committee of the Whole had had un-

der consideration the bill entitled "An Act for the relief of Hiram Welsh," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report agreed to.

On motion, the rules were suspended, and bill ordered read a third time, and placed on its final passage.

The roll was called, with the following result :

In the affirmative, 32; in the negative, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

On motion, the bill reported from the Judiciary Committee entitled "An Act adopting the common law in the State of Nevada," was taken up, and Mr. Bond moved that the House resolve itself into Committee of the Whole; but, subsequently, the motion was withdrawn, rules suspended, bill considered engrossed, and ordered read a third time, and placed on its final passage.

The roll was called, with the following result :

In the affirmative, 33; negative, 0—as follows :

Those voting in the affirmative were :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

A majority of the members present having voted in the affirmative, the Speaker decided the bill passed.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
December 21st, 1864. }

*To the Hon. the Assembly of the State of Nevada :*

I have the honor to transmit herewith for the consideration of your honorable body, a resolution introduced by Mr. Clagett, with the action of the Senate thereon.

All of which is respectfully submitted.

L. B. MOORE,

Secretary of Senate.

*Be it resolved*, by the Senate, the Assembly concurring, That the Standing Committee on Judiciary of the two Houses be instructed to act together in joint convention, on all bills referred to either of such committees by either House.

December 21st, introduced by Mr. Clagett.

Decision of the chair: That the resolution does not take the usual course of a bill, in being read three times; upon which the resolution was adopted unanimously, and ordered transmitted to the Assembly.

L. B. MOORE,

Secretary of the Senate.

Mr. Greeley moved to indefinitely postpone the action on the resolution referred to in the message.

Mr. Cutter moved to lay the resolution on the table.

Lost.

Mr. Hawkins moved that we do not concur in the resolution offered by the Senate.

Mr. Greeley withdrew his motion to indefinitely postpone.

The question now being on the concurrence, the roll was called, with the following result :

In the affirmative, 9; in the negative, 26—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bond, Denson, Hinckley, Walter, and Mr. Speaker.

Those voting in the negative were—

Messrs. Brown, Bishop, Cary, Cutter, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Pat-ten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Wellington, and Young.

A majority of the members present, and voting, having voted in the negative, the Speaker announced that the House refused to concur, and the clerk was instructed to notify the Senate of the action of the House.

Mr. Brown gave notice that he would to-morrow move a reconsideration.

Mr. Cutter, from the Standing Committee on Engrossment, made the following report :

*Mr. Speaker :*

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz : “ An Act creating a State Legislative Fund.”

Agreed to.

Mr. Greeley moved that the House do now adjourn.

Carried.

And, accordingly, the House adjourned at quarter past one o'clock p. m. till eleven o'clock, A. M., to-morrow.



## ELEVENTH DAY.

THURSDAY, December 22d, 1864.

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

Mr. Speaker in the chair.

Upon the roll being called, the following members were present :

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent :

Messrs. Bien and Leavitt.

Prayer by Rev. Mr. White.

The journal of yesterday was read and approved.

Mr. Hawkins moved to amend the journal to include Sundays, so that it might read to-day the eleventh day, instead of the tenth.

Mr. Brown moved to amend the motion by not including Sundays.

Lost.

Mr. Walter moved that a special committee of three be appointed by the chair to consult with the three Supreme Judges and the Attorney-General in relation to the proposed change.

Mr. Bond moved to strike out the three Supreme Judges, and Mr. Walter accepted the amendment.

Mr. Carey moved to amend the motion of Mr. Walter, so that the committee appointed by the Speaker confer and act conjointly with a like committee from the Senate.

Agreed to.

The motion of Mr. Walter was agreed to, and the committee were requested to report, if not concurred in by the Senate.

The Speaker appointed as such committee Messrs. Walter, Patten and St. Clair.

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

*To the Hon. Speaker of the Assembly :*

The Committee on Mileage having had the same under consideration, beg leave to submit this report, with the accompanying table, showing the distances traveled by the several members of the Assembly from their respective places of residence, in coming to and returning from the Capital of the State, together with the amount due to each member, in accordance with the provision of the seventeenth article, third section and ninth clause of the Constitution, which provides for the payment of mileage of the members of the Legislature :

Names.	Miles.	Amount.
STOREY COUNTY—		
Mr. W. M. Cutter.....	32	\$ 12 80
Mr. E. Bond.....	32	12 80
Mr. E. Patten.....	32	12 80
Mr. W. W. Bishop.....	32	12 80
Mr. C. W. Tozer.....	32	12 80
Mr. A. L. Greeley.....	32	12 80
Mr. J. A. Rigby.....	32	12 80
Mr. H. M. Bien.....	32	12 80
Mr. John Leavitt.....	32	12 80
Mr. James Bolan.....	32	12 80
Mr. R. A. Young.....	32	12 80
Mr. Jacob Smith.....	32	12 80
ORMSBY COUNTY—		
Mr. J. E. W. Cary.....	14	5 60
ESMERALDA COUNTY—		
Mr. D. Haskell.....	220	88 00
Mr. J. S. Mayhugh.....	220	88 00
Mr. Cyril Hawkins.....	220	88 00
Mr. D. Wellington.....	110	44 00
HUMBOLDT COUNTY—		
Mr. D. H. Brown.....	350	140 00
Mr. B. N. Nichols.....	400	160 00
Mr. J. A. Dun.....	400	160 00
LANDER COUNTY—		
Mr. H. P. Walter.....	432	172 80
Mr. E. P. Sine.....	432	172 80
Mr. J. L. Hinckley.....	432	172 80
Mr. M. A. Rosenblatt.....	432	172 80
LYON COUNTY—		
Mr. W. F. Toombs.....	24	9 60
Mr. W. G. Lee.....	48	19 20
Mr. H. G. Parker.....	24	9 60
CHURCHILL COUNTY—		
Mr. J. St. Clair.....	140	56 00
WASHOE AND ROOP COUNTIES—		
Mr. R. M. Shackelford.....	36	14 40
Mr. H. H. Beck.....	24	9 60
Mr. J. A. Myrick.....	20	8 00
NYE COUNTY—		
Mr. A. C. Bearss.....	532	212 80
DOUGLAS COUNTY—		
Mr. H. Epstein.....	36	13 60
Mr. J. W. Small.....	52	20 80

All of which is most respectfully submitted.

JOHN S. MAYHUGH,  
Chairman.

H. EPSTEIN,  
J. A. DUN.

Report was adopted.

Mr. Cutter moved that the bill entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and to establish their pay," be referred to a special committee, which was carried; and the Speaker referred it to the same special committee from which it had been reported, viz: Messrs. Young, Brown, Haskell, Bearss and Smith.

The Committee reported the same back with a correct engrossed bill.

Mr. Cutter, from the Committee on Engrossment, made the following report:

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the originals, as ordered engrossed, and found the same correctly engrossed, viz: "An Act for the relief of Hiram Welsh," "An Act adopting the common law in the State of Nevada."

Report adopted.

Mr. Haskell, from the Standing Committee on Federal Relations, made the following report:

*Mr. Speaker:*

The Committee on Federal Relations to whom was referred Assembly bill No. —, "An Act creating the office of Public Administrator," have had the same under consideration, and recommend its passage.

HASKELL,  
Chairman.

Adopted.

Mr. Cutter, from a select committee, made the following report:

*Mr. Speaker:*

The undersigned, the select committee to whom was referred Assembly concurrent resolutions relating to a donation by Congress to the corporation constructing a railroad from Latrobe, in the State of California, to Carson City or Virginia, in the State of Nevada, report the same, without amendment, and unanimously recommend its passage.

(Signed)

W. M. CUTTER,  
H. H. BECK,  
D. H. BROWN,  
JAS. A. Sr. CLAIR,  
M. A. ROSENBLATT.

Report adopted.

Mr. Cutter offered the following resolution:

*Resolved,* That the Sergeant-at-Arms is hereby authorized to procure the necessary furniture for the room of the Enrolling Clerk.

Mr. McKeeby moved that the resolution be referred to the Enrolling Committee.

Agreed to.

Mr. Brown, in pursuance to notice, moved to reconsider the vote taken yesterday, in relation to the Judiciary Committee meeting the like committee from the Senate jointly.

Motion to reconsider carried.

The question now being on the concurrence with the Senate, the roll was called with the following result :

In the affirmative, 26 ; in the negative, 9—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolaa, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Hinckley, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Cutter, Greeley, Hawkins, Haskell, Myrick, Mayhugh, Sine, and Wellington.

A majority of the members present having voted in the affirmative, the Speaker declared that the House concurred with the action of the Senate, and requested the Clerk to notify the Senate of that fact.

Mr. Hawkins, from the Enrolling Committee, made the following report :

*Mr. Speaker :*

The Enrolling Committee have had under consideration the resolution concerning the Sergeant-at-Arms procuring the room for the Enrolling Clerk, and recommend its passage.

C. HAWKINS, Chairman.

The report was agreed to.

Mr. Walter offered the following resolution :

*Resolved*, That the Clerk of the House be authorized to inform the Hon. the Senate of the appointment, consisting of Messrs. Walter, Patten and St. Clair, on the part of the House, to confer with the Attorney General in regard to the session of ninety days, whether it is inclusive or exclusive of the Sabbath Day, and to request the formation of a like committee on part of the Senate to act conjointly with said House committee.

Resolution adopted.

Mr. Beck offered the following resolution :

*Resolved*, That the House now go into the election of a chaplain, and that the compensation of the same shall be three dollars per day.

The question then being shall the resolution pass.

Mr. Mayhugh moved to lay the resolution on the table.

Lost.

Mr. Brown moved to indefinitely postpone the resolution.

No second.

Mr. Patten offered the following substitute for the resolution.

*Resolved*, That the ministers who have officiated in the Assembly during the present session, and those who shall hereafter officiate till the adjournment of the Legislature, shall be entitled to the sum of eight dollars per day, to be paid out of the contingent fund of the Assembly, and the Controller of State is hereby authorized, and required, to draw his warrant, and the Treasurer of State to pay the same out of the aforesaid Assembly contingent fund.

Not adopted.

Mr. Cutter moved to indefinitely postpone the whole matter.

The ayes and noes being called for, the roll was called with the following result :

In the affirmative, 14; in the negative, 21—as follows :

Those voting in the affirmative were—

Messrs. Brown, Bien, Cutter, Dun, Epstein, Greeley, Hawkins, Mayhugh, Nichols, Rosenblatt, Small, Sine, St. Clair, and Mr. Speaker.

And those voting in the negative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Hinckley, Haskell, Lee, Myrick, McKeeby, Parker, Patten, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Young.

A majority of the members present having voted in the negative, the Speaker declared the motion to indefinitely postpone carried.

The previous question now being called for was sustained, and the main subject now taken up. The vote was first taken on the substitute, which was lost.

The resolution of Mr. Beck was then taken up, and the ayes and noes being called for, the roll was called, with the following result :

In the affirmative, 26; in the negative, 9—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Epstein, Greeley, Hawkins, Rosenblatt, Small, Sine, and St. Clair.

A majority of the members present having voted in the affirmative, the Speaker declared the resolution passed.

Mr. Mayhugh and Mr. Cutter gave notice to reconsider the vote just taken.

Mr. Sine moved to take up the resolution requiring the Sergeant-at-Arms to furnish stationery, etc., for the House.

Agreed to, and the resolution adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
CARSON, December 21st, 1864. }

*To the Hon. the Assembly of the State of Nevada :*

I have the honor to transmit herewith Assembly joint resolution in relation to the taxation of mines, which originated in your honorable body, with the concurrence of the Senate therein. I have also the honor to submit for the consideration of your honorable body the amendment annexed thereto, in all of which you are respectfully asked to concur.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The question now being on concurring with the Senate amendment, the roll was called, with the following result :

In the affirmative, 29; in the negative, 0; absent, 7.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh,

St. Clair, McKeeby, Nichols, Parker, Patten, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

A majority of the members present having voted in the affirmative, the Speaker declared the Senate amendments concurred with, and the clerk was requested to notify the Senate of that fact.

Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to establish, regulate and found a general system for the maintenance and conducting of the common schools of the State of Nevada, and a supplementary act for the regulation of the common schools in the county of Storey."

Mr. Wellington gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend an Act entitled An Act to authorize John Hawkins, his associates and assigns, to construct and maintain a toll-road."

Mr. Bond gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for the construction of a railroad from Virginia to Truckee River via. Washoe City."

Mr. Sine gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act granting to P. D. Beebee and associates the exclusive right to construct and maintain a toll-road, commencing at the city of Austin, Lander county, and running to the town of Geneva, Smoky Valley."

Mr. Smith gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act requiring superintendents and secretaries of mines and mining companies to publish, under oath, quarterly statements of the receipts from assessments, expenditures and yield of their respective mines, and prescribing the form thereof." Also, an Act fixing the salaries of certain officers in Storey county, their respective deputies, and their compensation, and to provide for the payment of all fees received by them into the treasury of said county.

Mr. St. Clair gave notice of "An Act for the protection of the Carson river and its tributaries in the county of Churchill."

Mr. Young, from the Committee on Engrossment, reported Bill No. 12 correctly engrossed.

Mr. Lee, pursuant to previous notice, introduced the following bill, entitled "An Act for the maintenance and supervision of county schools." Rules were suspended, and the bill read twice, and referred to Committee on Education.

Mr. Cutter, pursuant to previous notice, introduced the following bill, entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

The rules were suspended, bill read twice, and referred to the Standing Committee on Ways and Means; and on motion of Mr. Hawkins, one hundred and twenty copies were ordered printed.

Mr. Rosenblatt gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the relief of insolvent debtors and protection of creditors."

Mr. Denson, pursuant to previous [notice], introduced the following entitled bill: "An Act fixing the terms of the Courts of Justice of the State of Nevada."

Rules suspended, read twice, and referred to Standing Committee on Judiciary.

The bill entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and establish their pay," was now taken from the general file and read by sections.

Mr. Patten moved to refer the bill to a special committee of three, to be selected by the chair, to amend the same—the committee to have special instructions in relation to the proposed amendments, as follows: “Strike out the words “eight dollars,” and insert the words “ten [dollars]”, whenever it occurs before and after the words “Sergeant-at-Arms” of the Assembly, and strike out “six” and insert “eight” whenever it occurs [with the words] “Assistant Sergeant-at-Arms.”

Mr. Bond offered the following special instructions: “That the bill be referred back to a special committee of three, with the instructions to insert fifteen dollars in place of ten dollars, regulating the salaries of the Secretary of the Senate and the Clerk of the House.

Mr. Bishop moved to indefinitely postpone action upon the instructions offered by Mr. Bond.

Carried.

Mr. Brown moved to indefinitely postpone action upon all the instructions offered by Mr. Patten, when the ayes and noes were called for, and the roll was called, with the following result:

In the affirmative, 26; in the negative, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Denson, Dun, Hinckley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

In the negative—

Messrs. Bien, Cutter, Greeley, Hawkins, Mayhugh, Patten, Rosenblatt, and Sine.

A majority of the members present having voted in the affirmative, the Speaker declared the motion to postpone carried.

The question then being on the passage of the bill, the roll was called, with the following result:

In the affirmative, 30; in the negative, 4—as follows:

Those voting in the affirmative were:

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

In the negative—

Messrs. Cutter, Patten, Rosenblatt, and Sine.

A majority of the members present having voted in the affirmative, the Speaker declared the bill passed, and ordered transmitted to the Senate.

Mr. Cutter moved to take up the resolution, which was laid on the table yesterday, relating to the condition of the State Prison, etc.

Agreed to.

Mr. Patten moved that the resolution be referred to the Standing Committee on State Institutions, but subsequently the motion was withdrawn.

The question now being on the passage of the resolution, the roll was called, with the following result:

In the affirmative, 31; in the negative, 3—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, and St. Clair.

A majority of the members having voted in the affirmative, the Speaker announced the resolution passed.

The chair appointed Messrs. Smith, Toombs and Greeley upon the special committee to confer with a like committee from the Senate.

Mr. Bond offered the following resolution :

*Resolved*, That the Special Committee on State Prison be, and are hereby, empowered, to procure legal advice in settling the question of the title to the State Prison property ; but the motion was subsequently withdrawn.

Mr. Mayhugh moved that we do now adjourn ; and, accordingly, at two o'clock P. M. the House adjourned till to-morrow, at eleven o'clock A. M.

---

## TWELFTH DAY.

FRIDAY, December 23d, 1864.

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

Mr. Speaker in the chair.

The roll was called, and the following members were present :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Dun and Leavitt.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Mr. Brown asked indefinite leave of absence for his colleague, Mr. Dun.

Leave was granted.

### MOTIONS AND RESOLUTIONS.

Mr. Brown offered the following resolution :

*Resolved*, That it is the sense of this Assembly, that no bill for any private franchise will be considered or referred to any committee until two hundred and forty (240) copies of the same shall have been printed, at the expense of the party or parties in interest, and copies of the same laid on the desks of all of the members of this House.

Mr. Hawkins offered the following substitute for the resolution :

*Resolved*, That all bills for franchises, and of a private character, if



ordered printed by the Assembly, shall be printed at the expense of the parties interested.

The question being first on the substitute, was lost, and the original resolution adopted.

Mr. Young offered the following resolution :

*Resolved*, That a committee of three be appointed by the Speaker to index the State Constitution, and order printed two hundred and forty copies, in pamphlet form, for the use of the members of the Legislature and State officers.

Adopted.

The chair announced as such committee, Messrs. Young, Bearss and Beck.

Mr. Mayhugh offered the following resolution :

*Resolved*, That the Judiciary Committee be, and is hereby, instructed to examine into, and report thereon at as early a day as practicable, the expediency of amending the present Lien Law, so as to embrace within its provisions the necessary protection and security for all kinds of labor performed, be it mechanical or otherwise.

Adopted.

Mr. Mayhugh offered the following resolution :

WHEREAS, The fourth article and eighteenth section of the Constitution requires that every bill shall be read by sections on three several days, except in case of emergency ; therefore, be it

*Resolved*, That it is the deliberate opinion of this House that, upon the second reading of all bills of a general nature that is presented for its consideration, that said emergency has arisen as contemplated by the Constitution.

Adopted.

Mr. Lee offered the following resolution :

*Resolved*, That the Sergeant-at-Arms be instructed, when called upon by members of this House, to furnish each member postage stamps, envelopes, stationery, and four daily newspapers during the session, the amount not to exceed sixty dollars to each member.

Resolution laid on the table.

Mr. Cutter offered the following resolution :

*Resolved*, That one hundred and twenty additional copies of "An Act to tax and regulate foreign insurance companies doing business in this State," be, and is hereby, ordered printed, provided the type has not been distributed.

Adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, December 22, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Bill No. 1, entitled "An Act amendatory of and

supplementary to an Act entitled "An Act to regulate proceedings in Civil Cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, with the final action of the Senate thereon. All of which is respectfully submitted.

L. B. MOORE,

Secretary of the Senate.

The Senate Bill No. 1, as per message, was read the first time, rules suspended, read a second time by title, and referred to the Standing Committee on Judiciary.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, December 22d, 1864. }

*To the Hon. the Assembly of the State of Nevada :*

I have the honor to transmit herewith, for the consideration of your honorable body, a resolution originating in this body, providing for the appointment of a committee from both the Senate and Assembly to examine the books and papers of the last Territorial officers, and respectfully ask the concurrence of your honorable body therein.

All of which is respectfully submitted.

L. B. MOORE,

Secretary of Senate.

#### JOINT RESOLUTION.

Providing for the appointment of a committee to examine the books and papers of the last Territorial officers.

*Resolved*, by the Senate, the Assembly concurring, That a committee of five—three from the Assembly and two from the Senate—be appointed by the Speaker of the House and President of the Senate, to examine the books and papers of the last Territorial officers, and report thereon.

The question being on concurring with the Senate joint resolution, the roll was called, with the following result :

In the affirmative, 33; in the negative, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The resolution was adopted, and the Speaker appointed as such special committee Messrs. Bolan, Cary, and Hinckley.

#### NOTICE OF BILLS.

Mr. Denson gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act in relation to current money in the State of Nevada, and the rate of interest to be charged thereon."

Mr. Bond gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act authorizing A. Coffman, Wm. McKay, Alexander McKay, and E. W. Haines, to establish and maintain a toll road."

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act in relation to attachments in civil cases."

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize the formation of limited partnership."

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a [bill entitled] "An Act to prohibit the sale of ardent spirits, fire arms, or ammunition, to the Indians."

Mr. Smith gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act amendatory of and supplemental to an Act entitled An Act to provide for the formation of corporations for certain purposes," approved December twentieth, one thousand eight hundred and sixty-two.

Mr. Haskell gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize the County Commissioners of Esmeralda County to purchase the records of Mono County."

Mr. Beck gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act concerning roads and highways."

Mr. Young gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to regulate the rates of toll on the Ophir grade."

#### INTRODUCTION OF BILLS.

Mr. Cutter, by unanimous consent, introduced the bill entitled "An Act for the relief of John A. Benham."

The bill was read the first time, rules suspended and read a second time by title, and referred to the Committee on Claims."

Mr. Hawkins, pursuant to previous notice, introduced a bill entitled "An Act to amend an Act in relation to County Treasurers."

The bill was read the first time, rules suspended and read a second time by title, and referred to the Standing Committee on Judiciary.

Mr. Hawkins, pursuant to previous notice, introduced the following bill, entitled "An Act to amend an Act creating Boards of County Commissioners, and defining their duties."

The bill was read the first time, rules suspended and read a second time by title, and referred to the Standing Committee on Judiciary.

Mr. Mayhugh now moved to reconsider the vote taken yesterday, according to previous notice, in relation to the election of a Chaplain.

The question now being called, the roll was called, with the following result :

In the affirmative, 13 ; in the negative, 16.

Those voting in the affirmative were—

Messrs. Brown, Bien, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinkley, Hawkins, Mayhugh, Nichols, Patten, Rosenblatt, Small, Sine, St. Clair, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bond, Haskell, Lee, Myrick, McKeeby, Parker, Rigby, Shackelford, Smith, Toombs, Walker, Wellington, and Young.

So the motion to reconsider was carried.

Mr. Sine now moved to indefinitely postpone the whole subject matter in relation to the resolution offered by Mr. Beck.

The ayes and noes being called for, the roll was called, with the following result :

Ayes, 24 ; noes, 10—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Lee, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, Walter, and Mr. Speaker.

Those voting in the negative were—

Messrs. Beck, Bolan, Bond, Haskell, Myrick, McKeeby, Shackelford, Smith, Wellington, and Young.

So the motion to indefinitely postpone was carried.

Mr. Haskell moved to adjourn, which was lost.

Mr. Cutter moved that when we do adjourn, we adjourn until Saturday next, at eleven o'clock.

The ayes and noes being called for, the roll was called, with the following result :

Ayes, 10 ; noes, 24—as follows :

Those voting in the affirmative were—

Messrs. Beck, Bolan, Bien, Cutter, Epstein, Rosenblatt, Small, Sine, St. Clair, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Brown, Bishop, Bond, Cary, Denson, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Young.

So the motion to adjourn until Saturday next was lost.

Mr. Cutter moved that we now adjourn.

The ayes and noes being called for, the roll was called, with the following result :

Ayes, 11 ; noes, 23—as follows :

Those voting in the affirmative were—

Messrs. Brown, Bolan, Hinckley, Hawkins, Mayhugh, Nichols, Parker, Rigby, Shackelford, St. Clair, and Toombs.

Those voting in the negative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Haskell, Lee, Myrick, McKeeby, Patten, Rosenblatt, Small, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

So the motion to adjourn was lost.

Mr. Bond moved to take from the table the resolution offered by Mr. Lee, instructing the Sergeant-at-Arms to furnish stationery, etc.

Carried.

Mr. Bien moved to indefinitely postpone the resolution.

Lost.

Mr. Walter moved that we do now adjourn.

The ayes and noes being called for, the roll was called, with the following result :

Ayes, 17 ; noes, 16—as follows :

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Greeley, Hinckley, Hawkins, Lee, Mayhugh, Rigby, Shackelford, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Bishop, Cutter, Denson, Epstein, Haskell, My-

rick, McKeeby, Parker, Patton, Rosenblatt, Small, Sine, Smith, and Wellington.

So the motion to adjourn was carried, and accordingly, at one o'clock and thirty minutes p. m., the House adjourned till eleven o'clock a. m. to-morrow.

### THIRTEENTH DAY.

SATURDAY, December 24th, 1864.

The House met, pursuant to adjournment, at eleven o'clock a. m.

Mr. Speaker in the chair.

Upon calling the roll, the following members were present, viz:

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hincley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

Absent—Mr. Leavitt.

Excused—Messrs. Bearss, Dun, Greeley, Small, Shackelford, Smith, and Toombs.

Present, 28; absent, 1; excused, 7.

Prayer by the Rev. Mr. White.

Leave of absence was granted to the following gentlemen, viz: Messrs. Bearss, Greeley, Small, Shackelford, Smith and Toombs.

The reading of the journal was dispensed with until the next day's session.

Mr. Patten moved to adjourn.

Lost.

Mr. Cutter moved that the regular order of business be dispensed with.

Lost.

#### REPORT OF COMMITTEES.

Mr. Denson, from the Standing Committee on the Judiciary, reports that said Committee have had under consideration Senate Bill No. 11, entitled "An Act amendatory and supplementary to an Act entitled An Act to regulate proceedings in civil cases in the Courts of Justice in the Territory of Nevada," approved November 29th, 1861, have found the same correct, and beg leave to report favorably thereon, and recommend its passage.

(Signed)

DENSON,  
Chairman.

Report accepted.

Mr. Parker, from the Committee on Ways and Means, made the following report:

*Mr. Speaker:*

Your Committee of Ways and Means, to whom was referred Assembly Bill No. 23, "An Act to tax and regulate foreign insurance companies doing business in this State," respectfully report the same back,

with the following amendment, and recommend its passage as amended: Amend section thirteen by striking out the word "and" before the word "nine," and inserting the words "and ten" after the word "nine" in the second and third lines.

H. G. PARKER,  
Chairman.

Report accepted.

Mr. Haskell, from a select committee, made the following report:

*Mr. Speaker:*

Your committee appointed to wait upon the resident clergymen of Carson City, have performed that duty, and beg leave to submit the following report, and ask to be discharged:

Your Committee called upon the Rev. Father Rubi, Rev. Mr. Nims, and the Rev. Mr. White, all of whom have satisfied your Committee of their undoubted loyalty and devotion to the Union, and signified their willingness to make arrangements to open the daily sessions of the Assembly with prayer, in accordance with the resolution inviting them to do so. Your committee would most respectfully further report, that while they believe the grace of God is, and should be, free to all, they are of the opinion that those who are engaged in the holy calling of dispensing the same are as justly entitled to compensation for their labors as gentlemen laboring in any other profession.

HASKELL,  
Chairman.

Report accepted.

Mr. Walter, from a select committee, makes the following report:

Your committee, to whom was referred the duty of consulting the Attorney-General in regard to the length of the session of the Legislature, respectfully report:

That the opinion of the Attorney-General is positive and unequivocal, that the Sabbath days, as well as days of adjournment, are included in the ninety days, as prescribed by the Constitution, and that the aforesaid instrument will admit of no other legal interpretation.

D. P. WALTER,  
Chairman.

Report accepted.

Mr. Bond moved that when we adjourn, we adjourn until Tuesday, at the usual hour.

Carried.

Mr. Parker gave notice that he would, on the next day of our session, make a motion to amend section fifty-five of the standing rules of the House.

Mr. Cutter, by unanimous consent, introduced the following bill entitled "An Act for the relief of the Virginia Fire Department." Was read the first time, rules suspended, and read a second time by title; rules suspended again, and the bill considered in the Committee of the Whole—Mr. Speaker in the Chair.

Mr. Speaker reported that the Committee of the Whole had had under consideration the House bill entitled "An Act for the relief of the Virginia Fire Department," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

The question now being upon the final passage of the bill, the roll was called, with the following result: Ayes, 27; noes, 0; excused from voting, 1; absent, 8.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

Bill passed.

Mr. Parker moved to reconsider the vote just taken.

The chair ruled Mr. Parker's motion out of order.

The House appealed from the decision of the chair.

Lost.

Mr. Lee gave notice that he would make a motion to reconsider the vote on the passage of the bill.

Mr. Bien moved to indefinitely postpone motion to reconsider.

Lost.

Mr. Hawkins, pursuant to previous notice, introduced a bill entitled "An Act to amend, and supplemental to, an Act to provide for assessing and collecting County and Territorial Revenue." Read the first time, rules suspended, and read a second time by title, and referred to the Standing Committee on Ways and Means.

Mr. Mayhugh moved that we do now adjourn.

Carried.

And, accordingly, at twelve o'clock and forty minutes P. M. the House adjourned until eleven o'clock A. M. Tuesday.

---

## SIXTEENTH DAY.

TUESDAY, December 27th, 1864.

The House met, pursuant to adjournment, at eleven o'clock A. M. Mr. Speaker in the chair.

The roll was called, and the following members were present, viz:

Messrs. Beck, Bond, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bearss, Bolan, Bien, Bond, Dun, Small, Smith, St. Clair, and Toombs.

Present, 26; absent, 9.

Prayer by the Rev. Mr. Rubi.

Leave of absence was granted for one day to the following members, viz:

Messrs. Small, Bolan, Bearss, Toombs, Smith, and Bien.

Mr. Hawkins moved that the reading of the journals of Friday and Saturday be dispensed with for the present.

Carried.

Mr. Hawkins, from the Committee on Enrollment, made the following report:

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled resolution with the engrossed resolution, as passed by the two Houses, and found the same correctly enrolled, viz: "Assembly Joint Resolution concerning action by United States Senators on taxation and disposal of mineral lands."

(Signed)

HAWKINS,

Chairman Enrolling Committee.

Report accepted.

Mr. McKeeby gave notice that he would, at some [future] day, ask leave to introduce a bill entitled "An Act to provide for the payment of the Private Secretary to the Governor of Nevada Territory for the year one thousand eight hundred and sixty-four.

Mr. Rosenblatt moved that the vote had on Saturday on bill entitled "An Act for the relief of the Virginia Fire Department," be now reconsidered.

Motion carried.

Mr. Cutter moved to indefinitely postpone the reconsideration of the vote.

Carried.

Mr. Cutter moved that the order of business be suspended, and that we take up Senate Bill No. 1 for present consideration, viz: General Order No. 5.

Mr. Brown moved that the House now go into Committee of the Whole for consideration of the bill General Order No. 5.

Carried.

Mr. Haskell in the chair.

Mr. Haskell reported that the Committee of the Whole had had under consideration the Senate Bill entitled "An Act amendatory of and supplementary to an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one; had gone through therewith, had made no amendments thereto, and directed their chairman to report progress to the House, and ask leave to sit again.

Report adopted.

Mr. Denson moved that the bill General Order No. 5 be made the special order for Thursday next, at twelve o'clock m., and that two hundred and forty copies be ordered printed.

Mr. McKeeby moved to re-commit the bill to the Judiciary Committee.

Lost.

Mr. Brown moved a substitution [division] of the question.

Carried.

The previous question now being called for, it was sustained, and the question being first upon making the bill the special order for Thursday, at twelve m., it was carried.

The question now being on printing two hundred and forty copies, the ayes and noes were called for by W. M. Cutter, Mr. Sine, and Mr. Bishop, and the roll called, with the following result:

Ayes, 8; nays, 10—as follows:

Those voting in the affirmative were—

Messrs. Beek, Brown, Bond, Denson, Mayhugh, Nichols, Parker, and Patten.

And those in the negative were—

Messrs. Bishop, Cary, Cutter, Epstein, Greeley, Hineckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

Motion lost.



Mr. Cutter, from the Committee on Engrossment, makes the following report:

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act for the relief of the Virginia Fire Department."

(Signed)

W. M. CUTTER,  
Chairman.

Report accepted, and bill transmitted to the Senate.

Mr. Parker, pursuant to notice, moved to amend section fifty-five of the standing rules.

Carried, and the rule was amended as follows: Strike out the word "Senate," and insert in lieu thereof the word "House."

#### NOTICE OF BILLS.

Mr. Rosenblatt gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to exempt the homestead and other property from forced sale in certain cases."

Mr. Shackelford gave notice that he would, at some future time, ask leave to introduce a bill [entitled] "An Act to amend an Act for the protection of agricultural lands."

Mr. Bond, pursuant to previous notice, introduced the following bill entitled "An Act authorizing A. Coffman, Wm. McKay, Alexander McKay, and E. W. Haynes, to establish and maintain a toll-road."

The rules were suspended, and the bill read a first and second time by title, and laid on the table until printed.

Mr. Bond, pursuant to previous notice, introduced the following bill entitled "An Act granting the right of way for the construction of a railroad from Virginia, via Gold Hill, Silver City, Lake View, Franktown and Washoe City, to its terminus on Truckee river."

Rules suspended, and the bill read a first and second time, and laid on the table until printed.

Mr. Lee, pursuant to previous notice, introduced the following bill, entitled "An Act for the encouragement of mining."

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

Mr. Rosenblatt, pursuant to previous notice, introduced a bill entitled "An Act for the relief of insolvent debtors, and the protection of creditors."

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

Mr. Cary, by unanimous consent, introduced the following bill, entitled "An Act for the abatement of certain public nuisances."

Bill read a first time, rules suspended, and bill read a second time by title, and referred to the Standing Committee on Public Morals.

Mr. Wellington, pursuant to previous notice, introduced the following bill, entitled "An Act to authorize the County Commissioners of Esmeralda county to build or purchase a building for a court house and jail."

The rules were suspended, and the bill read a first and second time by title, and referred to the Esmeralda county delegation.

Mr. Epstein gave notice that he would to-morrow move to amend section fifty-six of the standing rules.

Mr. Brown moved that we take a recess until two o'clock P. M.

Carried—and accordingly, at fifteen minutes past one P. M., the House took a recess.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House met pursuant to adjournment.

The roll was called, and a quorum was present.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, December 27th, 1864. }

*To the Hon. the Assembly:*

I have the honor to transmit herewith Assembly Bill No. 29, entitled "An Act for the relief of the Virginia Fire Department," and the final action of the Senate thereon.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, December 27th, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I have the honor to transmit herewith, for the consideration of your honorable body, the following bills and resolution, with the action of the Senate thereon, viz: 1st. Assembly Bill No. —, entitled "An Act to provide for the actual expenses of the members of the Legislature, etc.;" 2d. Senate Bill No. 17, "An Act to provide for the allotment of Senators;" 3d. Senate Concurrent Resolution No. 4, relating to the eastern boundary of the State of Nevada.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The question being on concurring with the Senate amendments to House Bill No. 6, Mr. Hawkins moved that the bill be indefinitely postponed.

Carried.

Bill No. 17, entitled "An Act to provide for the allotment of Senators" (as per message), was taken up, rules suspended, read first, second and third times, and placed on its final passage. The roll was called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

Passed.

Senate Concurrent Resolution No. 4 (as per message) was taken up, and read the first time; the rules were suspended and read the second time by title; rules again suspended, bill read a third time, and placed upon its final passage. The roll was called, with the following result: Ayes, 27; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Walter, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Wellington, Young, and Mr. Speaker.

In the negative—Mr. Hinckley.

So the bill passed.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, December 27, 1864. }

*To the Hon. the Assembly:*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Bill No. 21, entitled "An Act for the relief of J. H. Taber, Sheriff of Lander county," with the final action of the Senate thereon.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

Senate Bill No. 21 (as per message) was now taken up, entitled "An Act for the relief of J. H. Taber, Sheriff of Lander county." Rules suspended, bill read the first and second times by title, and referred to the Lander county delegation.

Mr. Parker moved that the Standing Committee on Ways and Means be authorized to employ a clerk at a salary of five dollars per day.

Carried.

Mr. Bishop moved that the Standing Committee on Judiciary be authorized to employ a clerk at a salary of five dollars per day.

Carried.

Mr. Bishop moved that we do now adjourn; and, accordingly, at two o'clock and forty-five minutes P. M., the House adjourned.

---

## SEVENTEENTH DAY.

WEDNESDAY, December 28th, 1864.

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

Mr. Speaker in the chair.

The roll was called, and the following members were present, viz :

Messrs. Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Wellington, Walter, Young, and Mr. Speaker.

Absent—Messrs. Bearss, Bien, Dun, St. Clair, and Leavitt.

Present, 31; absent, 5.

Prayer by the Rev. Father Rubi.

The journal of Friday, Saturday and Tuesday were read and approved.

The journal of Friday amended so as to read (in the motion of Mr. Cutter to adjourn), Tuesday in lieu of Saturday.

Mr. Bond moved that the resolution offered by Mr. Brown, requiring the printing of all bills of private franchises by those asking the same, be rescinded.

Carried.

Mr. Hawkins offered the following resolution:

*Resolved*, That all bills for franchises, and bills of a private character, when reported upon by the committee to which they shall be referred, shall be printed at the expense of the parties interested.

Carried.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, December 28th, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Bill No. 8, entitled "An Act for paying the outstanding indebtedness of Lander county," with the final action of the Senate thereon, viz: Ayes, 15; noes, 0.

All of which is respectfully submitted.

L. B. MOORE,

Secretary of the Senate.

Senate Bill No. 8, entitled "An Act to provide for the payment of the outstanding indebtedness of Lander county." The rules were suspended, and the bill read a first and second time by title, and referred to the Lander county delegation.

Mr. Hawkins, from the Standing Committee on Enrollment, made the following report:

Mr. Hawkins, from the Standing Committee on Enrollment, has carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and find the same correctly enrolled, viz: Assembly Bill No. 29, entitled "An Act for the relief of the Virginia Fire Department."

(Signed)

C. HAWKINS,  
Chairman Enrolling Committee.

Report accepted.

Mr. Hawkins, from the [Enrolling] Committee, made the following report:

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the 28th inst., viz: Assembly Bill No. 29, entitled "An Act for the relief of the Virginia Fire Department."

(Signed)

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Report accepted.

#### NOTICE OF BILLS.

Mr. Shackelford gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize Jerry Schooling to construct and maintain a toll-road."

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize married women to transact business in their own name as sole traders."

Mr. Patten gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act regulating homesteads in this State."

Mr. Smith gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to tax the receipts of toll roads."

Mr. Myrick gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to create the office of State Geologist, and to define the duties thereof."

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act relating to homesteads."

Mr. Myrick gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties in the State."

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT. }  
CARSON CITY, December 28th, 1864. }

*To the Assembly of Nevada:*

I have this day approved an Act, which originated in the Assembly, entitled "An Act for the relief of the Virginia Fire Department."

HENRY G. BLASDEL,  
Governor.

SECOND READING OF BILLS.

Mr. Bond moved that the bill laid upon the table yesterday, entitled "An Act granting the right of way for the construction of a railroad from Virginia, via Gold Hill, Silver City, Lake View, Franktown, Washoe City, to its terminus on Truckee River," be now taken from the table.

Carried.

Mr. Cutter moved that the bill be referred to the Committee on Internal Improvements, which was so referred.

Mr. Bond moved that the bill introduced by him, relating to the construction of a toll road by A. Coffman and others, be referred to the Standing Committee on Internal Improvements.

Carried, and so referred.

Mr. Bishop, by unanimous consent, introduced the following bill, entitled "An Act to amend section first of an Act amendatory of and supplementary to an Act entitled 'An Act to provide for the formation of corporations for certain purposes,' approved December 20th, 1862, approved February 19th, 1864.

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

Mr. Sine, pursuant to previous notice, introduced the following bill, entitled "An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State."

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

Mr. Epstein, pursuant to previous notice, introduced a bill entitled "An Act to amend an Act entitled 'An Act to amend and supplemental to an Act to provide for the assessing and collecting county and territorial revenue,'" passed December 20th, 1862.

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

Mr. Smith, pursuant to previous notice, introduced the following bill, entitled "An Act amendatory and supplementary to an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved December 20th, 1862.

Rules suspended, and bill read a first and second time by title, and referred to the Committee on Corporations.

Mr. St. Clair, pursuant to previous notice, introduced the following bill, entitled "An Act to protect the natural flow of water in what is known as Old River Bed, in Churchill county, Nevada."

Rules suspended, bill read a first and second time by title, and referred to the Committee on Agriculture.

Mr. Cutter, by unanimous consent, introduced the following bill, entitled "An Act to prohibit the payment of certain warrants."

Read a first time, rules suspended, bill read a second time by title, and referred to the Storey county delegation.

Mr. St. Clair, by unanimous consent, introduced the following bill, entitled "An Act granting to J. B. McClure and John Eaves the right to construct and maintain a toll road in Churchill county."

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

Mr. Wellington, pursuant to previous notice, introduced the following bill, entitled "An Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December 19th, 1862.

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

Mr. Toombs, pursuant to previous notice, introduced a bill entitled "An Act to amend an Act entitled 'An Act authorizing the County Commissioners of the several counties to cause the county lines to be established.'"

Rules suspended, bill read first and second time by title, and referred to the Standing Committee on Counties and County Boundaries.

Mr. Sine, pursuant to previous notice, introduced the following bill, entitled "An Act granting the exclusive right to P. D. Beebe and associates to construct and maintain a toll road from the city of Austin to the town of Geneva, Smoky Valley."

Rules suspended, bill read first and second times by title, and referred to the Standing Committee on Judiciary.

#### GENERAL ORDERS.

The concurrent resolution on the Latrobe railroad was now taken from the general order file.

Mr. Mayhugh moved that the resolution be recommitted to the Standing Committee on Federal Relations. The roll was called, with the following result: Ayes, 29; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bolan, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby,\* Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

Those voting in the negative were—

Messrs. Cutter, Small, St. Clair, and Wellington.

The motion to recommit carried, and so ordered.

Mr. Rosenblatt moved that the committee be required to report next Monday.

Mr. Hawkins moved to lay the whole subject matter relating to report of committee on the table.

Carried.

Mr. Epstein now moved to amend Standing Rule No. 56, pursuant to notice, as follows :

Section fifty-six to read as follows : " No motion for a reconsideration of any vote shall be in order unless on the same day, or the following legislative day to that on which the decision proposed to be reconsidered took place, nor unless so moved by a member voting with the majority."

*Resolved*, That by leave of the House, a member voting with the majority on the day on which the decision proposed to be reconsidered was made, may give notice of his intention to move a reconsideration within the time prescribed herein ; said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. A motion for reconsideration being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without the unanimous consent of the House. No motion of reconsideration shall be in order on the day preceding the last day of the session. But there shall be no reconsideration of a vote or a motion to indefinitely postpone.

Mr. Bond moved that we now go into Committee of the Whole for consideration of the above amendment.

Carried.

Mr. Parker in the chair,—who reported that the Committee of the Whole had had under consideration the amendment to Standing Rule 56, had gone through therewith, had made no amendments thereto, and directed their Chairman to report the amendment back to the House, and recommend its rejection.

Report adopted.

On motion of Mr. Brown, at one o'clock p. m., the House adjourned.

---

## EIGHTEENTH DAY.

THURSDAY, December 29th, 1864.

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

Upon calling the roll, the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Epstein and Dun.

Present, 33 ; absent, 2.

Prayer by the Rev. Father Rubi.

Journal of yesterday read and approved.

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

*Mr. Speaker :*

The Committee on Education, to whom was referred Assembly Bill No. 22, "An Act to provide for the maintenance and supervision of Common Schools," have had the same under consideration, and report the bill back, and recommend that the usual number of copies be printed.

LEE, Chairman.

Report accepted, and two hundred and forty copies ordered printed.

Mr. Walter moved that five hundred copies of the Governor's Inaugural Address be printed.

Carried.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawkins offered the following resolution :

*Resolved*, That the Committee on Internal Improvements be, and are hereby, authorized to employ a Clerk, who shall receive five dollars per day whilst employed by said Committee.

Adopted.

Mr. Smith offered the following resolution :

*Resolved*, That the select committee appointed to examine into the title of the State to the State Prison be empowered to send for persons and papers to facilitate such examination ; also, that the same committee be authorized to cause a survey of prison grounds, for examination of title, if in their judgment such survey be deemed necessary.

Adopted.

Mr. Mayhugh offered concurrent resolution requiring State Prison Commission to make a report.

Resolution adopted, and ordered to take the usual course of concurrent resolutions, as per rule.

Mr. Hawkins offered the following resolution :

*Resolved*, That a committee of three be appointed to examine into and report what number of days service the late Chief and Assistant Clerks rendered the House.

Adopted.

The Speaker appointed Messrs. Hawkins, Cutter, and Sine, as such select committee.

#### REPORTS OF COMMITTEES.

Mr. Bond, from the Storey County Delegation, makes the following report :

*Mr. Speaker :*

The Storey Delegation, to whom was referred an Act entitled "An Act to prohibit the payment of certain warrants," report the same back



with the following amendment, and recommend its passage as amended: Amend section three by striking out the words "one thousand dollars," and inserting the words "double the amount so paid."

E. BOND, Chairman.

Report accepted.

Mr. Bishop offered the following resolution:

*Resolved*, That the Clerk of the House be authorized and required to deliver to the Chairman of the Committee on Public Printing a correct copy of all matters ordered printed, as soon as the same can be copied after the order has been made to print.

BISHOP.

Adopted.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, December 29th, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to transmit herewith for the consideration of your honorable body Senate Bill No. 30, entitled "An Act authorizing the issuance and sale of certain State bonds, and providing for the payment thereof," with the final action of the Senate thereon, viz: Ayes, 16; noes, 1.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

#### CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 30, above reported, entitled "An Act authorizing the issuance and sale of certain State bonds, and providing for the payment thereof," was taken up.

Rules suspended, bill read first and second times by title, and upon the motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Hawkins in the chair.

Mr. Hawkins reported that the Committee of the Whole had had under consideration the Senate Bill entitled "An Act authorizing the issuance and sale of certain State bonds, and providing for the payment thereof," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Report accepted.

On motion of Mr. Brown, the rules were suspended, and the bill read a third time, and pending the reading,

Mr. Cutter made the following motion:

Mr. Cutter moves to recommit to a special committee of three, with instructions to strike out of section one the words and figures "two hundred thousand dollars," and insert instead the words and figures "one hundred and fifty thousand dollars," and report immediately.

Mr. Brown moved that the motion to recommit be laid on the table, and the ayes and noes were called for by Messrs. Cutter, Bishop and Greeley, and the roll called, with the following result: Ayes, 14; noes, 19.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Cary, Hawkins, Myrick, Mayhugh, Nichols, Patten, Rosenblatt, Rigby, and Mr. Speaker.

Those voting in the negative were—

Messrs. Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, McKeeby, Parker, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, and Young.

The motion to recommit lost.

The question now being, shall the motion be sustained, the ayes and noes were called for by Messrs. Cutter, Brown and Mayhugh, and the roll was called, with the following result: ayes, 20; noes, 13.

Those voting in the affirmative were:

Messrs. Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, McKeeby, Parker, Rosenblatt, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Cary, Hawkins, Myrick, Mayhugh, Nichols, Patten, Rigby, and Mr. Speaker.

Carried.

The Speaker appointed Messrs. Cutter, St. Clair and Nichols as such committee.

Mr. Brown moved that Special Order No. 1, set for twelve o'clock m. to-day, be postponed, and made the special order for next Wednesday, at twelve o'clock m., and that two hundred and forty copies be printed.

Mr. Bond moved that it be the special order for three o'clock p. m. to-day.

Mr. Cutter and Mr. Bond moved the previous question, which was sustained.

The question being on making it the special order for three o'clock, was carried.

Mr. Hawkins, from a select committee, made the following report:

*Mr. Speaker:*

The select committee, comprising Messrs. Hawkins, Cutter and Sine, appointed to ascertain and report the number of days' services the late Chief Clerk of this House and Assistant Clerk of the last Territorial House, find and report that U. E. Allen is entitled to two days, and Wm. M. Gillespie to nine days' pay as Chief Clerks; C. S. Gregory to two days' pay as Assistant Clerk, and Thomas Carson to two days' pay as Sergeant-at-Arms.

Your committee would respectfully recommend the adoption of the following resolution:

*Resolved,* That the Speaker and Clerk be, and they are hereby, directed to issue their orders on the State Controller, in favor of the following persons, for the following sums:

To U. E. Allen, for.....	\$ 30 00
To Wm. M. Gillespie, for.....	135 00
To C. S. Gregory, for.....	24 00
To Thos. Carson, for.....	20 00

All of which is respectfully submitted.

C. HAWKINS,  
Chairman.

Report accepted and adopted.

Mr. Shackelford gave notice that he would move a reconsideration of the vote just taken.

Mr. Cutter, from a select committee, made the following report :

*Mr. Speaker :*

Your committee, to which was recommitted the Senate bill entitled "An Act authorizing the issuance and sale of certain State bonds, and providing for the payment thereof," with instructions to amend section one thereof by striking out the words "two hundred thousand dollars," and inserting in lieu thereof the words "one hundred and fifty thousand dollars," respectfully report the bill back, amended in accordance with the said instructions.

W. M. CUTTER,  
Chairman.

Report accepted and bill adopted.

The bill was now taken up, read a third time, and placed on its final passage, and the roll was called, with the following result: Ayes, 29; noes, 2—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck and Rigby.

Mr. Patten gave notice of motion to reconsider the vote just taken.

The following message was received from the Senate :

SENATE CHAMBER, December 29th, 1864.

*To the Hon. the Assembly of the State of Nevada :*

I herewith transmit to your honorable body Senate Concurrent Resolution No. 6, which has this day passed the Senate by a unanimous vote, and respectfully ask the concurrence of your honorable body therein.

L. B. MOORE,  
Secretary of the Senate.

Senate Concurrent Resolution No. 6 :

WHEREAS, The City of Savannah, Georgia, has been captured by the Union forces, and the old flag now floats unchallenged over that important Atlantic port, and, until now, a stronghold of rebellion :

*Resolved*, by the Senate, the Assembly concurring, That the thanks and congratulations of the Legislature of Nevada be extended to the gallant Sherman and his army, who have gained this great victory, after a march unparalleled in courage of design and brilliancy of execution.

*Resolved*, That the Governor be authorized to transmit a copy of these resolutions to the Secretary of War, with the request that the Secretary of War transmit the same to the Major General commanding the Union Army of the Southeast.

Senate Concurrent Resolution No. 6, concerning the capture of Savannah by General Sherman, as reported above, passed unanimously, and Mr. St. Clair wished his name to appear on the journals as having voted in the affirmative.

On motion of Mr. Hawkins, the House took a recess at one o'clock and thirty minutes P. M., until two o'clock and thirty minutes P. M.

### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House called to order by the Speaker.

Roll called, and a quorum present.

Mr. Patten, by leave, withdrew his motion to reconsider the vote taken this forenoon on Senate Bill No. 30.

Mr. Walter, by unanimous consent, introduced the following bill, entitled "An Act to legalize the election of the Tax Collector of Lander County, elected at the November election A. D. 1862 [1864]."

Rules suspended, [bill] read the first and second times, rules again suspended, [bill] considered engrossed, read a third time, and placed on its final passage.

The roll was called with the following result:

Ayes, 32; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Bill passed.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }  
CARSON CITY, December 29th, 1864. }

*To the Assembly of Nevada:*

A resolution which originated in the Assembly, relative to the taxation and disposal of the mineral lands, and the taxation of the mines, or the proceeds thereof, by the General Government, has been sent to me for my action thereon. I herewith return the same, without approval or objections, from the fact that I do not conceive it requisite or necessary.

The Constitution, in plain terms, requires all Acts to be approved by the Executive before they shall have any effect, but as to Resolutions it is silent. Being simply an expression of the sentiments or wishes of the Legislature, no action on my part could add to or detract from their force and effect, unless so provided by the fundamental law.

The constitutional provision that Acts shall be approved excludes the idea, by time-honored constitutional construction, that Resolutions must be, unless so provided in the organic law.

HENRY G. BLASDEL,  
[Governor.]

Resolution as reported in Governor's message was laid on the table.

Mr. Haskell, pursuant to previous notice, introduced the following entitled bill: "An Act to authorize the County Commissioners of Esmeralda county to purchase certain records of Mono county, California."

Rules suspended, bill read the first and second times by title, and referred to the Esmeralda county delegation.

Mr. Smith, by unanimous consent, introduced the following bill, entitled "An Act to limit the first term of the District Courts of the First Judicial District."

Rules suspended, bill read the first and second time by title, and referred to the Storey county delegation.

Mr. Mayhugh, pursuant to previous notice, introduced the following bill, entitled "An Act to provide for the disincorporation of cities and towns, incorporated under the laws of the Territory of Nevada."

Rules suspended, [bill] read the first and second times by title, and referred to the Standing Committee on Corporations.

Mr. Denson, pursuant to previous notice, introduced the following bill, entitled "An Act in relation to current money in the State of Nevada, and the rate of interest to be charged thereon."

Rules suspended, [bill] read a first and second times by title, and referred to Committee on Ways and Means.

Mr. Hawkins moved that the regular order of business be deferred five minutes.

Carried.

Mr. Myrick, pursuant to previous notice, introduced the following bill, entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State."

Rules suspended, [bill] read first and second times by title, and referred to Standing Committee on State Library.

Special Order No. 1, entitled "An Act amendatory of and supplementary to an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, now taken up in its proper order, and Mr. Parker moved that the bill be referred back to the Judiciary Committee, with instructions to print two hundred and forty copies.

Mr. Patten moved that it be made the special order for next Wednesday, at one o'clock, P.M., and that two hundred and forty copies be printed.

Mr. Bishop moved that the motion of Mr. Patten be indefinitely postponed.

[The motion was] subsequently withdrawn.

The question now being on the motion of Mr. Parker, the ayes and noes were called for by Messrs. Cutter, Bishop and Bond, and the roll was called with the following result:

Ayes, 14; noes, 20—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bond, Cary, Denson, Hineckley, Myrick, Mayhugh, Nichols, Parker, Toombs, Walter and Wellington.

And in the negative—

Messrs. Bearss, Bien, Bishop, Cutter, Epstein, Greeley, Hawkins, Haskell, Lee, McKeeby, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Young and Mr. Speaker.

Motion lost.

The following message was received from the Senate:

SENATE CHAMBER, }  
December, 29th, 1864. }

*To the Hon. the Assembly:*

I herewith transmit to your honorable body a resolution adopted by the Senate, to wit: That a committee of conference be appointed by the

Senate to confer with a like committee, to be appointed by your honorable body, in reference to Senate Bill No. 30. The President appointed as such committee, on the part of the Senate, Messrs. Clagett, Slingerland and Seely.

L. B. MOORE,  
Secretary of the Senate.

Mr. Hawkins moved that the Chair appoint a committee of conference of three, to confer with a like committee appointed by the Senate (as reported in above message).

Messrs. Cutter, Hawkins and Parker were selected by the Chair as such committee.

The previous question was called for and sustained.

The question being on Mr. Patten's motion postponing the Special Order No. 1 until Wednesday, at one o'clock p. m., the ayes and noes were called for by Messrs. Bolan, Bishop and Bond, and the roll was called, with the following result: Ayes, 13; noes, 20—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Cary, Denson, Hinckley, Haskell, Myrick, Mayhugh, Nichols, Patten, Wellington, and Walter.

And in the negative—

Messrs. Beck, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hawkins, Lee, McKeeby, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Young, and Mr. Speaker.

Motion lost.

On motion of Mr. Bond, the House went into Committee of the Whole for the consideration of Special Order No. 1.

Mr. Bond in the chair.

Mr. Bond reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act amendatory of and supplementary to an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, had gone through therewith, had made no amendments thereto, and directed their chairman to report progress to the House, and ask leave to sit again to-morrow morning.

Accepted.

Mr. Cutter, from select committee on Conference, made the following report:

*Mr. Speaker:*

Your committee of conference, appointed to confer with a like committee appointed by the Senate concerning the amendments made by the Assembly to Senate Bill No. 30, entitled "An Act authorizing the issuance and sale of certain State bonds, and providing for the payment thereof," beg leave to report, that they recommend that section seven of engrossed bill read as follows: "Section seven" (here insert the amendment made by the Assembly as section eight, and proceed as follows:) "After the payment of the demands above mentioned." (Then leave the balance of section seven as in the engrossed bill.)

W. M. CUTTER,

Chairman House Committee.

WM. H. CLAGETT,

Chairman Senate Committee.

Report accepted and adopted.

On motion of Mr. Brown, the House considered itself in Committee of the Whole for the consideration of the bill just reported upon.

Mr. Speaker in the chair.

The Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 30, entitled "An Act authorizing the issuance and sale of certain State bonds, and providing for the payment thereof," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report accepted and adopted.

Mr. Bishop gave notice of reconsideration of the vote taken upon bill relating to Tax Collector of Lander county.

The question now being on joint committee amendment to Senate Bill No. 30, it was read a third time, and the roll was called, with the following result: Ayes, 33; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the bill passed, as amended by the committee of conference.

Mr. Cutter, from the Committee on Engrossment, made the following report:

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act to legalize the election of the Tax Collector of Lander county, elected at the November election, A. D. 1864."

W. M. CUTTER,  
Chairman.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, December 29th, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate to inform your honorable body that the Senate has concurred in the report of the committee of conference appointed on consideration of Senate Bill No. 30.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

On motion of Mr. Patten, at four o'clock and fifteen minutes p. m., the House adjourned.

## NINETEENTH DAY.

FRIDAY, December 30th, 1864.

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

Mr. Speaker in the chair.

Upon calling the roll, the following members were present, viz :

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following absent :

Messrs. Beck, Dun, Hinckley, and St. Clair.

Present, 31; absent, 5.

Prayer by the Rev. Father Rubi.

The journal of yesterday read, amended and approved.

Mr. Bishop, by leave, withdrew his notice to reconsider the vote on the bill in reference to Tax Collector of Lander county.

On motion of Mr. Cutter, the Senate Bill No. 1, ordered for the consideration of the Committee of the Whole this morning (as the first order of business), was temporarily postponed.

Mr. Cutter, by unanimous consent, introduced the following bill, entitled "An Act in relation to the compensation of members of the Legislature and State officers."

Read the first time, rules suspended, and, on motion, the House considered itself in Committee of the Whole for the consideration of the bill.

Mr. Brown in the chair.

Mr. Brown reported that the Committee of the Whole had had under consideration the House bill entitled "An Act in relation to the compensation of members of the Legislature and State officers," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Adopted.

And on motion of Mr. Bishop, the rules were suspended, bill considered engrossed, read the third time, and placed on its final passage, and the roll called, with the following result: Ayes, 27; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Denson, McKeeby, Shackelford, and Mr. Speaker.

Mr. Lee gave notice of motion to reconsider the vote just taken.

Mr. Bond moved that when this House adjourn, they adjourn until next Tuesday, at the usual hour.

Carried.

On motion of Mr. Walter, the House went into Committee of the Whole again for consideration of Senate Bill No. 1, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada,'" approved November 29th, 1861.



Mr. Bond in the chair.

Mr. Bond reported that the Committee of the Whole had had under consideration the Senate Bill entitled, "An Act amendatory of and supplementary to an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Adopted.

The rules were suspended, the bill read a third time, and placed on its final passage. The roll was called, with the following result: Ayes, 32; noes, 0—as follows:

Those voting in the affirmative were:

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the bill duly passed, and ordered the same to be transmitted to the Senate.

Mr. Shackelford now moved, pursuant to previous notice, to reconsider the vote taken yesterday on the report and resolution relating to the pay of attachees of the Legislature.

The previous question was now called, and the ayes and noes were called for by Messrs. Brown, Lee and Walter, and the roll called, with the following result: Ayes, 5; noes, 23—as follows:

Those voting in the affirmative were—

Messrs. Cutter, Denson, Rosenblatt, Small, and Sine.

And in the negative—

Messrs. Bearss, Brown, Bolan, Bien, Cary, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Patten, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The previous question was not sustained.

Mr. Cutter moved that a special committee of three be appointed by the Chairman to confer with the Attorney-General in regard to the construction of the Constitution relating to pay of attaches, etc.

Carried.

The Chair appointed as such select committee Messrs. Hawkins, Brown and McKeeby.

Mr. Lee moved to reconsider the vote taken upon adjourning till Tuesday.

Carried, and motion to adjourn until Tuesday lost.

Mr. Cutter, from the Standing Committee on Engrossment, made the following report:

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act in relation to the compensation of members of the Legislature and State officers."

W. M. CUTTER,  
Chairman.

Report accepted.

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

## TWENTIETH DAY.

SATURDAY, December 31st, 1864.

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

Mr. Speaker in the chair.

Upon calling the roll, the following members were present :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Dun, Epstein, and Greeley.

Present, 32; absent, 4.

Prayer by the Rev. Father Rubi.

Journal of yesterday read and approved.

Mr. McKeeby asked leave of absence for Mr. Greeley.

Granted.

Mr. Small asked leave of absence for his colleague, Mr. Epstein.

Granted.

## REPORT OF COMMITTEES.

Mr. Wellington, from the Committee on Agriculture, made the following report :

*Mr. Speaker :*

The Committee on Agriculture beg leave to submit the following report: We have had under consideration Assembly Bill No. 44, entitled "An Act to protect the natural flow of water in what is known as Old River Bed, in Churchill county, Nevada." We have made no amendments thereto, and report the same back to the House, and recommend its passage.

D. WELLINGTON,  
Chairman.

Accepted.

Mr. Bond, from Committee on Claims, made the following report :

CARSON CITY, December 30, 1864.

*Mr. Speaker :*

The Committee on Claims, to which was referred a bill entitled "An Act for the relief of John A. Benham," beg leave to report as follows: That according to article five (5), section twenty-one (21) of the Constitution of the State of Nevada, the Board of Examiners, consisting of the Governor, Secretary of State, and Attorney-General, must examine and act on all claims of this nature. We therefore respectfully recommend that the bill, and all papers connected therewith, be returned to Mr. W. M. Cutter, the introducer of the bill.

ERASTUS BOND,  
Chairman Committee on Claims.

M. A. ROSENBLATT,  
Secretary.

Report accepted and adopted.

Mr. Haskell, from the Esmeralda county delegation, made the following report:

*Mr. Speaker:*

Your committee, composed of the Esmeralda county delegation, to whom was referred Assembly Bill No. 36, "An Act to authorize the County Commissioners of Esmeralda county to build or purchase a building for a court house and jail," have had the same under consideration, and now report the same back, unanimously recommending its passage.

Respectfully submitted.

HASKELL,  
Chairman.

Report accepted.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, December 31st, 1864. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 3, entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," with the final action of the Senate thereon, viz: Ayes, 16; noes, 0.

All of which is respectfully submitted.

L. B. MOORE,

Secretary of the Senate.

Senate Bill No. 3, entitled "An Act to create the office of State Printer," etc., as above reported.

Rules suspended, read a first and second time by title, and on motion of Mr. Lee, the House went into Committee of the Whole for the consideration of the bill.

Mr. Haskell in the chair.

Mr. Haskell reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report accepted.

Rules suspended, bill read a third time, and placed on its final passage; and before the roll was called, Mr. Haskell moved to reconsider the vote suspending the rules ordering a third reading.

Mr. Bishop moved a call of the House.

Carried.

The roll was called, and the following members were present:

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Beck, Dun, Epstein, Greeley, and Parker.

Present, 30; absent, 5.

Mr. Hawkins moved that further proceedings relating to the call of the House [be] dispensed with.

Carried.

The question now being upon the motion of Mr. Haskell for reconsideration, the roll was called, with [the] following result : Ayes, 15 ; noes, 15—as follows :

Those voting in the affirmative were—

Messrs. Brown, Bolan, Bien, Cary, Hineckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rigby, Smith, and Walter.

And in the negative—

Messrs. Bearss, Bishop, Bond, Cutter, Denson, Lee, Rosenblatt, Small, Shackelford, Sine, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

Motion to reconsider carried.

Mr. Haskell moved to recommit the bill to a special committee of five, to be appointed by the Chair, with instructions to report next Tuesday.

Mr. Bond moved that the bill be recommitted to the Standing Committee on Ways and Means.

Lost.

The question now being on recommitting to the special committee of five, carried and so recommitted.

The Speaker appointed as such committee Messrs. Haskell, Bishop, Walter, Bien, and Nichols.

Mr. Hawkins moved that the special committee be authorized to employ an expert in printing.

Lost.

Mr. Cutter, from the Committee on Engrossment, made the following report :

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the originals, as ordered engrossed, and found the same correctly engrossed, viz : No. 36, "An Act to authorize the County Commissioners of Esmeralda county to build or purchase a building for a court house and jail;" also, No. 44, "An Act to protect the natural flow of water in what is known as Old River Bed, Churchill county, Nevada."

Accepted.

Mr. Rosenblatt, by unanimous consent, introduced the following bill, entitled "An Act to amend an Act entitled an Act regulating marriages and divorcees."

Rules suspended, bill read first and second times by title, and referred to Standing Committee on Judiciary.

Mr. Rosenblatt, by unanimous consent, introduced the following bill entitled "An Act to prohibit the carrying of concealed weapons."

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

Mr. Tozer, by unanimous consent, introduced the following bill, entitled "An Act defining the rights of husband and wife."

Rules suspended, bill read first and second times by title, and referred to Committee on Judiciary.

Mr. Rigby, by unanimous consent, introduced the following bill entitled "An Act empowering the Governor to appoint Commissioners of Deeds and define their duties."

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

Mr. Cutter moved to take from general order file Bill (general order) No. 8, entitled "An Act to provide for the payment of certain warrants."

Carried.

And the bill taken up, rules suspended, considered engrossed, read a third time, and placed on its final passage. The roll was called, with the following result: Ayes, 19; noes, 1; absent, 16—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Bond, Cary, Cutter, Denson, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, and Wellington.

And in the negative—

Mr. Young.

The Speaker declared the bill passed, and ordered the same transmitted to the Senate.

And on motion of Mr. St. Clair, the House adjourned, at two o'clock and forty-five minutes, until Tuesday next, at eleven o'clock A. M.

---

## TWENTY-THIRD DAY.

TUESDAY, January 3d, 1865.

House met pursuant to adjournment, Speaker Tozer in the Chair.

Upon the roll being called, the following members were present:

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Present, 30.

Absent, 5, viz: Messrs. Beck, Bolan, Dun, Patten, and St. Clair.

Prayer by the Rev. Mr. Nimms.

The journal of Saturday read, amended, and approved.

Mr. Haskell, from a select committee on printing bill, asked further time to report.

Granted.

Mr. Haskell, from the Committee on Federal Relations made the following report:

*Mr. Speaker:*

Your Committee on Federal Relations, to whom was referred the patriotic resolutions of Messrs. Mayhugh and Bien, have had the same under consideration, and have compiled from the various resolutions before them, the following as a substitute for the whole subject matter.

HASKELL, Chairman.

Report accepted and adopted.

Mr. Brown moved that the usual number of the resolutions be ordered printed, and made the special order for Saturday next, at twelve o'clock m.

Carried.

Mr. Lee, by unanimous consent, introduced the following bill, entitled "An Act to exclude traitors and alien enemies from the courts of justice in civil cases."

Rules suspended, read first and second times by title, and referred to Judiciary Committee.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER,  
CARSON, January 3d, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to inform your honorable body of the concurrence of the Senate in Assembly amendment to Senate Bill No. 1, viz : Section one of an Act entitled "An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in certain civil cases in the courts of justice of this State," etc.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Mr. Shackelford, pursuant to previous notice, introduced a bill entitled "An Act to authorize Jerry Schooling, his associates and assigns, to construct and maintain a toll road."

Rules suspended, read a first and second time by title, and referred to Washoe County Delegation.

Mr. Young, by unanimous consent, introduced the following bill, entitled "An Act defining the duties and fixing the salary of the Governor's Private Secretary."

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

Mr. Sine, by unanimous consent, introduced the following bill, entitled "An Act amendatory of an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act to authorize John G. Powell, his associates and assigns, to construct a toll road," approved February seventeenth, one thousand eight hundred and sixty-four.

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

Mr. Brown offered the following resolution :

*Resolved*, That [the] Printing Committee of the House be, and are hereby, authorized to contract for the printing ordered by the Assembly with such office or offices as they may select; *provided*, that no such contract shall exceed the price at present paid.

*Resolved*, That all resolutions or orders adopted previous to the date of the passage of these resolutions be, and are hereby, rescinded.

Resolution adopted.

Mr. Cutter moved that the special order set for to-day, at twelve o'clock M., be deferred, and made the special order for next Saturday, at twelve o'clock M.

Mr. Parker offered the following concurrent resolution :

*Resolved*, by the Assembly, the Senate concurring, That hereafter when bills are ordered to be printed by the Assembly or Senate, members of each branch of the Legislature shall be served with a copy.

Adopted.

On motion of Mr. Brown, the House took a recess at twelve o'clock and fifteen minutes P. M., till one o'clock P. M.

## AFTERNOON SESSION.

1 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and a quorum present.

Mr. Cutter, from the Committee on Engrossment, made the following report :

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz : No. 45, "An Act to prohibit the payment of certain warrants."

Accepted.

General Order No. 6 taken up, and ordered engrossed for third reading.

General Order No. 7 taken [up], and on motion placed at bottom of the file.

General Order No. 9 taken up, and on motion of Mr. Cutter bill re-committed to the Churchill County delegation, with the special instructions to amend the enacting clause.

General Order No. 10 called up, and on motion re-committed to Esmeralda County delegation.

Mr. Haskell, from a select committee made the following report :

*Mr. Speaker :*

The select committee, to whom was referred Senate Bill No. 3, "An Act to create the office of State Printer," etc., have had the same under consideration, and made some amendments thereto, and now beg leave to report the same back to the House as amended, and recommend its passage.

HASKELL, Chairman.

Accepted and adopted.

On motion of Mr. Bond, the House resolved itself into Committee of the Whole for the consideration of the above reported bill entitled "An Act to create the office of State Printer," etc., as amended by the committee.

Mr. Bond in the chair.

Mr. Bond reported that the Committee of the Whole had had under consideration the Senate Bill No. 3 entitled "An Act to create the office of State Printer," etc., had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Adopted.

The Senate Bill No. 3 (as above reported) was now read a third time, and placed on its final passage, when the roll was called, with the following result :

Ayes, 21 ; noes, 9 ; absent, 6.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Cary, Denson, Epstein, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Smith, St. Clair, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bishop, Bond, Cutter, Greeley, Rigby, Small, Shackelford, Toombs, and Young.

Mr. Speaker declared the bill duly passed, and ordered the same transmitted to the Senate.

Mr. St. Clair, from a select committee, made a verbal report in relation to bill entitled "An Act to protect the natural flow of water in what is now known as Old River Bed, in Churchill County, Nevada," as correctly amended as per instructions.

The bill having been read a third time, the roll was called, with the following result:

Ayes, 29; noes, 0; absent, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeedy, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Hawkins, by unanimous consent, introduced the following bill, entitled "An Act to repeal an Act entitled an Act to provide compensation to the attachés of the Territorial Assembly," approved February twentieth, one thousand eight hundred and sixty-four.

Rules suspended, read a first and second time by title, and ordered on general order file.

Mr. Rosenblatt gave notice of motion to reconsider the vote taken upon the bill entitled "An Act to create the office of State Printer," etc.

The following communication was received:

CARSON, January 3d, 1865.

*To the Hon. the Assembly of the State of Nevada:*

Your honorable body having this day passed "An Act defining the compensation of State Printer," and fixed the prices to be paid therein at rates for which no respectable office can or will work, and as we have, under the reasonable belief that a fair compensation would be allowed, contracted to do the incidental printing temporarily, at such rates your honorable body should fix for the State Printer, I hereby notify the Assembly that any further printing done by the Morning Post Publication Office must be under a special contract, and at prices that will not stigmatize ours as a rat office.

J. C. LEWIS & CO.

Communication laid on the table.

Mr. Cutter, from the Engrossing Committee, made the following report:

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: "An Act creating the office of Public Administrator."

Accepted.

The usual number of copies ordered printed, and on motion of Mr. Parker, the bill was made the special order for next Thursday, at twelve o'clock M.

Mr. Greeley, by unanimous consent, introduced the following bill, entitled "An Act defining the time for commencing civil actions."

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

Mr. Rosenblatt, by unanimous consent, introduced the following bill,



entitled "An Act authorizing married women to execute powers of torney."

Rules suspended, read first and second times by title, and referred to Committee on Judiciary.

The following message was received from the Senate :

CARSON, January 3d, 1865.

*To the Hon. the Assembly of Nevada :*

I have the honor to transmit to your honorable body Senate substitute for Senate Bill No. 30, "An Act authorizing the issuance and sale of certain State bonds, and levying a tax to provide means for the payment thereof," which passed the Senate this day with the following vote: Ayes, 12; noes, 4.

All of which is respectfully submitted.

L. B. MOORE, Secretary.

The Senate Bill No. 30, entitled "An Act authorizing the issuance and sale of certain State bonds, and levying a tax to provide means for the payment thereof," as above reported from Senate, was taken up, rules suspended, read a first and second time by title, and upon motion of Mr. Cutter, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker, in the chair, reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act authorizing the issuance and sale of certain State bonds, and levying a tax to provide means for the payment thereof," had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Report adopted.

Rules suspended, bill read a third time, and placed on its final passage.

The roll was called, with the following result :

Ayes, 29; noes, 0; absent, 7—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Parker, the House adjourned at three o'clock and forty-five minutes P. M.

---

TWENTY-FOURTH DAY.

WEDNESDAY, January 4th, 1865.

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

Mr. Speaker in the chair.

Upon calling the roll the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick,

Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following members were absent :

Messrs. Dun and Patten.

Present, 33 ; absent, 2.

Prayer by the Rev. Mr. Nims.

The journal of yesterday read and approved.

Mr. Rigby asked leave of absence for one day for Mr. Patten.

Granted.

Mr. Lee, from the Committee on Public Morals, made the following report :

Mr. Lee, from the Standing Committee on Public Morals, to which was referred the bill entitled "An Act to prohibit the carrying of concealed weapons," reported that they had had the same under consideration, and directed their Chairman to report the same to the House a substitute, and recommend the passage of the substitute.

LEE,  
Chairman.

Accepted.

The substitute bill just reported was taken up, rules suspended, read a first and second time by title, and referred to the Judiciary Committee.

Mr. Cutter, from the Committee on Engrossment, made the following report :

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz : "An Act to tax and regulate foreign insurance companies doing business in this State."

Accepted.

Mr. Shackelford, from the Committee on State Library, made the following report :

Mr. Shackelford, from the Standing Committee on State Library, to which was referred the bill entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties of the State of Nevada," have reported that they have had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House, without amendments, and recommend its passage.

R. M. SHACKELFORD,  
Chairman.

Accepted and ordered on file.

Mr. Hawkins, from the Committee on Internal Improvements, made the following report :

*Mr. Speaker :*

The Committee on Internal Improvements, to which was referred Bill No. 31, "An Act authorizing A. Kaufman, Wm. M. McKay, Alex. McKay and E. W. Haines to establish and maintain a toll road ;" No. 47,

"An Act to amend an Act entitled an Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December 19th, 1862;" No. 49, "An Act granting the right to P. D. Beebee and associates to construct and maintain a toll road from the city of Austin to the town of Genoa, Smoky Valley;" and No. 66, "An Act amending [amendatory] of an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act to authorize John G. Powell, his associates and assigns, to construct a toll road," approved February 17th, 1864—have had the same under consideration, made some amendments to bills 31 and 47, but none to bills Nos. 49 and 66, report favorably thereon, and recommend their passage.

HAWKINS,  
Chairman.

Accepted, and bills ordered on general file.

Mr. Denson, from the Judiciary Committee, made a favorable report, with amendments, upon the following bill, entitled "An Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties."

Report accepted, and report and amendments placed on file.

Mr. Parker, from the Committee on Ways and Means, made the following report:

*Mr. Speaker:*

The Committee on Ways and Means beg leave to report that they have had under consideration Assembly Bill No. 65, entitled "An Act defining the duties and fixing the salaries of the Governor's Private Secretary," have come to a favorable conclusion thereon, and have directed their chairman to report the same to the Assembly, and recommend its passage.

H. G. PARKER,  
Chairman.

Accepted.

Mr. Bond moved that the bills Nos. 47 and 66 be made an exception to the rule established by resolution (that all bills of a private character be printed), and be allowed to take the usual course without printing.

Carried.

Mr. Hawkins, from a special committee, made the following report, together with an opinion from the Attorney-General:

*Mr. Speaker:*

The special committee, to which was referred the resolution concerning the per diem of the attaches of the Assembly, with instructions to consult the Attorney-General, beg leave to submit the following communication.

CYRIL HAWKINS,  
Chairman Committee.

Report accepted, and opinion read and placed on miscellaneous file.

The question now being on the motion to reconsider, the vote taken on resolution relating to pay of attaches of the Legislature, reported from select committee (Mr. Hawkins, Chairman), the ayes and noes were called for by Messrs. Cutter, Shackelford and Lee, and the roll called, with the following result: Ayes, 21; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bond, Cary, Denson, Epstein,

Hinckley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Cutter, Hawkins, Rosenblatt, Small, Sine, and St. Clair.

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

Carried.

Mr. Cutter, from the Committee on Engrossment, made the following report:

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 3, "An Act to create contingent funds for the Senate and Assembly."

Accepted.

Mr. Bolan, from Storey County delegation, made the following report:

*Mr. Speaker:*

The Storey County delegation, to whom was referred Assembly Bill No. 53, entitled "An Act to limit the first term of the District Courts of the First Judicial District, respectfully report the same back, and recommend its indefinite postponement.

JAMES BOLAN,  
A. L. GREELEY,  
WM. W. BISHOP,  
W. M. CUTTER,  
JAMES A. RIGBY,  
DR. H. M. BIEN,  
R. A. YCUNG,  
ERASTUS BOND.

Report accepted and adopted, and bill indefinitely postponed.

Mr. Hinckley, from the Lander County delegation, made the following report:

*Mr. Speaker:*

Your select committee, comprising the Lander county delegation, to whom was referred Senate bill entitled "An Act to provide for paying the outstanding indebtedness of Lander county," report that they have had the same under consideration, have come to an unfavorable conclusion thereon, and recommend the rejection of the same, and the adoption of a substitute therefor, having the same title, but containing new matter.

All of which is respectfully submitted.

Report accepted.

The substitute bill for Senate bill, as above reported, entitled "An Act to provide for the payment of outstanding indebtedness of Lander County," was read the first time, and, upon motion of Mr. Hawkins, the House took a recess, at twelve o'clock and forty-five minutes P. M., until one o'clock and fifteen minutes P. M.

## AFTERNOON SESSION.

1:15 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and quorum present.

Mr. Mayhugh was excused for the afternoon, by unanimous consent.

On motion of Mr. Walter, the House resolved itself into Committee of the Whole for the consideration of substitute bill for Senate Bill No. 8, entitled "An Act for the payment of the outstanding indebtedness of Lander County."

Mr. Hawkins in the chair.

Mr. Hawkins reported that the Committee of the Whole had had under consideration the substitute for Senate bill entitled "An Act to provide for the payment of the outstanding indebtedness of Lander county," had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill back to the House, and recommend its passage.

Accepted, and the rules suspended, bill read a third time, and placed on its final passage, and the roll was called, with the following result: Ayes, 25; noes, 0; absent, 11—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Rigby, Small, Shackelford, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Cutter moved that the vote taken upon the bill entitled "An Act to create the office of State Printer," etc., be now reconsidered, when the roll was called, with the following result: Ayes, 14; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bishop, Cutter, Denson, Epstein, Hawkins, Lee, Myrick, Parker, Rosenblatt, Small, Shackelford, and Young.

Those voting in the negative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Hinckley, Haskell, McKeeby, Nichols, Rigby, St. Clair, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the motion to reconsider carried.

Mr. Parker moved that the bill be now committed to the Committee of the Whole, with special instructions to amend as follows: To strike out all the amendments made by the special committee, with the exception of that to section twelve, which provides that the State shall furnish the necessary paper.

Carried.

The House now resolved itself into the Committee of the Whole for the consideration of the bill, with the special instructions just adopted relating to the State Printer bill, etc.

Mr. Speaker in the chair.

The amendments were adopted by the Committee of the Whole, and agreed to by the House, and read a third time, and placed on its final passage.

The roll was called, with the following result:

Ayes, 22; noes, 8; absent, 6.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hawkins, Lee, Myrick, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Cary, Hinckley, Haskell, McKeeby, Nichols, and Walter.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Hawkins offered the following resolution :

*Resolved*, That the Sergeant-at-Arms of the Assembly be, and he is hereby, authorized to draw his order in favor of each member of the Assembly for sixty dollars, to meet the provisions of the Constitution which contemplate an outlay of said amount for stationery, postage, etc.

Resolution adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 4th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to transmit herewith for the consideration of your honorable body Senate Bill No. 33, entitled "An Act amendatory of an Act entitled an Act relating to marriage and divorce," approved November twenty-eighth, one thousand eight hundred and sixty-one, with the final action of the Senate thereon, viz : Ayes, 14 ; noes, 3.

I am also further directed to transmit herewith for the consideration of your honorable body Senate Bill No. 38, entitled "An Act to repeal an Act entitled An Act to authorize and require the County Commissioners of Esmeralda County, Nevada Territory, to procure the necessary books and stationery, and authorize the County Recorder of Mono County, California, to transcribe certain records and indexes of records of said Mono County," approved February ninth, one thousand eight hundred and sixty-four, with the final action of the Senate thereon : Ayes, 15 ; noes, 0.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

Senate Bill No. 33, entitled "An Act amendatory of section twenty-seven, chapter thirty-three, laws of Nevada."

Rules suspended, read a first and second time by title, and referred to Judiciary Committee.

Senate Bill No. 38, entitled "An Act to repeal an Act entitled An Act to authorize and require the County Commissioners of Esmeralda county, Nevada Territory, to procure the necessary books and stationery, and authorize the County Recorder of Mono county, California, to transcribe certain records and indexes of records of said Mono County," approved February 9th, 1864.

Rules suspended, read a first and second time by title, rules suspended again, read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 4th, 1865. }

*To the Hon. the Assembly:*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Assembly Bill No. 45, entitled "An Act to prohibit the payment of certain warrants," with the final action of the Senate thereon: Ayes, 15; noes, 1.

All of which is respectfully submitted.

L. B. MOORE,

Secretary of the Senate.

Bill ordered enrolled.

Mr. Rigby offered the following resolution:

*Resolved,* That no motion shall be deemed carried by less than a majority vote of this House.

Adopted.

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act relating to wild game and fish."

Mr. Small gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act extending the time for collection of taxes in the county of Douglas."

Mr. Smith gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to extend the time for collection of taxes in Storey County."

Mr. Smith gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to grant to I. C. Bateman, L. U. Colbath, H. A. Mason and C. Van Gorder, their associates and assigns, the right to construct and maintain a toll road from the divide between Virginia City and Gold Hill, in Storey county, to Empire City, in Ormsby county."

Mr. Myrick gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the punishment of contempts and trespasses."

Mr. Epstein, pursuant to previous notice, introduced the following bill entitled "An Act in relation to attachments in civil cases."

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

On motion of Mr. Bond, the House adjourned at three o'clock and forty minutes P. M.

TWENTY-FIFTH DAY.

THURSDAY, January 5th, 1865.

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

Upon calling the roll, the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And those absent were—

Messrs. Bien, Dun, Rosenblatt, and Sine.

Present, 31 ; absent, 4.

Prayer by the Rev. Mr. Nims.

The journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Cutter, from the Engrossment Committee, made the following report :

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz : Assembly substitute for Senate bill entitled "An Act to provide for paying the outstanding indebtedness of Lander County.

Accepted.

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

ASSEMBLY CHAMBER,  
CARSON, January 5th, 1865. }

*Mr. Speaker :*

The Standing Committee on Corporations, to whom was referred Assembly Bill No. 54, "An Act for the disincorporating of cities and towns incorporated under the laws of the Territory of Nevada," respectfully report that they have had the same under consideration, have made some amendments thereto, and beg leave to report the same back without recommendation.

Also, Assembly Bill No. 43, "An Act amendatory of and supplemental to an Act entitled an Act to provide for the formation of corporations for certain purposes," approved December twentieth, one thousand eight hundred and sixty-two, that they desire further time upon the same, and respectfully request that the usual number of copies of the bill be printed.

A. C. BEARSS, Chairman.

Accepted, and usual number of copies of the bill ordered printed.

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

Mr. Denson, from the Judiciary Committee of the Assembly, to which was referred the bill entitled "An Act amendatory of an Act entitled an Act relating to marriage and divorce," approved November twenty-eighth, one thousand eight hundred and sixty-one, being chapter thirty-three of the laws of Nevada, reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House without amendments, and recommend its passage.



Mr. Haskell, from select committee composed of Esmeralda delegation, made the following report :

*Mr. Speaker :*

Your committee, composed of the Esmeralda delegation, to whom was recommitted Assembly Bill No. 36, "An Act to authorize the County Commissioners of Esmeralda County to build or purchase a building for a court house and jail," have had the same under consideration, and made an amendment thereto. The committee now beg leave to report the same back as amended, and recommend its passage.

Respectfully submitted.

HASKELL, Chairman.

Report accepted.

On motion of Mr. Haskell, the bill just reported, entitled "An Act to authorize the County Commissioners of Esmeralda County to build or purchase a building for court house and jail," was now taken up.

Rules suspended, read first and second times by title, rules suspended, and read a third time and placed on its final passage.

The roll was called, with the following result :

Ayes, 32; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hincley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Mayhugh, from select committee comprising Esmeralda County delegation, made the following report :

*To the Hon. Speaker of the Assembly :*

Your committee (Esmeralda County Delegation), to whom was referred Assembly Bill No. 4, "An Act to provide for the survey of the boundary line between the State of California and this State," having had the same under consideration, beg leave to report a substitute for said bill, and recommend its passage.

JOHN S. MAYHUGH, Chairman.

Accepted, and bill and substitute placed on file.

The following message was received from the Senate :

STATE OF NEVADA, ASSEMBLY [SENATE] CHAMBER, }  
CARSON CITY, January 5th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Assembly Bill No. 20, entitled "An Act creating a State Legislative fund," with the following amendments, viz: In third line of section first, after the word "moneys," insert "not otherwise specially appropriated;" in the sixth line of section two, after the word "postage," insert "and;" and in the next line, after the word "copying," strike out "ete.;" with the final action of the Senate thereon: Ayes, 15; noes, 2.

Also, Senate Bill No. 34, entitled "An Act concerning Teachers of

Common Schools in this State," with the final action of the Senate thereon, viz: Ayes, 18; noes, 0.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

The Assembly Bill No. 20, entitled "An Act creating a State Legislative fund," just reported in Senate message, was now taken up, and the question being on concurring with the Senate amendments, the House concurred unanimously, and ordered bill enrolled.

Mr. Walter offered the following resolution:

*Resolved*, That the Assembly elect a Copying Clerk for this session, whose duty it shall be to do all the copying for the Printer, under the supervision of the Committee on Printing, and the compensation shall be ten cents per folio.

Mr. Bond offered the following substitute for resolution:

*Resolved*, That the appointment made by the Chief Clerk, of T. C. Plunkett for Copying Clerk, be, and the same is hereby, sustained by the House.

Mr. McKeeby moved to indefinitely postpone the whole subject matter.  
Carried.

#### NOTICES OF BILLS.

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act amendatory to an Act entitled an Act concerning roads and highways."

Mr. Small, by leave, withdrew the notice of bill, given yesterday, in relation to the collection of taxes in Douglas County, and introduced the following notice:

Mr. Small gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act extending the time for the collection of taxes in the several counties of this State."

Mr. Tozer, by unanimous consent, introduced the following bill, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches."

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

Mr. Hawkins, from Committee on Enrollment, made the following report:

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill as presented to them, and found it correctly enrolled, viz: Assembly Bill No. 45, "An Act to prohibit the payment of certain warrants."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins, from the Committee on Enrollment, made the following report:

Mr. Hawkins, from the Standing Committee on Enrollment, delivered the following entitled bill to his Excellency the Governor, for his ap-

proval, on the fifth instant, viz: Assembly Bill No. 45, "An Act to prohibit the payment of certain warrants."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

On motion of Mr. McKeeby, the Senate Bill No. 33, entitled "An Act relating to marriage and divorce," approved November twenty-eighth, one thousand eight hundred and sixty-one, being chapter thirty-three of the laws of Nevada, was now taken up.

Mr. Bien moved that the bill be laid upon the table, and made the special order for next Monday, at twelve o'clock m.

Mr. Hawkins moved, as a substitute for Mr. Bien's motion, that the House resolve itself into Committee of the Whole for consideration of the bill.

Carried.

Mr. Hawkins in the chair.

Mr. Hawkins reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act relating to marriage and divorce," approved November twenty-eighth, one thousand eight hundred and sixty-one, being chapter thirty-three of the laws of Nevada, had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Report accepted.

Bill read a third time and placed on its final passage.

The roll called, with the following result:

Ayes, 20; noes, 6; absent, 10.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Cary, Cutter, Denson, Hawkins, Lee, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Toombs, Walter, Wellington, and Young.

Those voting in the negative were—

Messrs. Bearss, Bolan, Greeley, Mayhugh, Smith, and St. Clair.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Hawkins, the bill (special order) for twelve m. to-day was postponed until one o'clock p. m. to-day.

On motion of Mr. Lee, the House took a recess, at twelve o'clock and thirty minutes p. m., until one o'clock p. m.

## AFTERNOON SESSION.

1 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and quorum present.

Mr. Bearss asked leave of absence for Mr. Sine till next Monday.

Granted.

Mr. Bien gave notice of motion to reconsider the vote taken upon the bill relating to marriage and divorce.

On motion of Mr. Lee, the special order for to-day at one o'clock be postponed until Monday next, at one o'clock p. m.

Carried.

Mr. Hawkins moved a call of the House, and the roll was called, with the following result: present, 28; absent, 7.

The following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Those absent were—

Messrs. Bond, Cutter, Myrick, Rosenblatt, and Smith.

Excused—Messrs. Dun and Sine.

Sergeant-at-Arms was required to arrest the absentees, and the absentees were brought before the House and excused.

On motion of Mr. Bishop, the further call of the House was now dispensed with.

On motion of Mr. Cutter, Assembly Bill No. 3, entitled "An Act to create contingent funds for the Senate and Assembly," was now called from the general file, and the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. Haskell offered the following resolution.

*Resolved*, That the Sergeant-at-Arms of this House be, and he is hereby, instructed to furnish the reporters with such necessary stationery as may be required by them in the discharge of their duties.

Adopted.

Mr. Speaker reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act to create a contingent fund for the Senate and Assembly," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report accepted, bill read a third time, and placed on its final passage. The roll was called, with the following result: Ayes, 32; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 5th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Assembly substitute for Senate Bill No. 8, entitled "An Act to provide for paying the outstanding indebtedness of Lander County," as amended by the Senate, as follows, viz : In section two, in the thirteenth line of said section, after the word "Act," the words following, to-wit : "And the County Treasurer of said county is hereby specially prohibited from paying out any portion of said thirty-three and one third (33 $\frac{1}{3}$ ) per cent. of said revenues from said Treasury until the said order of transference, to be made by said Board of County Commissioners, as hereinafter provided for, is duly certified

to by such Treasurer," with the final action of the Senate thereon, viz: Ayes 14; noes, 0.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

The question being on concurring in the Senate amendments to the Assembly substitute bill for Senate Bill No. 8, entitled "An Act to provide for the outstanding indebtedness of Lander County," the roll was called with the following result: ayes, 33; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared that the House had concurred in the Senate amendments, and ordered enrolled.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 5th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate, to transmit to your honorable body Assembly Bill No. 51, "An Act to legalize the election of the Tax Collector of Lander County, elected at the November election, A.D. one thousand eight hundred and sixty-four," with the final action of the Senate thereon: Ayes, 11; noes, 6.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

Bill No. 51, just reported in Senate message, ordered enrolled.

Assembly Bill No. 67, entitled "An Act to repeal an Act entitled An Act to provide compensation to the attachees of the Territorial Assembly," approved February twentieth, one thousand eight hundred and sixty-four," was now taken up from the general file, and, on motion of Mr. Lee, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Lee in the chair.

The Committee of the Whole reported the bill back to the House, and recommended its indefinite postponement.

The question being on concurring in the report of the committee, the roll was called with the following result: Ayes, 25; noes, 5; absent, 6.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Denson, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Cutter, Hawkins, and Rosenblatt.

House concurred with the Committee of the Whole, and the bill was indefinitely postponed.

Assembly Bill No. 56, entitled "An Act for the purchase and preserv-

ation of public newspapers printed and published in the several counties of this State," was taken from the general file, and on motion the House resolved itself into Committee of the Whole for the consideration of the bill.

Speaker in the chair.

Mr. Speaker reported that the Committee of the Whole had had under consideration the House bill entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Report accepted, and bill ordered engrossed.

The Assembly Bill No. 47, entitled "An Act to amend an Act entitled an Act to authorize John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two, was now taken from the general file, rules suspended, read a third time, and placed on its final passage.

The roll was called, with the following result :

Ayes, 28 ; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 66, entitled "An Act amendatory of an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act to authorize John G. Powell, his associates and assigns, to construct a toll road," approved February seventeenth, one thousand eight hundred and sixty-four, was now taken from the general file, rules suspended, considered engrossed, read a third time and placed on its final passage.

The roll was called, with the following result : Ayes, 29 ; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Patten moved that nine hundred and sixty copies of the Specific Contract [Act] as passed be printed in pamphlet form.

Carried.

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

TWENTY-SIXTH DAY.

FRIDAY, January 6th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bond, Cary, Cutter, Denson, Dnn, Epstein, Greeley, Hineckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bishop and Sine.

Present, 33 ; absent, 2.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following with the engrossed bills as presented to them, and have found them correctly enrolled, viz :

Assembly Bill No. 51, "An Act to legalize the election of the Tax Collector of Lander County, elected at the November election, A. D. one thousand eight hundred and sixty-four."

Also, Assembly Bill No. 20, "An Act to create a State Legislative fund."

Assembly Chamber, January 6th, 1865.

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Toombs reported as follows :

*Mr. Speaker :*

The Committee on State Institutions beg leave to report that they have conferred with the County Commissioners of Ormsby County, to ascertain what arrangements could be made for renting the rooms now occupied for State purposes, and submit the following proposals from the County Commissioners for the consideration of the House, and without recommendation.

W. F. TOOMBS, Chairman.

Report accepted.

Proposals from County Commissioners, on motion of Mr. Patten, made the special order for Tuesday next, at twelve M.

Mr. Cutter reports that the Standing Committee on Engrossment, have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz : No. 47, "An Act to amend an Act entitled an Act authorizing Jno. Hawkins, his associates and assigns, to construct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two.

Also, No. 56, "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State."

Also, No. 66, "An Act amendatory of an Act of the Legislative Assembly of the Territory of Nevada entitled an Act to authorize John

G. Powell, his associates and assigns, to construct a toll road," approved February seventeenth, one thousand eight hundred and sixty-four.  
Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bills to his Excellency the Governor for his approval, on the sixth inst., viz :

Assembly Bill No. 51, "An Act to legalize the election of the Tax Collector of Lander County, elected at the November election, A. D. one thousand eight hundred and sixty-four."

Also, Assembly Bill No. 20, "An Act to create a State Legislative fund."

Assembly Chamber, January 6th, 1865.

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. St. Clair reported as follows :

*Mr. Speaker :*

The undersigned, from the Committee on Contingent Expenses, begs leave to report that the committee have examined the following bills, found the same correct, and recommend that they be ordered paid :

To D. G. Corbett—

For seven cords of stove wood, at \$12 per cord.....	\$84 00	
one bulletin board.....	5 00	
		—————\$89 00

To J. H. Moore—

For one reading desk.....	10 00
---------------------------	-------

To J. M. Ammer—

For one table.....	\$15 00	
two map frames.....	8 00	
		————— 23 00

All of which is respectfully submitted.

JAS. A. ST. CLAIR,  
Chairman Committee on Contingent Expenses.

Accepted and adopted.

Mr. Haskell, from the Committee on Federal Relations, reported as follows :

*Mr. Speaker :*

Your Committee on Federal Relations, to whom was referred concurrent resolutions respecting the Latrobe Railroad, have had the same under consideration, and beg leave to submit the following majority report :

Your committee have carefully examined the preamble and resolutions referred to them respecting the Latrobe Railroad, so far as their limited time would permit. These resolutions relate to a very important subject, in which great public interests as well as valuable private rights are concerned, and it therefore becomes necessary to act with deliberation and caution.

The importance of the speedy completion of a railroad over the Sierra Nevada mountains to California is conceded by all; and it should be our earnest endeavor to do nothing which shall have even the apparent



effect of delaying it. Congress, in selecting its agents to build the Pacific Railroad from the Missouri River to the Pacific Ocean, which will traverse our State from its eastern to its western boundary, and on the construction of which our future prosperity so much depends, selected the Central Pacific Railroad Company of California as its agent to construct the western portion.

It is now about two years and a half since that bill was passed, and Congress has so far shown no want of confidence; but, on the contrary, at its last session, made important changes in the law for the benefit of that Company.

It is true the work has not progressed as rapidly as we have all desired, but this may have arisen from the difficulties and disordered state of the country, growing out of the rebellion.

Whether this delay is justifiable or not, your committee have no certain means of knowing; and we deem it highly improper for a grave legislative body to determine so important a matter, without a full knowledge of all the facts, and affording the parties charged with delinquency a full hearing.

Your committee are not prepared to endorse the statement made in the preamble, that the Central Pacific Company, "up to this date, has constructed only thirty miles upon its proposed route, and whose principal labor seems to have been to reduce the number of miles ordered to be built per year."

The report of the Chief Engineer and Secretary of the Company, recently made, certainly show a very different state of facts. If such a statement should be endorsed by this body, and it should be found untrue, it would entirely destroy the effect of its passage, and throw discredit upon all who unite in its passage.

As a general rule, competition in business is desirable, yet there is danger that the attempt, at the present time, to construct competing railroads over the Sierra Nevadas would result in preventing any from being built. It is still uncertain whether even the large trade of this State will pay sufficient dividends upon the enormous cost of a single railroad, to induce capitalists to invest their money in its construction, even with the aid given to it by the National Government. That point is yet to be demonstrated. We are all aware that the policy of the Southern leaders was to keep up the idea of building several Pacific Railroads at the same time, well knowing that the effect would be to prevent the construction of any, which was their object. In that way, the construction of this great national highway was delayed for years. It would be suicidal policy on our part to follow their example.

Your Committee believe that it would be better to unite all our efforts, State and National, to complete one railroad over the mountains; and if the necessity of competition is then apparent, another could be pushed forward.

The statement that the town of Freeport is "at the head of tide water on the Sacramento," is well known to be incorrect; and, of course, should not be made by the Legislature.

The preamble also states that "we have credible information that a large and wholly responsible body of respectable capitalists are prepared, with reasonable encouragement, to push forward the railroad from Latrobe to the Capital of our State, on a route direct and feasible."

Your Committee have not been informed who these capitalists are, and they are not, therefore, prepared to recommend an endorsement of their responsibility or respectability, or to certify whether their number

is large or small. So, too, as to the directness or feasibility of the route referred to—your committee is entirely unprepared, with the information they now possess, as to the two routes referred to, to recommend either as preferable to the other.

We have received copies of the several reports of the Chief Engineer of the Central Pacific Company, describing fully the character and feasibility of the route adopted by that company; and so far as your committee are able to judge of such a matter, there is no great difficulty in constructing a railroad upon that line.

But no surveys, maps or reports, upon the other route, have been furnished us, and we cannot say, therefore, whether it is "direct and feasible" or not.

Indeed, even if we had been furnished with ample proof upon that subject, we should hesitate to determine which was the best of the two, without a thorough personal examination, which your committee, of course, cannot make. The facts and information respecting the matters referred to in these resolutions can only be fully obtained in the State of California, where the parties interested in these various railroads reside. Many of these questions can only be determined by a personal examination. It would be necessary for your committee, therefore, to have the power to make such investigation, to arrive at correct conclusions; but as that is impracticable, we deem it better to leave this important matter in the hands of Congress, who, we are confident, will do all in its power to further the completion of the work.

The first resolution instructs our Senators and requests our Representative to secure the passage of an Act by Congress, to aid somebody to build a railroad from Latrobe to Carson. It is a significant fact that the corporation or corporations to be thus aided are not mentioned in the resolutions. If it be true, as we are informed, that no company has been organized to construct "a road from Latrobe, in the State of California, to Carson City or Virginia, in the State of Nevada," this omission is fully explained. We are informed that while a company has been organized to construct a railroad from Folsom to Placerville, none has been formed to build one east of the latter place.

If the capitalists referred to do not feel sufficient interest in the enterprise to even organize a company for that purpose, it would seem rather premature to call upon this Legislature to recommend such a law for their benefit.

Your committee, therefore, deem it the better course to wait until a corporation be organized, capable of receiving the aid asked for, before endorsing the scheme.

The resolutions ask that aid be extended to the amount of \$10,000,000, in United States six per cent. bonds. We believe the amount of Government bonds the Central Pacific Company will be entitled to when their road is completed to the State line, will be about \$6,000,000, which has been considered "liberal" aid. Why more should be given to the Latrobe Railroad, we are unable to understand, unless it be more difficult to construct. By the Pacific Railroad Act, Congress retains a lien upon the railroad constructed by this company, as a security for the repayment of the bonds thus advanced.

Your committee cannot recommend your body to ask Congress "to give" away its bonds to build up a rival railroad, one necessary effect of which would be to impair, if not entirely destroy, the value of its security upon the other road. It is hardly supposable that Congress would

do any such act. We are also unable to perceive how the "giving" of these bonds after the railroad shall have been completed, will aid in its construction. At that time they will be a mere gratuity. If the proposed corporation shall be able to build the road without the use of the bonds, they will not need them.

Your committee are confident that our Senators and Representative are well informed upon the whole subject matter of this great national highway, and that they, so direct from the people before whom this subject has been so often and ardently discussed by themselves as well as others, are fully competent to act properly in relation thereto, without any special instructions or requests from this Legislature. They would, therefore, recommend the indefinite postponement of the resolutions, and would also recommend the adoption of the following :

*Resolved*, That in view of the magnitude of the work of constructing a railroad over the Sierra Nevada mountains, and the necessity of its speedy construction, Congress is hereby requested to extend such additional aid, in such manner as will best secure the earliest practicable completion of that portion of the Pacific Railroad lying between the Sacramento River and the valley lying east of these mountains.

D. H. HASKELL, Chairman.  
R. W. SHACKELFORD,  
D. P. WALTER.

Mr. Bien, from the Committee on Federal Relations, made the following minority report :

*Mr. Speaker :*

We, the undersigned, members of the Committee on Federal Relations, hereby most respectfully submit the following minority report, relating to certain railroad resolutions introduced by the Hon. Mr. Cutter :

We concur in the majority report as far as to the final recommendations, for which we desire to substitute, to-wit :

"They, therefore, would respectfully recommend that action upon these resolutions be deferred until the parties concerned therein shall have furnished this Legislature with sufficient proof as to the correctness of their statements concerning their opponents; of their own permanent and legal organization as a body corporate, with ample ability and power to execute the construction and building of a railroad as proposed; and furnish you with such official documents as will demonstrate the feasibility of such undertaking, and their advantages over what is known as the Central Pacific Railway."

All of which is respectfully submitted.

H. M. BIEN,  
H. EPSTEIN.

January 5th, 1865.

Mr. Hawkins moved that both reports be made the special order for February 6th, at twelve o'clock M.

The question now being on the motion of Mr. Hawkins, the ayes and noes were called for by Messrs. Haskell, Hawkins and Parker, and the roll was called, with the following result: Ayes, 24; noes, 10.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Den-

son, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Walter and Mr. Speaker.

Those voting in the negative were—

Messrs. Bearss, Epstein, Patten, Rosenblatt, Small, Smith, St. Clair, Toombs, Wellington, and Young.

Carried.

Mr. Cutter moved to reconsider the vote just taken.

Carried.

Mr. Epstein now moved that resolutions on Latrobe railroad be made the special order for January thirteenth, at twelve m., and on motion of Mr. Walter, the House took a recess, at one o'clock and fifteen minutes p. m., until two p. m.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called and quorum present.

Mr. Bond asked leave of absence for his colleague, Mr. Tozer.

Granted.

Mr. Epstein moved that two hundred and forty copies of the Latrobe Railroad resolutions, together with both of the reports of the Committee, be printed.

Carried.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, January 6th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 73, entitled "An Act fixing the time when laws and joint resolutions shall take effect," with the final action of the Senate thereon, viz: Ayes, 15; noes, 0.

Also, Assembly Bill No. 57, entitled "An Act in relation to the compensation of members of the Legislature and State officers," amended by the Senate, as follows: After the word "meeting," strike out all in the first section, and insert as follows: "Also such a sum not exceeding sixty dollars for each member for the payment of such actual expenses incurred by such member for postage, express charges, newspapers and stationery," with the final action of the Senate thereon, viz: Ayes, 15; noes, 1.

Also, Senate Bill No. 29, entitled "An Act granting to Abram Curry, his associates and assigns, the right to supply Carson City with water," with the final action of the Senate thereon, viz: Ayes, 14; noes, 0.

Also, Senate Bill No. 22, entitled "An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill counties," with the final action of the Senate thereon, viz: Ayes, 12; noes, 2.

Also, Senate Bill No. 14, entitled "An Act concerning courts of justice of this State and judicial officers," with the final action of the Senate thereon, viz: Ayes, 16; noes, 0.

Also, Assembly Bill No. 15, entitled "An Act for the relief of Hiram Welsh," with the final action of the Senate thereon, viz: Ayes, 16; noes, 0.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

The Senate Bill No. 73, entitled "An Act fixing the time when laws and joint resolutions shall take effect," was now taken up, rules suspended, read a first and second time by title, rules suspended, and read a third time and placed on its final passage. The roll was called, with the following result:

Ayes, 29; noes, 0.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 57, entitled "An Act in relation to the compensation of members of the Legislature and State officers," as per Senate message, was taken up, and the question being on concurring with the Senate amendments, the ayes and noes were called for by Messrs. Cutter, Hawkins, and Rigby, and the roll was called, with the following result, viz: Ayes, 7; noes, 26.

Those voting in the affirmative were—

Messrs. Beck, Denson, Hinckley, Lee, Myrick, Rigby, and Shackelford.

And in the negative—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Dun, Epstein, Greeley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Small, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

Mr. Speaker declared the Senate amendments not concurred in.

Mr. Hawkins moved that a committee of conference of three, to confer with a like committee from the Senate, be appointed.

Carried.

Mr. Speaker, appointed as such committee Messrs. Greeley, Hawkins, and Brown.

The following message was received from the Senate:

STATE OF NEVADA,  
SENATE CHAMBER, January 6th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to inform your honorable body that the Senate do not concur in the amendment made in your body to Senate bill No. 3, entitled "An Act to create the office of State Printer," etc.; and further, that the Senate have appointed Messrs. Doran, James, and Thompson, a committee of conference, to confer with a like committee from the Assembly to consider said bill.

All of which is respectfully submitted.

L. B. MOORE,

Secretary of the Senate.

Senate Bill No. 3, entitled "An Act to create the office of State Printer," etc., as per message, was taken up, and a committee of conference, to confer with a like committee from the Senate, was appointed by the Speaker, viz: Messrs. Cutter, Bond, and Toombs.

Senate Bill No. 29, entitled "An Act granting to Abram Curry, his associates and assigns, the right to supply Carson City with water."

Rules suspended, read a first and second time by title, and referred to Ormsby County delegation.

Senate Bill No. 22, entitled "An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill Counties."

Rules suspended, and bill read first and second times by title, and referred to the Nye and Churchill County delegations.

Senate Bill No. 14, entitled "An Act concerning the courts of Justice of this State and judicial officers."

Rules suspended, read first and second times by title, and referred to Committee on Judiciary.

Assembly Bill No. 15, entitled "An Act for the relief of Hiram Welsh," as reported in Senate message, ordered enrolled.

#### NOTICES OF BILLS.

Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to license marriages."

Mr. Patten gave notice that he would, at an early day, introduced a bill entitled "An Act to regulate the carrying of concealed weapons in this State."

Mr. Epstein, by unanimous consent, introduced the following bill entitled "An Act to legalize the assessment of real and personal property, as made by the County Commissioners of Douglas County, for the year one thousand eight hundred and sixty-four." Rules suspended, [bill] read a first and second time by title, and referred to Douglas County delegation.

Mr. Smith, pursuant to previous notice, introduced the following bill, entitled "An Act authorizing I. C. Bateman, C. H. Van Gorden, N. H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the Divide between Virginia City and Gold Hill, in Storey County, to Empire City, in Ormsby County." Rules suspended, read a first and second time by title, and referred to Committee on Internal Improvements.

Mr. Small, pursuant to previous notice, introduced the following bill, entitled "An Act extending the time for collecting the taxes in the several counties of this State." Read first time, rules suspended, read a second time by title, and referred to Committee on Ways and Means.

Mr. Greeley, by unanimous consent, introduced the following bill, entitled "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada." Rules suspended, bill read first and second times by title, and referred to the Committee on Judiciary.

Mr. Beck, by unanimous consent, introduced the following bill, entitled "An Act to create a cash contingent fund for the payment of District Judges." Rules suspended, bill read a first and second time by title, and referred to Committee on Ways and Means.

Mr. Rosenblatt gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act for the apportionment of representation of the several counties in this State."

Mr. Shackelford, pursuant to previous notice, introduced the following bill entitled "An Act for the protection of agricultural land, and to preserve the purity of water." Rules suspended, bill read first and second times by title, and referred to Committee on Agriculture.

Mr. Bien offered the following resolution:

*Resolved*, by the Assembly, that the Sergeant-at-Arms be, and is hereby, authorized to issue his order to the Controller of State for the per

diem of the members of the Legislature due them to the week ending Saturday, January 7th, 1865.

Adopted.

Mr. Cutter, from the Committee of Conference, made the following majority report :

*Mr. Speaker :*

The undersigned, a majority of your committee of conference, appointed to confer with a like committee on the part of the Senate, in regard to the House amendments to Senate Bill No. 3, respectfully report and recommend that the House recede therefrom.

WM. M. CUTTER,  
W. F. TOOMBS.

Accepted.

Mr. Bond made the following minority report :

*Mr. Speaker :*

The minority on the committee of conference report adverse to receding from the amendments adopted by the House in Senate Bill No. 3.

E. BOND.

Accepted.

The question now being on agreeing to the minority report, the ayes and noes were called for by Messrs. Brown, Bishop and Cutter, and the roll was called with the following result: ayes, 21; noes, 11.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Smith, Walter, and Wellington.

And in the negative—

Messrs. Beck, Bolan, Cutter, Epstein, Greeley, Parker, Rosenblatt, Shackelford, St. Clair, Toombs, and Young.

Minority report adopted.

Mr. Bishop gave notice of motion to reconsider the vote just taken.

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

---

## TWENTY-SEVENTH DAY.

SATURDAY, January 7th, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

Absent—Mr. Bien and Mr. Speaker.

Present, 33; absent, 2.

Prayer by the Rev. Mr. Nims.

The journal of yesterday read and approved.

Mr. McKeeby offered the following resolution :

*Resolved*, That the Committee on Federal Relations be, and they are hereby, instructed to examine and report upon the steps necessary to be taken in order to secure to the State, at the earliest practicable period, the portions of the public lands to which the State is entitled under the laws of the United States.

L. C. McKEEBY.

Adopted.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 15, "An Act for the relief of Hiram Welsh."

Assembly Chamber, January 7th, 1865.

C. HAWKINS,

Chairman Enrolling Committee.

Accepted.

Mr. Bishop now moved, pursuant to notice, to reconsider the vote taken yesterday upon the minority report of the select committee of conference relating to printer's bill.

Previous question was called for and sustained.

The main question now being in order, the ayes and noes were called by Messrs. Brown, Beck, and Cutter.

The roll was called, with the following result: Ayes, 11; noes, 21.

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cutter, Epstein, Greeley, Myrick, Rosenblatt, Sine, St. Clair, Toombs, and Young.

And in the negative—

Messrs. Beck, Brown, Bolan, Bien, Bond, Cary, Denson, Dun, Hinckley, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Walter, Wellington, Young, and Mr. Speaker *pro tem*.

The motion to reconsider was lost.

Mr. Patten moved that the Speaker appoint a committee of free conference of three, to confer with a like committee from the Senate.

Carried.

Special order relating to patriotic resolutions set for twelve m., to-day, was, on motion of Mr. Walter, postponed until next Saturday, the fourteenth instant, at twelve m.

Special order relating to foreign insurance companies, set for twelve m., to-day, was postponed until next Monday, at two o'clock p. m.

The following gentlemen were appointed by the Speaker as a select committee of free conference, to confer with a like committee from the Senate, viz, Messrs. Cutter, Patten, and Toombs.

Mr. St. Clair made the following report :

*Mr. Speaker :*

The undersigned, from the Committee on Contingent Expenses, begs leave to report that said committee have carefully examined the follow-



ing accounts, have found them correct, and respectfully recommend that they be ordered paid :

To Gillig, Mott & Co., for sundries .....	\$199 88
To Driesbach Bros., " " .....	23 25
To A. Mitchell, for boring holes for hanging bracket lamps..	6 00

All of which is respectfully submitted.

JAS. A. ST. CLAIR,  
Chairman Committee on Contingent Expenses.

Accepted and adopted, and a copy ordered given to the Sergeant-at-Arms.

Mr. Epstein, from special committee composed of the Douglas County delegation, reported as follows :

*Mr. Speaker :*

Your select committee, to whom was referred Assembly Bill No. 80, entitled "An Act to legalize the assessment of real and personal property, as made by the County Commissioners of Douglas County," have duly examined the same, report the bill back to the House without amendment, and recommend its passage.

All of which is respectfully submitted.

H. EPSTEIN.

Accepted.

Mr. St. Clair, from the select committee composed of the Nye and Churchill delegations, to which was referred the bill entitled "An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill Counties," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their chairman to report the same to the House, without amendment, and recommend its passage.

The report was accepted and adopted.

Mr. Bishop offered the following :

*Resolved,* That the Sergeant-at-Arms be, and he is hereby, authorized to procure a sufficient number of chairs for the use of the members and attendees of the Assembly.

Adopted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following bill to his Excellency the Governor, for his approval, on the 7th inst, viz : Assembly Bill No. 15, "An Act for the relief of Hiram Welsh."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Epstein gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to establish a standard of weights and measures."

Mr. Denson gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for State printing of this State to be done by contract.

Mr. Mayhugh gave notice that he would, at some future day, ask

leave to introduce a bill entitled "An Act to regulate and define the duties and powers of the State officers."

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

---

TWENTY-NINTH DAY.

MONDAY, January 9th, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Bearss, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent, viz :

Messrs. Beck, Bien, Epstein, Greeley, and Smith.

Present, 30 ; absent, 5.

Prayer by the Rev. Father Rubi.

The journal of Saturday read and approved.

Mr. Hawkins, from the Committee on Internal Improvements, would respectfully recommend Bill No. 81, "An Act to authorize I. C. Bateman, C. H. Van Gorder, and N. H. A. Mason, their assigns and associates, to construct and maintain a toll road from the Divide between Virginia and Gold Hill, in Storey County, to Empire City, in Ormsby County," be printed immediately for the information of said committee and members generally.

C. HAWKINS,  
Chairman.

Accepted and adopted, and the usual number of copies ordered printed.  
The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 9th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Assembly Bill No. 12, entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and to establish their pay," as amended in the Senate as follows, viz : In the fourth line of section first, after "Sergeant-at-Arms," insert the words "one doorkeeper," and in the seventh line of the same section, after the word "messenger," insert "and one chaplain," and strike out the word "and" in the seventh line, between "pages" and "one." In the seventh line of section two, between the words "pages" and "one," strike out "and," and after the word "messenger," insert "and one chaplain." In section three, strike out the words "except by a two thirds vote of the House in which they are employed." In the eighth line of said section, strike out the word

"ten" and insert "twelve." In the thirteenth line of same section, strike out the word "eight" and insert "ten." In the fifteenth line of said section, strike out "eight" and insert "ten." In the eighteenth line of said section, strike out "eight" and insert "ten." In the twenty-first line, strike out "six" and insert "eight." In the twenty-third line, strike out "five" and insert "six;" in the twenty-fifth line, strike out "five" and insert "six;" and in the twenty-sixth line, strike out all after the word "day," and insert as follows: "To the messengers of the Senate and Assembly each five dollars per day, and to the pages of the Senate and Assembly each four dollars per day; to the door-keeper of the Senate six dollars per day, and to the chaplain of the Senate and Assembly each the sum of five dollars per day." In line twenty-second of section four, between the words "engrossment" and "especially," insert as follows: "And all copying done during the session for the printer shall be under the direction and supervision of the Committee on Printing;" and in line one hundred of the same section, between lines ninety-nine and one hundred, insert as follows: "Members of the Assembly and State officers;" and after the word "Act," in line two of section three, insert as follows: "In the manner herein provided," and commencing with the present session of the Legislature.

Said bill, with amendments, having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Mr. Brown moved that the House refuse to concur in the amendments made by the Senate in Assembly Bill No. 12, relating to the attachees of the Legislature.

The question being, Shall the House concur? the roll was called, with the following result: Ayes, 11; noes, 19.

Those voting in the affirmative were—

Messrs. Bearss, Cutter, Denson, Epstein, Nichols, Patten, Sine, Smith, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Brown, Bolan, Bond, Cary, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Rigby, Small, Shackelford, Walter, Young, and Mr. Speaker.

Motion carried, and the Clerk requested to inform the Senate.

Mr. Myrick, from the Washoe delegation, to which was referred the bill entitled "An Act authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road," have reported that they have had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House, with some amendments to section four, and recommend its passage.

The report accepted and adopted, rules suspended, considered engrossed, read a third time, and placed on its final passage. The roll was called, with the following result: Ayes, 26; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Parker, Patten, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Epstein, pursuant to previous notice, introduced the following bill,

entitled "An Act to authorize married women to transact business in their own name as sole traders."

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

Assembly Bill No. 31, entitled "An Act authorizing A. Coffman and others to construct a toll road," etc., and, on motion, made the special order for Saturday next, at twelve o'clock m.

Mr. Rosenblatt, pursuant to previous notice, introduced the following bill, entitled "An Act for the apportionment of representation of the several counties of the State of Nevada."

Read first time, rules suspended, read second time by title, and, on motion, committed to Committee of the Whole, and made the special order for Thursday next, at twelve o'clock m.

Assembly Bill No. 62, entitled "An Act empowering the Governor to appoint Commissioners of Deeds and define their duties," and report of committee taken from the general file; read first time; report of committee, with amendments, adopted.

Rules suspended, considered engrossed, and ordered read the third time. Pending the third reading, Senate messages were announced, and read as follows:

STATE OF NEVADA, SENATE CHAMBER, }  
January 9th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate to inform your honorable body that Messrs. Kellogg, Thompson and Proctor have been appointed a committee on conference, to confer with the like committee from your honorable body, on consideration of Senate Bill No. 57, entitled "An Act in relation to the compensation of members of the Legislature and State officers."

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

Mr. Walter moved that a committee of free conference, consisting of three, be appointed by the Chair, to confer with a like committee appointed by the Senate, as per Senate message, for consideration of Senate Bill No. 57, relating to the compensation of members of the Legislature and State officers, etc., and Mr. Speaker appointed as such committee Messrs. Brown, Lee, and Bond.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 9th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to inform your honorable body that Messrs. Winton, Thompson, and Ives have been appointed a committee on free conference, to confer with a like committee from your honorable body, on Senate Bill No. 3, "An Act to create the office of State Printer," etc.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The Assembly Bill No. 62 was now read through, and placed on its final passage.

The roll was called, with the following result: Ayes, 28; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bishop, Bond, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Parker, from the Committee on Ways and Means, to which was referred the bill entitled "An Act extending the time for the collection of taxes in the several counties of this State," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House without amendments, and recommend its passage.

Accepted.

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

### AFTERNOON SESSION.

1:30 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and quorum present.

Mr. Lee asked to be excused from acting on committee of free conference relating to compensation bill.

Excused, and Mr. Wellington appointed in his stead.

Mr. Mayhugh moved that the special order set for to-day, at one o'clock P. M., be postponed till Wednesday, January eleventh, at one o'clock P. M.

Carried.

On motion of Mr. Walter, the House resolved itself into Committee of the Whole for the consideration of the bill entitled "An Act extending the time for the collection of taxes in the several counties of this State."

Mr. Walter in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act extending the time for the collection of taxes in the several counties of this State, had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House without recommendation.

Accepted.

On motion of Mr. Patten, special order set for two P. M., to-day, was postponed for fifteen minutes.

Mr. Hawkins moved to suspend the rules, and consider the bill engrossed for a third reading.

The ayes and noes were called for by Messrs. Brown, Cutter, and Hawkins.

The roll was called, with the following result: Ayes, 29; noes, 3.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Hinckley, Patten, and St. Clair.

Motion carried.

The previous question was now called for and sustained.

The main question now being put, the rules were suspended, and the bill considered engrossed, read a third time and placed on its final passage.

The roll was called, with the following result: Ayes, 14; noes, 19.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Cary, Denson, Epstein, Hawkins, Haskell, Mayhugh, McKeeby, Rigby, Small, Shackelford, Smith, and Wellington.

Those voting in the negative were—

Messrs. Brown, Bolan, Bien, Bishop, Bond, Cutter, Dun, Hinckley, Lee, Myrick, Nichols, Parker, Patten, Rosenblatt, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill rejected.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 9th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to inform your honorable body that Messrs. Slingerland, Kellogg, and Seely have been appointed a committee on free conference, to confer with a like committee from your honorable body, in relation to Assembly Bill No. 12, entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and to establish their pay."

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of Senate.

Mr. Speaker appointed as committee of free conference, to confer with a like committee appointed by the Senate, as per Senate message, for consideration of Assembly [Bill] No. 12, relating to the officers and employees of the Senate and Assembly, Messrs. Bearss, Lee, and Rigby.

Mr. Hawkins, from the committee of free conference, appointed to confer with a like committee from the Senate, with special instructions to amend the Assembly Bill No. 57, entitled "An Act in relation to the compensation of members of the Legislature and State officers," reported the bill back, amended as follows: In section one, strike out the last three lines. Also, "sixty (\$60) dollars to each member of the Senate and Assembly for stationery, postage stamps, etc." and insert "Also, such a sum, not exceeding sixty dollars for each member, for the payment of the expenses incurred by such member for postage, express charges, newspapers, and stationery."

The question being, Shall the House concur? the roll was called, with the following result: Ayes, 29; noes, 2.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss and Smith.

Concurred in, and Mr. Speaker declared the bill passed.  
Mr. Cutter made the following report :

*Mr. Speaker :*

The undersigned, a committee of free conference, appointed on the part of the House and the Senate, to confer in regard to the disagreement of the two bodies with reference to Senate Bill No. 3, entitled "An Act to create the office of State Printer," etc., respectfully beg leave to report that they are unanimously of the opinion that the bill should stand as it passed the Assembly, with the exception of section (12) twelve, which is recommended to be amended so as to read as follows :

Section Twelve. For all work executed and material furnished under this Act by the State Printer, he shall be allowed as follows, which allowance shall include all the charges he shall make for the work, well executed and delivered in good order at the seat of government, excepting only the cost of paper as herein provided, which shall be furnished him by the Secretary of State, and an appropriation made by the Legislature therefor: For composition, per one thousand ems, one dollar and sixty cents; figure work, per one thousand ems, two dollars; rule work, per one thousand ems, two dollars and fifteen cents; rule and figure work, per one thousand ems, two dollars and twenty-five cents; presswork, per token of two hundred and forty impressions, one dollar and fifty cents; for all proclamations, orders, notices, and advertisements, authorized by section five of this Act, to be published in the State papers, he shall be allowed one dollar per square of three hundred ems for composition and the first insertion, and fifty cents for each subsequent insertion, but no charge shall be made for a greater number of such subsequent insertions than may be ordered or directed by law or by the Governor of the State; for binding the laws of each session in full binding, and lettering the same, two dollars per volume; for binding the journals of the Senate and Assembly in half binding, leather backs and corners, in junk board marbled, and lettering the same, one dollar and seventy-five cents per volume; *provided*, no charge shall be made or allowed for composition for blank pages, under the provisions of this Act. For all forms and blanks, properly printed and delivered, the following rates shall be charged and received: For all commissions, not to exceed twelve dollars per thousand; for all receipts, Controller's orders on the Treasury, franks for books and documents, licenses, letter headings, and all other forms and blanks not otherwise provided for in this section, not to exceed seven dollars per thousand.

W. M. CUTTER,  
Chairman House Committee.

EDMOND PATTEN,  
W. F. TOOMBS.

N. W. WINTON,  
Chairman Senate Committee.

JOHN IVES,  
M. S. THOMPSON.

Report accepted.

Mr. Bishop moved that the House concur in the amendments made by the committee of conference.

The question being, Shall the House concur? the roll was called, with the following result: Ayes, 26; noes, 4.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Small, Shackelford, St. Clair, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Hinckley, Haskell, Smith, and Mr. Speaker.

House concurred.

Mr. Speaker declared the bill passed, and the Clerk was requested to return the bill to the Senate.

On motion of Mr. Haskell, the House resolved itself into Committee of the Whole for consideration of the special order set for two o'clock and fifteen minutes p. m. to-day, being Assembly Bill entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

Mr. Haskell in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act to tax and regulate foreign insurance companies doing business in this State," had not gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House, and ask leave to sit again tomorrow morning, as the first order of business.

Accepted.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, CARSON CITY, }  
January 9th, 1865. }

*To the Honorable Assembly of Nevada :*

To your honorable body, in which the same originated, I return, without approval, Bill No. 51, entitled "An Act to legalize the election of Tax Collector of Lander county, at the November election, A. D. one thousand eight hundred and sixty-four."

So far as I am informed by the reading of this bill, and the statements of parties familiar with the matter involved in the proposed legislation, there is existing in the county of Lander a controversy between two parties, for the office and emoluments of Tax Collector, one person claiming, by virtue of an election as Tax Collector at the recent November election, whilst the Sheriff of the county contends that he is rightfully entitled to discharge the duties as *ex officio* Tax Collector. As a ready means of solving this somewhat intricate, and maybe doubtful, constitutional and legal problem, we, in the character of law makers, are called upon to declare, in the words of the bill, that "the election of Tax Collector for Lander county, held on the eighth day of November, A. D. one thousand eight hundred and sixty-four, is hereby legalized; and it is hereby declared the duty of the Sheriff of said county to deliver up to the Tax Collector so elected, all books and papers pertaining to said office of Tax Collector."

The matter presented in this bill involves, in my judgment, constitutional objections of serious moment; and, with all due respect to the opinions of those who favored its passage, I am constrained to regard those objections sufficient to compel me to withhold my approval.

The right of either of the contesting parties to this office depends not upon any matter of legislative sanction subsequent to the time when they claim, respectively, to have been invested with such office; nor, indeed,



can it be contended that any legislation is necessary to legalize such election.

The Constitution and laws in force at the time of said election made most ample provision, either that a Tax Collector should, as such, be elected in November, or, that the Sheriff, to be then elected, should be *ex officio* Tax Collector.

If, by the Constitution and laws then in force, the Sheriff becomes Tax Collector *ex officio*, then no law can be constitutionally enacted which would divest him of the emoluments and right to discharge the duties of said office. If, on the contrary, these emoluments and duties belong not to him, but to the person who was voted for and elected as Tax Collector, it needs not the aid of legislation to secure to him the enjoyment of those rights; and, at most, it would be but giving expression, on the part of the legislative and executive departments, as to the manner in which the question ought properly to be determined by the judiciary, the department to which the solution of all such questions is, under our Constitution, most wisely entrusted.

This, I conceive, is not only an act of supererogation, but, in truth, a manifest violation of article third of the State Constitution, which declares that "the powers of the government \* \* \* \* shall be divided into three separate departments—the legislative, the executive, and the judicial—and no person charged with the exercise of powers, properly belonging to one of these departments, shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted." Other features of the Constitution distinctly enumerate the powers which properly attach to each of these departments, and it can in no wise be claimed within the province of either legislative or executive authority to adjudicate upon the rights of individuals, which the Constitution or laws confer.

Such would, in effect, be the operation of this bill, and being a matter which the courts have, as I conceive, the sole jurisdiction of determining, the bill is returned.

HENRY G. BLASDEL,  
Governor.

Mr. Haskell moved that the subject matter of the Governor's message be made the special order for to-morrow (Tuesday), at twelve o'clock M.

The previous question was called for and sustained.

The question being on the main subject, the ayes and noes were called for by Messrs. Patten, Cutter and Rosenblatt.

The roll was called, with the following result: Ayes, 21; noes, 11; absent, 4.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bishop, Bond, Cutter, Mayhugh, Parker, Rosenblatt, Smith, St. Clair, Toombs, and Young.

Motion carried, and made the special order for to-morrow, at twelve o'clock M.

On motion of Mr. Mayhugh, the House adjourned at four o'clock and forty five minutes P. M.

## THIRTIETH DAY.

TUESDAY, January 10th, 1865.

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

Upon the roll being called, the following members were present, viz : Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And absent—Mr. Smith.

Present, 34; absent, 1.

Prayer by the Rev. Father Rubi.

The journal of yesterday read and approved.

Mr. Lee offered the following resolution :

*Be it Resolved*, by the Assembly, the Senate concurring, That the resolution adopted, instructing the Judiciary Committee of the two Houses to act together in joint convention on all bills referred to either of such committees, the same be, and is hereby, rescinded.

Adopted.

Mr. Bearss reported as follows :

*Mr. Speaker :*

Your committee appointed on free conference with a like committee of the Senate, relative to the disagreement between Senate and Assembly on Assembly Bill No. 12, "An Act fixing the number of officers and employees of the Senate and Assembly, defining their duties, and establishing their pay," respectfully report that they are unable to reconcile the points of difference between the two Houses, and ask to be discharged.

BEARSS, Chairman.

Accepted, and committee discharged.

Mr. Hawkins, from the Standing Committee on Internal Improvements, to which was referred the bill No. 46, entitled "An Act granting J. B. McClure and John Eaves the right to construct and maintain a toll road in Churchill County," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House without amendment, and recommend its passage.

C. HAWKINS, Chairman.

The report was agreed to.

On motion of Mr. Mayhugh, the House again resolved itself into Committee of the Whole, for the further consideration of Assembly Bill No. 23, relating to foreign insurance companies.

Mr. Speaker in the chair.

Mr. [Chairman] reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act to tax and regulate foreign insurance companies doing business in this State." had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Accepted.

On motion of Mr. Haskell, the special order set for twelve o'clock M., to-day, relating to Governor's message vetoing the bill entitled "An Act relating to Tax Collector of Lander County," was now taken up, and the question being, Shall the bill pass notwithstanding the Governor's objections? the roll was called, with the following result: Ayes, 4; noes, 30; absent, 1.

Those voting in the affirmative were—

Messrs. Bishop, Cutter, Greeley, and St. Clair.

And in the negative—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bond, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the bill lost.

On motion of Mr. Patten, the special order set for twelve M., to-day, relating to proposals from Ormsby County Commissioners postponed until Friday, January thirteenth, at one o'clock P. M.

On motion of Mr. Bien, the House took a recess at one o'clock P. M. till two P. M.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and a quorum present.

Mr. Sine moved that a committee of three, of free conference, be appointed to confer with a like committee from the Senate, relating to Assembly bill entitled "An Act relating to attachees of the Senate and Assembly."

The yeas and nays were called for by Messrs. Brown, Bond, and Walter.

The roll was called, with the following result: Ayes, 19; noes, 14; absent, 2.

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Denson, Dun, Epstein, Greeley, Parker, Patten, Rosenblatt, Small, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Brown, Cary, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rigby, Shackelford, Smith, and Young.

Carried, and the Chair appointed as such committee Messrs. Sine, Greeley, and Cary.

Bill No. 23, entitled "An Act relating to foreign insurance companies," was read a third time, and placed on its final passage.

The previous question was called for and sustained.

The main question now being, Shall the bill pass? the roll was called, with the following result: Ayes, 25; noes, 10.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Dun, Epstein, Greeley, Lee, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, and Young.

And in the negative—

Messrs. Denson, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Bien gave notice of motion to reconsider the vote just taken upon the passage of the bill.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 10th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to transmit herewith for the consideration of your honorable body, Senate Concurrent Resolution No. 7, relating to the Senate and Assembly going into joint convention for the election of State Printer, this day, at seven P. M.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The Senate Concurrent Resolution No. 7, relating to joint convention for the election of State Printer, was now taken up, read first time, rules suspended, read second time by title, rules suspended, read third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 34; noes, 0; absent, 1.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the resolution passed, and requested the Clerk to notify the Senate of that fact.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill, as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 57, "An Act in relation to compensation of members of the Legislature and State officers."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the tenth instant, viz: Assembly Bill No. 57, "An Act in relation to compensation of members of the Legislature and State officers."

Assembly Chamber, January 10th, 1865.

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted.

On motion of Mr. Hawkins, the House took a recess at four o'clock and forty-five minutes P. M., until six o'clock and fifty minutes P. M.

## EVENING SESSION.

6:50 O'CLOCK P. M.

House re-assembled, Mr. Parker, Speaker *pro tem.*, in the chair.

The roll called, and a quorum present.

On motion of Mr. Cutter, the Clerk was requested to inform the Senate that the House was now ready to receive the honorable the Senate in joint convention for the election of State Printer.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 10th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to inform your honorable body that the Senate is now ready to go into joint convention for the election of a State Printer.

Respectfully,

L. B. MOORE,  
Secretary of the Senate.

## JOINT CONVENTION.

The house was called to order by the President of the Senate.

Mr. Secretary called the roll of the Senators, and the following members were present, viz :

Messrs. Clagett, Doron, Haines, Hutchins, Hobart, Ives, James, Kellogg, Lambert, Larrowe, Lockwood, Proctor, Seely, Slingerland, Sumner, Thompson, and Winton.

The Clerk of the House called the roll of the Assembly, and the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Joint resolution read as follows :

*Resolved*, by the Senate, the Assembly concurring, that we go into joint convention for the election of State Printer, on Tuesday, January tenth, at seven o'clock p. m.

Mr. President announced that nominations were in order.

Senator James placed in nomination the name of T. W. Abraham, of the *Lyon County Sentinel*.

Senator Seeley placed in nomination the name of Joseph T. Goodman, of the *Territorial Enterprise*.

Assemblyman Shackelford placed in nomination the name of John Church, of the *Virginia Daily Union*.

Assemblyman Bishop placed in nomination the name of Philip Lynch, of the *Gold Hill News*.

Assemblyman Denson placed in nomination the name of John C. Lewis, of the *Carson Post*.

Nominations having been declared closed, a *viva voce* vote was taken, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	21
Mr. Goodman received.....	9
Mr. Church received.....	12
Mr. Lynch received.....	9
Mr. Lewis received.....	1

Those voting for Mr. Abraham were—

Senators Doron, Hobart, Ives, James, Kellogg, Lockwood, Slingerland; and Assemblymen Bearss, Brown, Cary, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Proctor, and Slingerland; and Assemblymen Bolan, Bond, Cutter, Sine, Smith, and Wellington.

Those voting for Mr. Church were—

Senators Haines, Lambert, Larrowe, Winton; and Assemblymen Beck, Bien, Epstein, Myrick, Rigby, Small, Shackelford, and Young.

Those voting for Mr. Lynch were—

Senators Hutchins, Sumner, Thompson; and Assemblyman Bishop, Hawkins, Haskell, Mayhugh, Patten, and Mr. Speaker.

And for Mr. Lewis—

Assemblyman Denson.

Senator Seeley moved that a majority of all the votes cast be necessary to a choice.

Carried.

Assemblyman Denson withdrew the name of J. C. Lewis.

No choice having been made, the convention proceeded to a second *viva voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	21
Mr. Goodman received.....	10
Mr. Church received.....	13
Mr. Lynch received.....	8

Those voting for Mr. Abraham were—

Senators Doron, Ives, James, Kellogg, Lockwood, Slingerland; and Assemblymen Bearss, Brown, Cary, Denson, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hobart, Proctor, Seeley; and Assemblymen Bolan, Bond, Cutter, Sine, Smith, and Wellington.

Those voting for Mr. Church were—

Senators Haines, Lambert, Larrowe, Winton; and Assemblymen

Beck, Bien, Epstein, Haskell, Myrick, Rigby, Small, Shackelford, and Young.

Those voting for Mr. Lynch were—

Senators Hutchins, Sumner, Thompson; and Assemblymen Bishop, Hawkins, Mayhugh, Patten, and Mr. Speaker.

No choice having been made, the convention then proceeded to a third *viva voce* vote, with the following result:

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	19
Mr. Goodman received.....	14
Mr. Church received.....	12
Mr. Lynch received.....	7

Those voting for Mr. Abraham were—

Senators Doron, Ives, James, Kellogg, Lockwood, Slingerland; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Lee, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, Proctor, Seeley, Thompson; and Assemblymen Bearss, Bolan, Bond, Cutter, McKeeby, Sine, Smith, and Wellington.

Those voting for Mr. Church were—

Senators Haines, Lambert, Larrowe, Winton; and Assemblymen Beck, Bien, Epstein, Myrick, Rigby, Small, Shackelford, and Young.

Those voting for Mr. Lynch were—

Senator Sumner; and Assemblymen Bishop, Hawkins, Haskell, Mayhugh, Patten, and Mr. Speaker.

No choice having been made, the convention proceeded to a fourth *viva voce* vote, with the following result:

Whole number of votes.....	51
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	18
Mr. Goodman received.....	16
Mr. Church received.....	14
Mr. Lynch received.....	3

Those voting for Mr. Abraham were—

Senators Doran, James, Kellogg, Lockwood, Slingerland; and Assemblymen Brown, Cary, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, Proctor, Seeley, Thompson; and Assemblymen Bearss, Bolan, Bond, Cutter, Denson, Hawkins, Mayhugh, Sine, Smith, and Wellington.

Those voting for Mr. Church were—

Senators Haines, Ives, Lambert, Larrowe and Winton; and Assemblymen Beck, Bien, Epstein, Haskell, Myrick, Rigby, Small, Shackelford, Young, and Mr. Speaker.

Those voting for Mr. Lynch were—

Senator Sumner; and Assemblymen Bishop and Patten.

No choice having been made, the convention proceeded to a *fifth viva voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	17
Mr. Goodman received.....	17
Mr. Church received.....	15
Mr. Lynch received.....	3

Those voting for Mr. Abraham were—

Senators Doron, James, Kellogg, Slingerland; and Assemblymen Brown, Cary, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, Lockwood, Proctor, Seeley, Thompson; and Assemblymen Bearss, Bolan, Bond, Cutter, Denson, Hawkins, Mayhugh, Sine, Smith, and Wellington.

Those voting for Mr. Church were—

Senators Haines, Ives, Lambert, Larrowe, Winton; and Assemblymen Beck, Bien, Epstein, Haskell, Myrick, Rigby, Small, Shackelford, Young, and Mr. Speaker.

Those voting for Mr. Lynch were—

Senator Sumner; and Assemblymen Bishop and Patten.

No choice having been made, Mr. Patten moved that the House do now adjourn till to-morrow, at seven o'clock p. m.

The ayes and noes were called for by Messrs. Cutter, James and Clagett, and the roll was called, with the following result: Ayes, 10; noes, 42.

Motion to adjourn lost.

The convention then proceeded to a *sixth viva voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	16
Mr. Goodman received.....	16
Mr. Church received.....	17
Mr. Lynch received.....	3

Those voting for Mr. Abraham were—

Senators James, Kellogg, Slingerland; and Assemblymen Brown, Cary, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St. Clair, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, Proctor, Seeley, Thompson; and Assemblymen Bearss, Bolan, Bond, Cutter, Hawkins, Mayhugh, Sine, Smith, Toombs, and Wellington.

Those voting for Mr. Church were—

Senators Doron, Haines, Ives, Lambert, Larrowe, Lockwood, Winton; and Assemblymen Beck, Epstein, Haskell, Myrick, Rigby, Small, Shackelford, Young, and Mr. Speaker.



Those voting for Mr. Lynch were—

Senator Sumner; and Assemblyman Bishop and Patten.

No choice having been made, the convention proceeded to a seventh *viva voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	18
Mr. Goodman received.....	13
Mr. Church received.....	15
Mr. Lynch received.....	6

Those voting for Mr. Abraham were—

Senators Doron, James, Kellogg, Lockwood, Slingerland; and Assemblymen Brown, Cary, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, Proctor, Seeley, Thompson; and Assemblymen Bearss, Bolan, Bond, Cutter, Sine, Smith, and Wellington.

Those voting for Mr. Church were—

Senators Haines, Ives, Lambert, Larrowe, Winton; and Assemblymen Beck, Bien, Epstein, Haskell, Myrick, Rigby, Small, Shackelford, and Young.

Those voting for Mr. Lynch were—

Senator Sumner; and Assemblymen Bishop, Hawkins, Mayhugh, Patten, and Mr. Speaker.

No choice having been made, the convention proceeded to an eighth *viva voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Abraham received.....	19
Mr. Goodman received.....	12
Mr. Church received.....	13
Mr. Lynch received.....	8

Those voting for Mr. Abraham were—

Senators Doron, James, Kellogg, Lockwood, Slingerland; and Assemblymen Brown, Cary, Denson, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, Proctor, Seeley; and Assemblymen Bearss, Bolan, Bond, Cutter, Sine, and Smith.

Those voting for Mr. Church were—

Senators Haines, Lambert, Larrowe, Winton; and Assemblymen Beck, Bien, Epstein, Haskell, Myrick, Rigby, Small, Shackelford, and Young.

Those voting for Mr. Lynch were—

Senators Ives, Sumner, Thompson; and Assemblymen Bishop, Hawkins, Mayhugh, Patten, and Mr. Speaker.

No choice having been made, the convention proceeded to a ninth *viva voce* vote, with the following result :

Whole number of votes.....	52
Necessary to a choice.....	27
Of which—	
Mr. Abraham received.....	17
Mr. Goodman received.....	11
Mr. Church received.....	15
Mr. Lynch received.....	9
Those voting for Mr. Abraham were—	
Senators Hobart, James, Kellogg, Lockwood, Slingerland; and Assemblymen Brown, Cary, Denson, Greeley, Hinckley, Lee, Nichols, Parker, Rosenblatt, St. Clair, Toombs, and Walter.	
Those voting for Mr. Goodman were—	
Senators Clagett, Hobart, Proctor, Seeley; and Assemblymen Bearss, Bolan, Bond, Cutter, Sine, Smith, and Wellington.	
Those voting for Mr. Church were—	
Senators Haines, Ives, Lambert, Larrowe, Winton; and Assemblymen Beck, Bien, Epstein, Haskell, Myrick, McKeeby, Rigby, Small, Shackelford, and Young.	
Those voting for Mr. Lynch were—	
Senators Hutchins, Sumner, Thompson; and Assemblymen Bishop, Dun, Hawkins, Mayhugh, Patten, and Mr. Speaker.	
No choice having been made, Mr. Cutter moved the convention do now adjourn till to-morrow evening, at seven o'clock P. M.	
The ayes and noes were called for by three, and the roll called, with the following result: Ayes, 27; noes, 23.	
Motion to adjourn carried, and accordingly, at nine o'clock P. M., the convention adjourned.	

9 o'clock P. M.

Mr. Speaker called the House to order, and on motion of Mr. Parker, the House adjourned at nine o'clock and five minutes P. M.

### THIRTY-FIRST DAY.

WEDNESDAY, January 11th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Present, 35.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Mr. Denson, from the Judiciary Committee, reported as follows:

The Standing Committee on the Judiciary, to which was referred Assembly Bill, No. 63, entitled "An Act to exclude traitors and alien enemies from the Courts of Justice in civil cases," beg leave to report that they have had the same under consideration, and directed their chairman to report it back to the House, without recommendation.

Also, Senate Bill, entitled "An Act concerning the Courts of Justice of this State, and judicial officers," beg leave to report, that they have had the same under consideration, and directed their chairman to report it back to the House, and recommend its passage.

Also, Assembly Bill, entitled "An Act to prohibit the carrying of deadly weapons," and a substitute therefor reported by the Committee on Public Morals, beg leave to report, that they have had said bill and substitute under consideration, and directed their chairman to report to the House, without recommendation, a substitute for both.

Accepted.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bill, with the original as ordered engrossed, and found the same correctly engrossed, viz: No. 54, an Act entitled "An Act to authorize Jerry Schooling, his associates and assigns, to construct and maintain a Toll Road."

Accepted.

Mr. Sine, from the Lander County delegation, reported as follows:

*Mr. Speaker:*

Your committee (The Lander County delegation) to which was referred Senate Bill, No. 21, entitled "An Act for the relief of J. H. Tabor, Sheriff of Lander County, have had the same under consideration, report favorably thereon, and recommend its passage.

Accepted, and bill referred to Judiciary Committee.

Mr. Sine, from the free conference committee, reported as follows:

*Mr. Speaker:*

The committee of free conference on the disagreement of Senate and Assembly on Assembly Bill No. 12, "An Act fixing the number of officers and employees of the Senate and Assembly, defining their duties, and establishing their pay," respectfully report that they are unanimously of the opinion that said bill should pass as recommended by the Senate, and they so recommend to your honorable body.

E. P. SINE,  
A. L. GREELEY,  
JNO. E. W. CARY,

On the part of the Assembly.  
JAS. S. SLINGERLAND,  
S. A. KELLOGG,  
J. SEELY,

On part of Senate.

Report accepted, and Mr. Bond moved that the House do not concur in the report of the committee of free conference, as just reported, on Assembly Bill No. 12.

Mr. Cutter moved that the special order of the day be postponed until two o'clock P. M.

Carried.

The previous question was called for and sustained.

The main question now being, Shall the House concur in the report of the committee? the ayes and noes were called for by Messrs. Brown, Cutter, and Sine, and the roll called.

Before the vote was announced, leave of absence was granted to Mr. Myrick for one day.

Roll again called, with the following result: Ayes, 19; noes, 15.

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hawkins, Parker, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Beck, Brown, Bien, Dun, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Rigby, Shackelford, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the report of the committee concurred in.

Mr. Bond gave notice of motion to reconsider the vote just taken adopting the report of the free conference committee.

Mr. Parker gave notice of motion to reconsider the vote just taken adopting the report of the free conference committee.

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

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and a quorum present.

Mr. Bond gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to salary the officers of Storey County." Also, "An Act to salary the officers of Virginia City."

On motion of Mr. Bishop, special order Assembly Bill No. 10, entitled "An Act creating the office of Public Administrator," was now taken up and ordered read the third time, and on motion of Mr. Bishop vote reconsidered, and bill made the special order for Wednesday, eighteenth instant, at two P. M.

Mr. Bond gave notice of motion to amend Standing Rule No. 1.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 11th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, substitute for Senate Bill No. 51, entitled "An Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada," with the final action of the Senate thereon.

Also, Senate Bill No. 11, entitled "An Act establishing the terms of Court, and the manner of transacting business therein by the Judges of the First Judicial District," with the final action of the Senate thereon.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary Senate.

Substitute bill for Senate Bill No. 51, entitled "An Act to provide for the payment of the salaries of the Judges of the Supreme Court of the

State of Nevada," as referred to in Senate message, was, upon motion of Mr. Bishop, taken up, and the House considered itself in Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the substitute for Senate bill, entitled "An Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Accepted.

Rules suspended, [bill] considered engrossed, read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 28; noes, 1; absent, 6.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeey, Nichols, Parker, Patten, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Wellington, and Young.

And in the negative—Mr. Speaker.

The Speaker declared the bill duly passed.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
CARSON CITY, January 11, 1865. }

*To the Assembly of Nevada:*

To your honorable body in which the same originated, Bill No. 20, entitled "An Act creating a State Legislative Fund," is herewith returned without approval.

That the points of objection herein suggested may be readily understood, I quote the material parts of the bill.

Section One. "The sum of ninety thousand dollars is hereby appropriated and set apart out of the first moneys not otherwise specially appropriated, that shall come into the State Treasury, to create a State Legislative Fund."

Section Two. "This fund shall be expended in payment of the mileage of the members of the Senate and Assembly, the per diem of the members and attachees of the Senate and Assembly, and all contingent expenses, including stationery, postage and copying of both Houses of the Legislature, and for no other purpose."

It can be readily discovered, indeed, no attempt is made in the verbiage here employed to conceal the fact that, by its provisions, this bill is designed to make preferred creditors of the members, officers and attachees of the Legislature, and to provide for payment of their salaries and contingent expenses, to the exclusion of all other State liabilities.

The principle thus embodied in the bill, is in my judgment, subject to such grave objections, as utterly forbid my approval of it.

In the language of the bill—"The first moneys that shall come into the State Treasury, not specially otherwise appropriated, shall be withheld," and, to the extent of ninety thousand dollars constitute a "Legislative Fund" for the payment of Legislators, and others mentioned.

Article seventeen, section seven, of the Constitution provides—"All debts and liabilities of the Territory of Nevada lawfully incurred, and

which remain unpaid at the time of the admission of this State into the Union, shall be assumed by and become the debt of the State of Nevada."

You are aware of the fact that of the debt thus assumed, there is of principal and interest, to fall due on the first of February, one thousand eight hundred and sixty-five, the sum of nineteen thousand two hundred and fifty dollars being the second installment of principal and interest under the "Bond Bill" of December twenty, one thousand eight hundred and sixty-two, (statutes of Territory, pages one hundred and eighteen and one hundred and nineteen,) and of interest on bonds of the issue of one thousand eight hundred and sixty-four, thirteen thousand five hundred dollars is included. Furthermore by the Act entitled "An Act to issue Bonds and Coupons," approved February sixteen, one thousand eight hundred and sixty-four, (statutes of Territory, 1864, pps. 90, 91,) and the Act amendatory thereof, approved February twenty, one thousand eight hundred and sixty-four, (same statute, p. 136,) there will fall due and payable, on the first day of August, one thousand eight hundred and sixty-five, by way of interest on the principal sum of one hundred and fifty thousand dollars in bonds of the late Territory, the sum of fourteen thousand dollars.

In the language of each of said Legislative enactments—"The faith of Nevada Territory is hereby solemnly pledged for the due payment of the interest, and the redemption of the principal of said bonds."

This solemn pledge of the Government of Nevada Territory has been endorsed by the State under the constitutional provision just quoted, and no law can be created which is calculated to defeat the operation of this pledge.

Would not the bill in question probably do this very thing? At least, is not such its very tendency? The first of February is near at hand, and the time appointed for the second payment is not far distant, yet you now propose that "of the first moneys coming into the Treasury" ninety thousand dollars shall be set apart, no portion of which, under the operation of the bill, can be used towards the liquidation of the principal or interest of our State debt, so soon maturing. It may be, and with reasonable probability we can conclude that the amount of ninety thousand dollars, up to these periods of payment, will fully absorb all the funds coming into the State Treasury. The result then, if this bill is permitted to become a law, will be that we practically repudiate obligations which our State has assumed when succeeding the territorial government. We appropriate revenue levied, and in some measure collected under territorial laws, and refuse to pay indebtedness contracted on the faith of those revenues. This is a result, having proper regard to the responsibilities imposed on us in the conduct of public relations, which can but be abhorrent to our sense of duty, and ought not for a moment to be sanctioned. I do not in this place propose to discuss a question which may be suggested by a reference to that feature of the Constitution authorizing the levy of a special tax of twenty-five cents on the hundred dollars, for the payment of the Territorial indebtedness, which of course embraces the bonds I have referred to, but will simply say, that this is a source of revenue which, for that particular purpose, the Constitution authorizes, in addition to the ordinary source and the limited rates of taxation otherwise provided, if it should be found that these resources are inadequate for the payment of current expenses of the government, as well as the payment of the territorial debt, assumed by the State; but in no wise can this additional authority to impose taxes, be construed as a license to the law-making power to postpone the time

of payment of bonds already issued, and a specified time mentioned for their maturity, beyond the time so specified, without the consent of the holders of these bonds.

Again, our Constitution, departing in many essential respects from most, if not all, the fundamental laws of other States, embodies within it matters which usually are the subjects of legislation. So marked and distinguishable in this respect is it, that when the question of its adoption was being canvassed before the people, the objection was frequently heard "There is too much of legislation in it." The falsity or force of these objections are not now legitimate subjects of discussion. It is made our guide and rule of action, and so long as it exists, must we be controlled by it. The Constitution in these respects, partaking of the usual provision of legislation, not only fixes the salaries of enumerated State officers, but prescribes the times and modes of payment. For instance, section five, article seventeen, after prescribing the rates to be paid State officers, further provides that "the salaries of the foregoing officers shall be paid quarterly out of the State Treasury." May this not be regarded as in the character of an appropriation for the purpose and to the extent named? and if so is it competent for the Legislature to pass a bill which deprives or even postpones the officers named from receiving the salaries thus secured to them by the Constitution? By section fifteen, article six, of that instrument, in relation to the salaries of Supreme Court judges, the amount of which is elsewhere fixed, it is provided as follows: "Provision shall be made by law for setting apart from each year's revenue, a sufficient amount of money to pay such compensation."

If the idea of making any officers or creditors of the State Government, preferred creditors, was intended by the framer of the Constitution, are we not authorized in advance of all others, our Supreme Judges were intended to be of that class? But by the operation of this bill, not only are they not included in the enumerated class of the favored, but indeed their claims to salary become postponed until the demands of the other class of claimants have been fully paid and discharged. A bill which so operates, whether by design or not, in my view, is not in accordance with the State Constitution. I do not in detail propose to review all of the constitutional objections which might be suggested to this bill, as I conceive enough has been shown as reasons why I cannot give my approval; and it may be deemed quite unnecessary to suggest as further reasons, the bad policy which pervades this measure.

To you are well known the embarrassments which we have to encounter in providing means for the payment of our governmental expenses, in this early stage of our State experience.

Extraordinary means, and a proposed rate of interest, which under ordinary circumstances, would be deemed most unwise, are the inducements we have held forth to capitalists.

We have but entered upon what, it is hoped, may eventuate in successful negotiations for a loan, in accordance with the provisions of the Act recently passed. I can readily foresee the objections which will be made, and I fear the utter defeat which will attend all our efforts in that direction, by the passage of a bill like this, which embodies in its letter and spirit, a repudiation of payment at maturity, of principal and interests of bonds for which the State stands pledged, and which you and I, in our respective spheres of duty, are most solemnly bound to provide the means to pay, when they are so mature.

A bill which the world will be so uncharitable as to believe betrays rather a desire to subserve the interests of the few, rather than the many of the creditors of the State. With such an exhibit, and such a record of legislation, we could not, with any reasonable hope, expect to succeed in negotiating a loan of money, at any rate of interest.

With these reasons for not approving the bill, I most respectfully return it for your further consideration.

HENRY G. BLASDEL,  
Governor.

Upon motion of Mr. Hawkins, the vote by which Assembly Bill No. 20, entitled "An Act creating a State legislative fund," passed, was reconsidered, and the question now being, Shall the bill pass notwithstanding the objection of the Governor? the roll was called with the following result: Ayes, 20; noes, 12; absent, 3.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cutter, Greeley, Hawkins, Haskell, Lee, Mayhugh, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, and Toombs.

And in the negative—

Messrs. Brown, Bien, Cary, Denson, Dun, Epstein, Hinckley, McKeoby, Nichols, Wellington, Young, and Mr. Speaker.

Two thirds of all the members elect not having voted in the affirmative, the Speaker declared the bill lost.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
CARSON CITY, January 11th, 1865. }

*To the Hon. Assembly of Nevada:*

I herewith return to your honorable body, without approval, Assembly Bill No. 45, entitled "An Act to prohibit the payment of certain warrants."

I greatly sympathize with the purposes and objects of the foregoing entitled Act, and but for matters embraced in said Act, which I am constrained to regard as a manifest violation of our State Constitution, I would most cheerfully give it my approval.

Briefly, I beg leave to call your attention to the points of objection. Section one prohibits the Treasurer of Storey County from paying any warrants which have been, or may be, drawn on any of the funds of said county. Section two prohibits the Treasurer of Virginia City from paying any but certain excepted warrants which have been, or may be, drawn on any of the funds of said city. Section three prescribes the penalty of fine and imprisonment for the violation of any of the provisions of sections one and two.

From this it will be seen that in the county of Storey, and in the city of Virginia, the Treasurers, respectively, are prohibited from paying county warrants—an act which is local and special in its character, and, as such, I conceive in violation of article twelve, section twenty, which provides as follows: "The Legislature shall not pass local or special laws in any of the following enumerated cases: \*

\* \* \* \* \* regulating county and township business." Again, section twenty-five of same article provides that "the Legislature shall establish a system of county and township governments which shall be uniform throughout the State." Also, section twenty of same



article, provides the passage of local or special laws, "for the punishment of crimes and misdemeanors." Here is an Act confessedly "local and special," in this, that it inhibits in Storey County the doing of that which in any other county in the State may be done by the Treasurer, to-wit: the payment of county warrants, and declares the doing of this by the Treasurer of that county a crime, which in no other county of the State is by law made a criminal offense.

From these suggestions, I think it will be apparent that the Act is unconstitutional, and regarding it in that light, the same is returned to your honorable body.

HENRY G. BLASDEL,  
Governor.

Upon motion of Mr. Cutter, the vote by which Assembly Bill No. 45, entitled "An Act to prohibit the payment of certain warrants," passed, was reconsidered, and the question being, Shall the bill pass notwithstanding the objection of the Governor? the roll was called with the following result: Ayes, 24; noes, 9; absent, 3.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denison, Epstein, Greeley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Parker, Rosenblatt, Rigby, Sine, Smith, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bien, Dun, Hinckley, Nichols, Patten, Small, Shackelford, St. Clair, and Young.

Two thirds of the members elect having voted in the affirmative, the Speaker declared the bill passed.

Mr. Hawkins gave notice of motion to reconsider the vote by which the bill entitled "An Act creating a State legislative fund," was lost, the same having been vetoed by the Governor.

Senate Bill No. 11, entitled "An Act establishing the terms of Court, and the manner of transacting business therein by the Judges of the First Judicial District," reported in Senate message, was taken up, read first and second times by title, and referred to Judiciary Committee.

On motion of Mr. Cutter, the House adjourned at four o'clock and forty minutes P. M., until six o'clock and fifty minutes P. M.

#### EVENING SESSION.

6:50 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.  
The roll called, and quorum present.

#### JOINT CONVENTION.

Convention called to order by President of the Senate.

Mr. Secretary of the Senate called the roll of Senators, and the following were present, viz:

Messrs. Clagett, Doron, Haines, Hutchins, Hobart, Ives, James, Kellogg, Lambert, Larrowe, Lockwood, Proctor, Seely, Slingerland, Sumner, Thompson, Winton.

Present, 17.

The Clerk of the House called the roll, and the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Present, 35.

Senator James withdrew the name of T. W. Abraham for State Printer.

Assemblyman Bishop withdrew the name of Philip Lynch for State Printer.

Senator Clagett offered the following resolution :

WHEREAS, The Constitution of the State of Nevada declares, in section nine of article four, that no person holding any lucrative office under the government of the United States, or any other power, shall be eligible to any civil office of profit under this State, except Postmasters whose compensation does not exceed five hundred dollars; and whereas, John Church, Esq., is Postmaster of Virginia City in this State, an office where compensation exceeds five hundred dollars; therefore,

*Resolved*, That it is the sense of this Convention that the said John Church, Esq., is constitutionally ineligible to the office of State Printer, and hence should not receive the votes of this Convention.

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

The ayes and noes were called for by Messrs. Seeley, Clagett, and Parker, and the roll called, with the following result : Ayes, 30 ; noes, 22. Carried, and resolution laid on the table.

Mr. Cutter moved to reconsider the vote just taken whereby the resolution was laid on the table.

Overruled by the Chair.

Mr. Slingerland moved that the Convention do now proceed to the election of a State Printer.

Mr. Cutter renewed his motion to reconsider the vote by which the resolution was laid upon the table.

Overruled by the Chair.

Mr. Proctor moved that the Convention do now adjourn until seven clock P.M., to-morrow evening.

The ayes and noes were called for by three, and the roll called, with the following result : Ayes, 16 ; noes, 36.

Motion to adjourn lost.

Mr. Cutter appealed from the decision of the Chair upon his motion to reconsider.

The ayes and noes were called for by three, and the roll called with the following result : Ayes, 36 ; noes, 16.

And the decision of the Chair was sustained.

Mr. Cutter moved that the Convention do now adjourn until seven o'clock, to-morrow evening, upon which the ayes and noes were called for by three, and the roll called, with the following result : Ayes, 16 ; noes, 36.

The Convention refused to adjourn.

The previous question was now called for by Mr. Parker, and the ayes and noes were called for by three on the previous question, and the roll ordered called by the President.

Upon which, Mr. Patten appealed from the decision of the Chair.  
Right to appeal overruled.

The roll was now called upon the previous question, with the following result: Ayes, 38; noes, 14.

Previous question sustained.

The main question now being upon the election of a State Printer, the roll was called upon the tenth ballot, with the following result:

Whole number of votes.....	52
Necessary to a choice.....	27

Of which—

Mr. Goodman received.....	17
Mr. Church.....	34
Mr. Lynch.....	1

Those voting for Mr. Goodman were—

Senators Clagett, Hutchins, Hobart, James, Proctor, Seely, Thompson; and Assemblymen Bearss, Bond, Cutter, Hawkins, Mayhugh, Rosenblatt, Sine, Smith, St. Clair, and Wellington.

Those voting for Mr. Church were—

Senators Doron, Haines, Ives, Kellogg, Lambert, Larrowe, Lockwood, Slingerland, Sumner, Winton; and Assemblymen Beck, Brown, Bolan, Bien, Bishop, Cary, Denson, Dun, Epstein, Greeley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Toombs, Walter, Young, and Mr. Speaker.

Mr. Church having received a majority of all the votes cast, was declared by the President duly elected State Printer.

Mr. Cutter wished his name to appear upon the journal as protesting against the election of John Church for State Printer, upon the ground of constitutional ineligibility.

Mr. President declared the Convention adjourned.

On motion of Mr. Lee, the House adjourned at nine o'clock and thirty minutes p. m.

---

### THIRTY-SECOND DAY.

THURSDAY, January 12th, 1865.

The House met pursuant to adjournment at eleven o'clock a. m.

Mr. Speaker in the chair.

Roll called.

Present, 31; absent, 4, viz: Messrs. Bien, Bishop, Rosenblatt, and Shackelford.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Mr. Hawkins, pursuant to previous notice, moved to reconsider the vote taken yesterday, by which Assembly Bill No. 20, entitled "An Act creating a State legislative fund," passed.

On motion of Mr. Cutter, a call of the House was ordered, and the roll called, and all present with the exception of Mr. Greeley.

The Sergeant-at-Arms was ordered to arrest and bring before the bar of the House the absent member, which was done, and further proceedings under the call of the House was dispensed with.

Mr. Hawkins' motion to reconsider now being in order, it was carried.

The question now being, Shall the bill pass, notwithstanding the objection of the Governor? the roll was called, with the following result: Ayes, 27; noes, 8.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Bien, Denson, Dun, Epstein, McKeeby, Young, and Mr. Speaker.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill passed.

Mr. Bearss asked leave of absence for Mr. Walter.

Granted.

Mr. Bond, pursuant to notice, now moved to reconsider the vote taken yesterday, by which the bill relating to the attachees of the Senate and Assembly was passed.

The previous question was called and sustained.

The main question now being, Shall the vote be reconsidered? the ayes and noes were called for by Messrs. Brown, Bond and Bearss, and the roll called, with the following result: Ayes, 17; noes, 17.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Dun, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Myrick, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs and Wellington.

House refused to reconsider.

The question now being, Shall the House concur in the Senate amendments to Assembly Bill No. 12? the roll was called, with the following result: Ayes, 19; noes, 15—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Myrick, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Beck, Bond, Dun, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Young, and Mr. Speaker.

Mr. Speaker declared the Senate amendments concurred in, and the bill passed.

Mr. Brown gave notice of motion to reconsider the vote just taken upon Assembly Bill No. 12.

Special order of the day, on motion of Mr. Cutter, postponed till two o'clock to-day.

Mr. Bond, pursuant to previous notice, moved that the Standing Rule No. 1 be amended as follows: After the word "at," in the first line, strike out the word "eleven," and insert the word "ten" in lieu thereof.

Amendment lost.

The following message was received from the Senate:

STATE OF NEVADA, ASSEMBLY CHAMBER, }  
CARSON, January 11, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate substitute for Senate Bill No. 55. "An Act authorizing the Secretary of State to employ a clerk, and fixing his compensation," with the final action of the Senate thereon. Also, substitute for Senate Bill No. 51, "An Act to provide for the payment of the compensation of the District Judges of this State," etc., with the final action of the Senate thereon.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Substitute for Senate Bill No. 55, entitled "An Act authorizing the Secretary of State to employ a clerk, and fixing his compensation," just reported in Senate message, was taken up, rules suspended, read first and second times by title, and referred to Committee on Ways and Means.

Substitute for Senate Bill No. 51, entitled "An Act to provide for the payment of the compensation of the District Judges of the State," etc., just reported in Senate message, was taken up, rules suspended, read first and second times by title, and on motion of Mr. Cutter, the House considered itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the substitute for Senate bill entitled "An Act to provide for the payment of the compensation of the District Judges of the State," etc., had gone through therewith, had made no amendments thereto," and directed their chairman to report the bill to the House, and recommend its passage.

Accepted.

Rules suspended, bill read third time, and placed on its final passage.

The roll called, with the following result: Ayes, 27; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. St. Clair and Young.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Brown, the House took a recess, at one o'clock P. M., till two P. M.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Shackelford, the special order of the day was postponed until Senate messages were read.

Leave of absence was granted for one day each to Messrs. Brown and Small.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
CARSON, January 12th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 71, "An Act prescribing the official oath of the State of Nevada," with the final action of the Senate thereon.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 41, entitled "An Act prescribing the official oath of the State of Nevada," just reported in Senate message, was taken up, rules suspended, read first and second times by title, rules further suspended, read third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 27; noes, 0; absent, 8.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 12th, 1865. }

*To the Hon. the Assembly :*

I am directed by the Hon. the Senate to inform your honorable body that the Senate do not concur in Assembly amendments to Senate substitute for Senate Bill No. 51, "An Act to provide for the payment of the salaries of the Supreme Judges," etc., and have this day appointed Messrs. Seeley and Larrowe a free conference committee, to confer with a like committee on the part of the Assembly, in consideration of said bill.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

A committee of free conference was appointed by the Speaker to confer with a like committee appointed by the Senate, to consider the Assembly amendments to Senate bill No. 51, relating to salaries of Supreme Judges, to-wit: Messrs. Bishop, Nichols and Wellington.

On motion of Mr. Rosenblatt, the special order of the day, viz: "An Act for the apportionment of representation of the several counties of the State of Nevada," was referred to the Committee on Elections, with special instructions to report the statistical vote of the several counties.

## NOTICE OF BILLS.

Mr. Bishop gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act granting the right to J. W. Woodruff, and his associates, to construct and maintain a railroad from the city of Virginia to the Carson River, near the town of Dayton."

Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to create the office of State Superintendent of the Insurance Department."

Mr. Brown gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for the location of lands containing salt."

Mr. Cutter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to create the city and county of Virginia, and provide for the government thereof."

Mr. Smith gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to abolish the city charter of Virginia, and fund the debt of the same."

Mr. Rosenblatt gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for the appointment, and regulate the fees, of Notaries Public, and defining their duties."

Mr. Beck gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe."

Mr. Young, by unanimous consent, introduced the following bill entitled "An Act in relation to the State Board of Examiners, and defining their powers and duties."

Rules suspended, bill read a first and second time by title, and referred to Committee on Claims.

Mr. Bien, pursuant to previous notice, introduced the following bill, entitled "An Act to license marriage."

Rules suspended, [bill] read first and second times by title, and referred to Judiciary Committee.

On motion of Mr. Lee, the House resolved itself into Committee of the Whole for consideration of bills on general file.

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the following entitled bill, had gone through therewith, and directed their chairman to report as follows, viz: Assembly Bill No. 65, "An Act defining the duties and fixing the salary of the Governor's private secretary," and recommend its recommitment to the Standing Committee on Ways and Means.

Accepted.

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

## THIRTY-THIRD DAY.

FRIDAY, January 13th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, all members were present, except Mr. Patten.

Present, 34; absent, 1.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Mr. Lee, by unanimous consent, introduced the following bill, entitled "An Act supplementary to an Act entitled an Act to prohibit the payment of certain warrants."

Read first time, rules suspended, [bill] considered engrossed, read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 25; noes, 9.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, and Walter.

And in the negative—

Messrs. Bolan, Bien, Cary, Denson, Hinckley, St. Clair, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill passed.

On motion of Mr. Mayhugh, Assembly Bill No. 17, entitled "An Act to provide for the survey of the boundary line between the State of California and this State," together with the substitute reported by the committee, were taken up, and on motion of Mr. Hawkins, the substitute bill was adopted by the House, and the House resolved itself in Committee of the Whole for consideration of substitute bill.

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the substitute House bill entitled "An Act authorizing the survey and to establish the western boundary line of the State of Nevada," had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Report accepted, and rules suspended, [bill] considered engrossed, read third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 33; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the bill duly passed.

On motion of Mr. Patten, the special order of the day, relating to the Latrobe Railroad, was postponed until Monday, January sixteenth, at two o'clock P. M.

Mr. Brown now moved to reconsider the vote by which Senate amend-



ments to Assembly Bill No. 12, relating to the attachees of the Senate and Assembly, passed yesterday.

Mr. Patten moved to indefinitely postpone the motion of Mr. Brown to reconsider, upon which the ayes and noes were called for by Messrs. Brown, Parker, and Hawkins, and the roll called, with the following result: Ayes, 13; noes, 21.

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cutter, Denson, Epstein, Greeley, Patton, Rosenblatt, Small, Sine, St. Clair, Toombs, and Wellington.

Those voting in the negative were—

Messrs. Beck, Brown, Bolan, Bien, Cary, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Smith, Walter, Young, and Mr. Speaker.

Motion to indefinitely postpone lost.

The previous question being called was sustained, and the main question being, Shall the vote be reconsidered? the roll was called, with the following result: Ayes, 20; noes, 14.

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Cary, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Cutter, Denson, Epstein, Greeley, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, and Wellington.

Mr. Speaker declared the motion to reconsider carried.

The question now being, Shall the bill pass with the Senate amendments? and the roll called, with the following result: Ayes, 15; noes, 19.

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, and Wellington.

And those voting in the negative were—

Messrs. Beck, Brown, Bolan, Bien, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill lost.

Mr. Denson, from the Judiciary Committee of the Assembly, to which was referred the bill entitled "An Act supplementary to an Act entitled an Act concerning conveyances," passed November fifth, one thousand eight hundred and sixty-one, reported that they had had the same under consideration, had come to an unfavorable conclusion thereon, and directed their Chairman to report a substitute to the House, and recommend its passage.

The report was agreed to, and the bill and substitute placed on general file.

Mr. Hawkins, from the Committee on Internal Improvements, to which was referred the bill entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House with slight amendments, and recommend its passage.

CYRIL HAWKINS, Chairman.

The report was agreed to.

Mr. Brown, from Committee on Elections, reports as follows:

*To the Hon. the Assembly of the State of Nevada :*

Your Committee on Elections, to whom was referred Assembly Bill No. 87, entitled "An Act for the apportionment of representation of the several counties of the State of Nevada," with instructions to report the statistics of the several counties, herewith submit the statistics of the several counties, to wit : Total vote of the State at the November election, sixteen thousand and sixty-eight, divided as follows among the several counties of this State, to wit :

COUNTIES.	VOTE.
Storey.....	6,056
Lyon.....	1,299
Washoe and Roop.....	1,894
Churehill.....	284
Lander.....	2,543
Ormsby.....	1,275
Douglas.....	670
Esmeralda.....	1,029
Humboldt.....	830
Nye.....	188

Your committee would further report and recommend that there be no alteration in the present apportionment of representation.

D. H. BROWN,  
R. A. YOUNG,  
L. C. McKEEBY,  
J. A. MYRICK,  
D. P. WALTER.

Report accepted.

Mr. McKeeby, from select committee composing Ormsby County delegation, reported as follows :

*To the Hon. the Assembly of the State of Nevada :*

The Ormsby County Delegation, to whom was referred Senate Bill No. 29, having had the same under consideration, would respectfully report the same back to the House, and recommend the following amendments:  
J. E. W. CARY.

Section Four. Amend to read "three months," instead of "six months."

Section Six. It shall be the duties of said party or parties, to be entitled to the privilege herein granted, to expend, within six months from the passage of this Act, the sum of one thousand dollars upon said work herein mentioned, and at the expiration of one year from the passage of this Act, said party or parties shall have said work so far completed as to furnish the principal public places in Carson City, and also the reservoirs for the use of the fire department, with water.

Section Seven. It shall be the duty of said party or parties, within twenty days from the passage of this Act, to execute and file a bond in the office of the Board of County Commissioners of Ormsby County in the sum of five thousand (\$5,000) dollars, payable to said county, with a

condition for the faithful construction and completion of said work, which bond shall be approved by the Board of County Commissioners of Ormsby County, and said party or parties failing to comply with any of the provisions of this Act shall forfeit all and every right herein granted, and this Act become null and void.

Amend "Section six" to read "Section eight."

Report accepted, and report and bill placed on file.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, CARSON CITY, }  
January 12th, 1865. }

*To the Assembly of Nevada :*

I herewith return, without approval, to your honorable body, Assembly bill No. 15, entitled "An Act for the relief of Hiram Welsh."

That the objections of this bill, hereinafter stated, may be more fully understood, I will state, in effect, the provisions of the bill, and the cause and circumstances of its introduction.

Section one of the bill provides that the Board of County Commissioners of Humboldt county shall issue a warrant on the general fund of said county in favor of said Hiram Welsh, for three hundred and sixty dollars (\$360.)

From what I have learned, it seems that Hiram Welsh, as County Assessor, assessed the taxable property of that county last year. Before consenting to take said office, and discharge its duties, he required an assurance from the Commissioners, that they would favor an Act of the next legislature, granting him the relief proposed in this bill as additional compensation, over and above that allowed by the law controlling the matter. He claimed (and perhaps justly) when he exacted that pledge from the Board, that the entire compensation allowed by law, all the Board could legally order paid to him, was an inadequate compensation for the services rendered. The promise made has been kept, hence the introduction and passage of this bill.

Section twenty-five, of article four of the Constitution reads as follows: "The Legislature shall establish a system of county and township government, which shall be uniform throughout the State."

This bill is special, and proposes to give extraordinary compensation, through the county government of Humboldt County, to its Assessor, which would not be granted to any other. This would be a palpable violation of the above wise provision.

Again, the thirty-second section of article four of the Constitution provides that the County Recorders of the several counties of the State shall be *ex officio* County Auditors. The statute of the Territory (1862, p. 158, sec. 89), then, and yet, in force, prescribed the duties of County Auditors, and among them is that of issuing to Assessors county warrants for such sums as should be payable by counties for assessing, to be first allowed, however, by the County Commissioners.

Thus, briefly, it will be seen that this bill confers special powers on the Commissioners forbidden by the Constitution; and that, even were that a power which could by any means be conferred upon them, it can only be done by a general act, applicable alike to all counties of the State—thus securing the uniformity contemplated by the organic law.

Much as the Legislature and the Executive may desire to see equal

and exact justice meted out, they can only secure it within line of authority so plainly marked out by the Constitution.

This bill, though its object may be just, comes within that class of special legislation so plainly prohibited by organic law, so much deprecated by the people, and productive of untold evils.

The passage and approval of this bill, even were it constitutional, would set a fearful precedent, in that it would invite to your halls all manner of special relief and appropriation bills, and cause you, unless exceedingly firm, to spend too much of the limited and precious time now left for the enactment of those general laws, needed and longed for by thousands, in legislating for the few.

I doubt not, for a moment, that those who advocated this bill did so from the best of motives; and I as fully believe that, upon more mature reflection, and examination into the results to flow therefrom, they will justify the non-approval thereof.

H. G. BLASDEL,  
Governor.

The bill just reported in Governor's message, entitled "An Act for the relief of Hiram Welsh," was now taken up, and the question being, Shall the vote by which the bill passed be reconsidered?

Carried, and on motion of Mr. Brown, the bill was made the special order for to-day, at two P. M.

On motion of Mr. Lee, the House took a recess at one o'clock P. M., until two o'clock P. M.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Bishop, special order of the day [was] postponed, viz: relating to the proposals of the Ormsby County Commissioners, until January twentieth, at one o'clock P. M.

Special order of the day, viz: bill entitled "An Act for the relief of Hiram Welsh," was now taken up, and the question being, Shall the bill pass notwithstanding the objection of the Governor? the roll was called, with the following result: Ayes, 28; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denison, Dun, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, and Walter.

And in the negative—

Messrs. Greeley, Hinckley, St. Clair, Wellington, Young, and Mr. Speaker.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Mr. Bishop gave notice of motion to reconsider the vote just taken.

Mr. Bishop offered the following resolution:

*Resolved*, by the Assembly, the Senate concurring, That the two Houses adjourn *sine die* on Saturday, the fourteenth day of January, A. D. one thousand eight hundred and sixty-five, at twelve o'clock M.

Mr. Bolan moved to lay the resolution on the table, upon which the ayes and noes were called for by Messrs. Myrick, Bolan, and Bishop.

The roll was called, with the following result: ayes, 15; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Cary, Dun, Hinckley, Lee, Mayhugh, Nichols, Parker, Shackelford, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Myrick, McKeeby, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, and Wellington.

Motion to lay on the table lost.

The question now being, Shall the resolution pass? the ayes and noes were called for by Messrs. Bien, Bond, and Myrick, and the roll called, with the following result: Ayes, 13; noes, 20—as follows:

Those voting in the affirmative were—

Messrs. Bishop, Cutter, Dun, Hawkins, Myrick, Nichols, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Lee, Mayhugh, McKeeby, Rigby, Shackelford, Toombs, Walter, Young, and Mr. Speaker.

Resolution lost.

Mr. Bishop, from the committee of free conference, made the following report:

*To the Hon. the Speaker and Members of the Assembly:*

Your committee on free conference, to whom was referred Senate bill entitled "An Act to provide for the payment of salaries of the Judges of the Supreme Court of the State of Nevada," have to report that they have met a like committee on the part of the Senate, and have considered of and concerning said bill, and the amendments proposed thereto, and recommend that the following amendments be made to the bill in place of the one proposed by the Assembly, to wit: "not otherwise specially appropriated for the payments of principal and interest on Territorial or State bonds.

WM. W. BISHOP,  
D. WELLINGTON,  
B. H. NICHOLS,

Committee on part of Assembly.

J. SEELY,  
M. D. LARROWE,

Committee on part of Senate.

Report accepted, and the question being upon adopting the report of the committee, the ayes and noes were called for by Messrs. Hawkins, Walter, and Bishop, and the roll called, with the following result: Ayes, 11; noes, 19.

Those voting in the affirmative were—

Messrs. Cary, Dun, Hinckley, Lee, McKeeby, Nichols, Rosenblatt, Rigby, Shackelford, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hawkins, Haskell, Mayhugh, McKeeby, Parker, Sine, Smith, Walter, and Young.

The report of the committee non-concurred in, and the House refused to concur in the amendments of conference committee.

Mr. Bishop gave notice of motion to reconsider the vote just taken.

Mr. Smith offered the following resolution :

*Resolved*, That the House elect a phonographic reporter, to be paid at the rate of eight dollars per diem for each day's actual service.

Resolution adopted.

Mr. Bien offered the following resolution :

WHEREAS, Feelings of dissensions have been created between the several branches of the State departments regarding the vetoes of his Excellency the Governor on several highly important measures to State and communities ; therefore, be it

*Resolved*, by this Assembly, the Senate concurring, to make a joint address to the Governor, in accordance with Joint Resolution 10, stating our grievance, and desiring his explanation thereto. Such address to be delivered to his Excellency Tuesday, January seventeenth, one thousand eight hundred and sixty-five.

Laid on the table.

Mr. Young gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to authorize the Treasurer of the city of Virginia to set apart money for the payment of certain warrants."

On motion of Mr. Hawkins, the House adjourned at four o'clock and fifteen minutes P. M.

---

### THIRTY-FOURTH DAY.

SATURDAY, January 14th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz : Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Absent—Messrs. Shackelford and Young.

Present, 29 ; absent, 3.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Leave of absence was granted for one day each to Messrs. Hinckley, Patten and Small.

Leave was granted Mr. Bishop to withdraw his notice of motion to reconsider the vote taken yesterday, by which the bill entitled "An Act for the relief of Hiram Welsh" passed.

Mr. Bearss made the following report :

*Mr. Speaker :*

Your Standing Committee on Corporations have had under careful consideration Assembly Bill No. 43, "An Act amendatory of, and supplementary to, an Act entitled an Act to provide for the formation of corporations for certain purposes," approved December twentieth, one thousand eight hundred and sixty-four, and beg leave to report same back, with the recommendation that the bill be indefinitely postponed.

BEARSS,

Chairman.

Accepted, and bill and report placed on file.

Rules suspended, and Mr. Epstein offered the following resolution :

*Resolved,* That a committee of seven be appointed by the Speaker of the House to act conjointly with a committee, appointed by the President of the Senate, in regard to certain railroad resolutions offered by Senator Sumner, as follows :

*Resolved,* That a committee of five be appointed by the President of the Senate, whose duty it shall be to take into immediate consideration the prospective railroad interests of the State of Nevada; said committee specially to ascertain and fully report to this Senate what progress has been made, and what work is being prosecuted, by companies organized and operating under the "Pacific Railroad Act," passed by Congress, and approved in the year one thousand eight hundred and sixty-two; what the cost of the work completed by these companies, and what estimates of cost have been obtained as basis for future work, on the proposed route of any such companies; what the aid received, solicited, or publicly expected by said companies outside of the national aid afforded through the "Pacific Railroad Act;" and said committee shall also report as to whether any other companies or associated capitalists than those included in the above description, propose the building of a railroad to the Nevada State line, from navigable tide water in California, and shall gather and duly report all such information in regard to this matter as may, by the committee, be deemed advisable. And said committee shall report advisingly as to what action should be taken by the Legislature of Nevada, at its present session, to promote or inaugurate practical work for establishing railroad communication between navigable tide water in California and the principal towns in Nevada.

*Resolved,* That this committee have power to send for persons or papers, and administer the oath to parties who may come before the committee to testify.

Resolution of Mr. Epstein adopted, and the Speaker appointed as such committee Messrs. Epstein, Bishop, Dun, Shackelford, Haskell, Rigby and Cutter.

Upon motion of Mr. Myrick, the clerk was authorized to request the Senate to return Assembly Bill No. 56, the same having been sent to the Senate through mistake.

Mr. Bishop now moved, pursuant to notice, to reconsider the vote by which the House refused to concur in amendments of free conference committee to Senate bill entitled "An Act providing for the payment of the salaries of the Judges of the Supreme Court."

Carried, and vote reconsidered.

The question now being upon concurring in the report of free confer-

ence committee, the ayes and noes were called for by Messrs. Cutter, Bishop and Brown, and the roll called, with the following result: Ayes, 21; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Cutter, Greeley, Hawkins, Mayhugh, Shackelford, Sine, Smith, St. Clair, and Young.

Report concurred in.

The question now being upon the passage of the bill, as amended by the free conference committee, the roll was called, with the following result: Ayes, 22; noes, 10; as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Greeley, Hawkins, Mayhugh, Shackelford, Sine, Smith, St. Clair, and Young.

Mr. Speaker declared the bill duly passed.

Mr. Bien offered the following resolution:

*Resolved*, That the Assembly will order, from this date, all bills of a special nature introduced in this House to the foot of the general file, and that no action on any of them shall be had before the twentieth of February of this session, unless by unanimous consent.

Laid on the table.

On motion of Mr. Myrick, the House took a recess at twelve o'clock and thirty minutes p. m. until two o'clock p. m.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Bond, the special order of the day, relating to patriotic resolutions of Messrs. Bien and Mayhugh, was postponed until Monday next, at seven o'clock, p. m.

Mr. Hawkins, from the Standing Committee on Internal Improvements, to which was referred Bill No. 32, "An Act granting the right of way for construction of a railroad from Virginia City via Gold Hill, Silver City, Lake View, Franktown, and Washoe City, to its terminus on Truckee River," reported that they had had the same under consideration, had come to no favorable conclusion thereon, and directed their chairman to report the same to the House without any recommendation.

CYRIL HAWKINS,  
Chairman.

Accepted, and bill placed on file.

Special order of the day, viz: "An Act authorizing A. Coffman and others to establish and maintain a toll road," was taken up, and, on mo-



tion of Mr. Bond, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. [Chairman] reported that the Committee of the Whole had had under consideration the House bill entitled "An Act authorizing A. Coffman, William McKay, Alexander McKay, and E. W. Haynes, to establish and maintain a toll road, had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House without recommendation.

Report accepted, and bill laid upon the table.

The following message was received from the Senate :

STATE OF NEVADA, CARSON CITY, }  
January 13th, 1865. }

*To the Hon. the Assembly :*

I am directed by the honorable the Senate to transmit to your honorable body Senate Concurrent Resolution No. 8 :

*Resolved*, by the Senate, the Assembly concurring, That the Secretary of State be authorized, and is hereby requested, to take charge of all books and documents belonging to the State Library, until the appointment of a Librarian.

Which passed the Senate by a unanimous vote.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

The Senate Resolution No. 8, just reported in Senate message, was taken up :

*Resolved*, by the Senate, the Assembly concurring, That the Secretary of State be authorized, and is hereby required, to take charge of all books and documents belonging to the State Library, until the appointment of a Librarian.  
LOCKWOOD.

The question being upon the passage of the resolution, the roll was called, with the following result : Ayes, 29 ; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Resolution concurred in.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 13th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Concurrent Resolution No. 5, providing for the establishment by Congress of mail routes in Nye County, etc., with the final action of the Senate thereon.

Also, Assembly Bill No. 64, an Act entitled "An Act to authorize

Jerry Schooling, his associates and assigns, to construct and maintain a toll road," with the final action of the Senate thereon.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary Senate.

Senate Concurrent Resolution No. 5, relating to mail route in Nye County, as just reported in Senate message, was taken up, read first time, rules suspended, read second time by title, rules suspended, read third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 29; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 13th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to inform your honorable body that the honorable the Senate sustained the objections of the Governor to Assembly bill No. 45, entitled "An Act to prohibit the payment of certain warrants." The question being, Shall the bill pass notwithstanding the objections of the Governor? resulted as follows: Ayes, 9; noes, 6.

Also, Assembly Bill No. 95, entitled "An Act supplementary to an Act entitled an Act to prohibit the payment of certain warrants," with the action of the Senate thereon, to wit: indefinitely postponed.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Mr. Brown, by unanimous consent, introduced the following bill, entitled "An Act fixing the numbers of officers and employees of the Senate and Assembly, to define their duties, and establish their pay."

Rules suspended, read first and second times by title, and referred to Committee on Ways and Means.

Mr. Epstein, pursuant to previous notice, introduced the following bill, entitled "An Act relating to wild game and fish."

Rules suspended, bill read first and second times by title, and referred to Committee on Public Morals.

Mr. Young, pursuant to previous notice, introduced the following bill, entitled "An Act to authorize the Treasurer of the city of Virginia to set apart moneys for the payment of certain warrants."

Rules suspended, read first and second times by title, and referred to Storey County delegation.

Mr. Brown, pursuant to previous notice, introduced the following bill, entitled "An Act to provide for the location of lands containing salt."

Rules suspended, bill read first and second times by title, and referred to Judiciary Committee.

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

## THIRTY-SIXTH DAY.

MONDAY, January 16th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And the following were absent, viz:

Messrs. Bolan, Smith, and Young.

Present, 32; absent, 3.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Leave of absence granted to Messrs. Bolan and Smith for one day each.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the originals, as ordered engrossed, and found the same correctly engrossed, viz: Substitute for Bill No. 17, "An Act to authorize the survey and to establish the western boundary line of the State of Nevada;" also, Bill No. 62, "An Act empowering the Governor to appoint Commissioners of Deeds and define their duties."

Report accepted.

Mr. Denson, from Judiciary Committee, reported that said committee had considered Senate Bill No. 38, and directed their chairman to report the same back, with amendments, and recommend its passage. Also, Senate Bill No. 11, with the same recommendation. Said committee have also considered Assembly Bill No. 94, "An Act to license marriages," and a majority of said committee recommend that it be indefinitely postponed.

Report and bill placed on file.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the original bill, as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 64, "An Act authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road."

C. HAWKINS,

Chairman Enrolling Committee.

Report accepted.

Mr. Beck, pursuant to previous notice, introduced the following bill, entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe."

Rules suspended, [bill] read first and second times by title, and referred to Committee on Internal Improvements.

Mr. Mayhugh, pursuant to previous notice, introduced the following bill, entitled "An Act to regulate jurisdiction of Justices' Courts within the State."

Rules suspended, [bill] read first and second times by title, and referred to Judiciary Committee.

General file taken up, and the bill entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State," was read third time, and placed on its final passage, and the roll called, with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Mayhugh, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the sixteenth instant, viz: Assembly Bill No. 64, "An Act authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road."

C. HAWKINS,

Chairman Enrolling Committee.

Report accepted.

By leave, Mr. Sine was permitted to withdraw the Bill No. 49, introduced by him.

Bill No. 80, entitled "An Act to legalize the assessment of real and personal property, as made by the County Commissioners of Douglas County, for the year one thousand eight hundred and sixty-four," was taken from general file.

Read third time, and placed on its final passage, and the roll called with the following result: Ayes, 25; noes, 0; as follows—

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Myrick, Mayhugh, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Senate Bill No. 22, entitled "An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill counties," was taken from file, read a third time, and placed on its final passage.

The roll called with the following result: Ayes, 29; noes, 0; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 54, entitled "An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," was taken from the file, and, on motion of Mr. Mayhugh, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. [Chairman] reported that the Committee of the Whole had had under consideration the Assembly bill, entitled "An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report accepted, and bill ordered engrossed for a third reading.

On motion of Mr. Brown, the House resolved itself into Committee of the Whole for consideration of bills on general file.

Mr. Brown in the chair.

Assembly substitute Bill No. 60 taken up in order, entitled "An Act to prohibit the carrying of concealed weapons."

Mr. Brown reported that the Committee of the Whole had had under consideration bills on general file, and reported as follows: Assembly substitute Bill No. 60, entitled "An Act to prohibit the carrying of concealed weapons," the committee had considered the bill, and report it back to the House, and recommend its indefinite postponement.

Report accepted, and bill and substitute laid upon the table.

On motion of Mr. Patten, the House took a recess at one o'clock and thirty minutes P. M. until two o'clock and thirty minutes P. M.

### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Lee, the special order of the day, relating to the Latrobe railroad, was postponed until Wednesday evening next, at seven o'clock, P. M.

Mr. Epstein offered the following substitute resolution :

WHEREAS, The speedy completion and establishment of railway communication between the navigable tide waters of the Pacific and the mining districts of Nevada, is virtually [vital] important to the interests of this State, therefore, be it

*Resolved*, By the Assembly, the Senate concurring, that our Senators be, and are hereby, instructed, and our Representative in Congress, requested, to use their utmost endeavors to secure the passage of a law by Congress, giving the sum of ten (10) millions of dollars, (\$10,000,000) in United States bonds, at dates of thirty years or less, to such corporation as shall first complete a line of railway, and establish the same in perfect running order, without break or interval of stage transportation, between the navigable waters of the Sacramento River and the base of the eastern slope of the Sierra Nevadas.

*Resolved*, That his excellency, the Governor, be requested to transmit a copy of these resolutions to each of our Senators, and to Representative in Congress.

Resolution made the special order for January eighteenth, at seven o'clock, P. M.

Mr. Patten offered the following resolution :

WHEREAS, Railroad communication with the navigable tide waters of the Pacific Ocean is deemed by the people of Nevada to be absolutely essential to their prosperity; and whereas, Congress has passed an Act to aid in constructing a Pacific Railroad from the Missouri river to the navigable waters of the Sacramento, in said Act creating a franchise for that purpose, and making conditional grants of bonds and land to the companies authorized to enter upon the work of building said Pacific

Railroad to the boundary and across the territory of this State; therefore,

*Resolved*, by the Assembly, the Senate concurring, That our Senators and Representative be requested, in view of the magnitude of the work of constructing a railroad over the Sierra Nevada Mountains, to urge Congress to grant such additional aid to the companies authorized by law to construct it, as will best secure the earliest possible completion of that portion of the Pacific Railroad between the navigable waters of the Sacramento River and the valleys lying east of those mountains.

Resolution made the special order for Wednesday evening, January twenty-eighth, at seven o'clock p. m.

Assembly Bill No. 22, entitled "An Act to provide for the maintenance and supervision of common schools," having been printed, was, on motion of Mr. Bishop, recommitted to Committee on Education.

Mr. Parker, from the Standing Committee on Ways and Means, to which was referred the bill entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties, and establish their pay," reported that they had had the same under consideration, and directed their Chairman to report the same to the House, without amendments and without recommendation.

The report was agreed to.

Assembly Bill No. 96, entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and establish their pay," as just reported, was taken up.

Rules suspended, and bill taken from the bottom of the file, and on motion, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Lee in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties, and establish their pay," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Accepted.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }  
CARSON CITY, January 16th, 1865. }

*To the Hon. Assembly of Nevada:*

I have this day approved "An Act in relation to the compensation of members of the Legislature and State officers," Assembly Bill No. 57.

HENRY G. BLASDEL,  
Governor.

The Assembly Bill No. 96, relating to attachees of the Senate and Assembly, was taken up, rules suspended, [bill] considered engrossed, read a third time, and on motion of Mr. Cutter, the bill was committed to a select committee of two, appointed by the Chair, said committee being Messrs. Cutter and Hawkins, with instructions to amend as follows:

"And all additional copying required in the enrolling and engrossing departments of the two Houses shall be under the supervision of the Chairmen of the Enrolling and Engrossing Committees respectively,

and shall be compensated at the rate of fifteen cents per folio for engrossing, and twenty-five cents per folio for enrolling."

The committee reported the bill amended as per instructions, and the bill was placed upon its final passage, and the roll called, with the following result: Ayes, 25; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Shackelford, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Mr. St. Clair.

Mr. Speaker declared the bill duly passed.

Rules suspended, and Mr. Walter offered the following resolution:

*Resolved*, That no attachee of this House be eligible to a clerkship on a committee, or to any other paying position, while so employed.

Resolution laid on the table.

Rules suspended, and Mr. Rosenblatt offered the following resolution:

*Resolved*, That the House do now go into the election of a Phonographic Reporter.

Laid upon the table.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: "An Act to provide for the disincorporating of cities and towns incorporated under the laws of the Territory of Nevada."

Accepted.

On motion of Mr. Bishop, Senate Bill No. 14, entitled "An Act concerning the courts of justice of this State and judicial officers," was made the special order for Tuesday, January seventeenth, at eleven o'clock and thirty minutes A. M.

Mr. Lee, pursuant to previous notice, introduced the following bill, entitled "An Act to provide for the formation of corporations for certain purposes."

Rules suspended, [bill] read first and second times by title, two hundred and forty copies ordered printed, and referred to Committee on Corporations.

On motion of Mr. Bishop, the Sergeant-at-Arms was requested to distribute, *pro rata*, the printed copies of the Specific Contract Law.

On motion of Mr. Hawkins, the House adjourned, at four o'clock and thirty minutes P. M., until seven o'clock this evening.

## EVENING SESSION.

7 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order for the day, relating to patriotic resolutions of Messrs. Bien and Mayhugh, were taken up, and on motion of Mr. Bien, the substitute resolutions reported from the Committee on Federal Relations

were adopted by the House; and on motion of Mr. Bien, the House resolved itself into Committee of the Whole for the consideration of the resolutions.

Mr. Haskell in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the Union resolutions, had gone through therewith, had made some amendments thereto, and directed their Chairman to report the resolutions to the House, and ask leave to sit again.

Accepted, and on motion of Mr. Bond, the resolutions were made the special order for Thursday next, at seven o'clock P. M.

On motion of Mr. Patten, the House adjourned at nine o'clock P. M.

### THIRTY-SEVENTH DAY.

TUESDAY, January 17th, 1865.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Sine, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And the following were absent:

Messrs. Beck, Bolan, Epstein, Parker, Small, and Young.

Present, 29; absent, 6.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

On motion of Mr. Haskell, Assembly Bill No. 75, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," was taken from the general file, and on motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Hawkins in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the Assembly Bill entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Accepted.

Rules suspended, bill considered engrossed, read the third time, and placed on its final passage, and the roll was called, with the following result: Ayes, 27; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Small, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.



And in the negative—

Messrs. Bearss, Rigby, and Shackelford.

Mr. Speaker declared the bill duly passed.

Mr. Patten offered the following resolutions :

WHEREAS, Intelligence has reached us of the decease of the Hon. Edward Everett, of Massachusetts ; therefore, be it

*Resolved*, By the Assembly, the Senate concurring, that we recognize in the death of this distinguished man a national bereavement, so made and regarded, not more from his wonderful and far-famed eloquence, which was a pride and glory with all our people, than from the patriotic and energetic dedication of all his gifts and powers to the service of the Union during the period of peril to our free institutions.

*Resolved*, That every pilgrim visit made hereafter by an American to the tomb of Washington, or the "Soldiers' Cemetery" at Gettysburg, will renew and deepen emotions of gratitude and reverence at the historic mention of the name of Edward Everett !

*Resolved*, That in mark of respect for the memory of Edward Everett, the two Houses of this Legislature do this day take an early adjournment.

Resolutions passed, and ordered transmitted to the Senate forthwith. Mr. Bond, from the Committee on Claims, reported as follows :

*Mr. Speaker :*

The Committee on Claims, to whom was referred Assembly Bill No. 93, entitled "An Act in relation to the State Board of Examiners, and defining their powers and duties," have had the same under consideration, and directed their Chairman to report back the following substitute bill, and recommend its passage.

BOND,  
Chairman.

Accepted, and bill and substitute placed on file.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz : No. 96, "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties, and to establish their pay."

Report accepted.

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

---

### THIRTY-EIGHTH DAY.

WEDNESDAY, January 18th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz : Messrs. Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Dun, Ep-

stein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent, viz: Messrs. Bolan, Bien, and St. Clair.

Present, 32; absent, 3.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Indefinite leave of absence was granted to Mr. Bolan.

Mr. Beck offered the following resolution:

WHEREAS, The reporter for the *Territorial Enterprise* newspaper stands convicted, by his own admission, of making partial reports of the proceedings of this House; and, whereas, such partial, garbled, and untruthful reports of the proceedings of the House are both unjust to its members and injurious to their constituents; therefore, be it

*Resolved*, That Wm. M. Gillespie, reporter for the said *Territorial Enterprise*, be, and he is hereby, denied a seat upon the floor of the House, and the proprietors of said paper are respectfully requested to employ some competent and truthful gentleman as their reporter.

The question being upon the passage of the resolution,

Mr. Bearss moved to lay the resolution on the table, which was not seconded.

Mr. Speaker, not having recognized the mover, declared the motion out of order, and Mr. Patten appealed from the decision of the Chair, upon which the ayes and noes were called for by Messrs. Bearss, Patten, and Brown, and the roll was called, with the following result: Ayes, 20; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Denson, Dun, Epstein, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Walter, Wellington, and Young.

And in the negative—

Messrs. Bearss, Bishop, Greeley, Patten, Rosenblatt, Smith, St. Clair, and Toombs.

The decision of the Chair was sustained.

The question now being upon the passage of the resolution,

Mr. Haskell moved to refer the resolution to a select committee of five, to be appointed by the Speaker.

Mr. Hawkins moved to indefinitely postpone the resolution.

The question now being upon referring to a select committee, the ayes and noes were called for by Messrs. Beck, Hawkins, and Cutter.

The roll was called, with the following result: Ayes, 14; noes, 17—as follows:

Those voting in the affirmative were:

Messrs. Beck, Brown, Bond, Denson, Dun, Hinckley, Haskell, Lee, Myrick, Mayhugh, Rigby, Shackelford, Walter, and Young.

And in the negative—

Messrs. Bearss, Bien, Bishop, Cary, Cutter, Greeley, Hawkins, McKeeby, Nichols, Patten, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, and Wellington.

The motion to refer to a select committee was lost.

The question now being upon the indefinite postponement, the ayes and noes were called for by Messrs. Rosenblatt, Small, and Cutter, and

the roll called, with the following result: Ayes, 17; noes, 16—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bond, Cary, Cutter, Greeley, Hawkins, Haskell, Mayhugh, McKeeby, Rosenblatt, Sine, Smith, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Beck, Brown, Bishop, Denson, Dun, Epstein, Hinckley, Lee, Myrick, Nichols, Patten, Rigby, Small, Shackelford, Young, and Mr. Speaker.

The motion to indefinitely postpone carried.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: No. 75, "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches."

Accepted.

Mr. Haskell offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be, and is hereby, authorized and instructed to place the flag of our country over this building, and keep it there during hours of the sessions of this House.

Resolution adopted.

Upon motion of Mr. Rosenblatt, the resolution providing for the election of a Phonographic Reporter was taken up and adopted, and on motion of Mr. Rosenblatt, J. C. McLaughlin was declared unanimously elected Phonographic Reporter of the Assembly.

Upon motion of Mr. Bishop, the House resolved itself into a Committee of the Whole for the consideration of Senate Bill No. 14, entitled "An Act concerning the courts of justice and judicial officers."

Mr. Parker, Speaker *pro tem.*, in the chair, reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act concerning the courts of justice of this State and judicial officers," had gone through therewith, had made no amendments thereto, and directed its Chairman to report the bill to the House, and recommend its passage.

Accepted.

On motion of Mr. Sine, the House took a recess, at one o'clock P. M., until two o'clock P. M.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Bishop, the special order of the day was temporarily postponed, and the Senate Bill No. 14, entitled "An Act concerning the courts of justice of this State and judicial officers," taken up and read a third time, and amended by unanimous consent, and placed upon its final passage.

The roll was called, with the following result: Ayes, 28; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols,

Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Leave of absence was granted to Messrs. Haskell and Mayhugh for one day each.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 16th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate to inform your honorable body that the Senate concurred in the resolution rescinding the joint or concurrent resolution providing that the Judiciary Committees of the Senate and Assembly act together.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
January 16th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 70, "An Act to secure persons and animals from danger arising from mining and other excavations," with the final action of the Senate thereon.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 70, as just reported in Senate message, entitled "An Act to secure persons and animals from danger arising from mining and other excavations," was taken up, rules suspended, read a first and second time by title, and referred to Committee on Mines and Mining Interests.

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, January 18th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Assembly Bill No. 23, "An Act to tax and regulate foreign insurance companies doing business in this State." In section six, line fourteen, strike out the word "district," and insert "prosecuting." In section thirteen, line eight, strike out the word "district," and insert "prosecuting," and strike out all of section fifteen, with the final action of the Senate thereon. Also, Assembly Concurrent Resolutions No. 16, relating to decease of Edward Everett, with the action of the Senate thereon.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

The question being on concurring with Senate amendment to Assembly bill No. 23, as just reported in message, entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

The roll was called with the following result: Ayes, 23; noes, 4.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Bond, Cary, Cutter, Epstein, Greeley, Hawkins, Lee, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Denson, Hinckley, and Myrick.

Mr. Speaker declared the amendment concurred with, and the bill duly passed.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, January 18th, 1865. }

*To the Hon. the Assembly:*

I am directed by the Hon. the Senate, to transmit to your honorable body Senate Bill No. 33, "An Act relating to marriage and divorce," approved November twenty-eighth, one thousand eight hundred and sixty-one, being chapter thirty-three of the laws of Nevada; the said bill having been returned to this honorable body by his excellency, the Governor, with his non-approval, and was this day, notwithstanding his non-approval, passed the Senate by the following vote: Ayes, 13; noes, 3.

All of which is respectfully submitted.

L. B. MOORE,  
Secretary of the Senate.

Senate Bill No. 33, as just reported in Senate message, entitled "An Act relating to marriage and divorce," approved November twenty-eighth, one thousand eight hundred and sixty-one, being chapter thirty-three of the laws of Nevada, was taken up and, on motion of Mr. Cutter, the vote by which the same passed the House was reconsidered.

The question now being "Shall the bill pass notwithstanding the objections of the Governor?" the roll was called with the following result: Ayes, 26; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Dun, Greeley, Hinckley, Smith, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the original as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 23, "An Act to tax and regulate foreign insurance companies doing business in this State."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his excellency the Governor, for his approval, on the eighteenth instant, viz: Assembly Bill No. 23, "An

Act to tax and regulate foreign insurance companies doing business in this State."

C. HAWKINS,

Chairman Enrolling Committee.

Report accepted.

On motion of Mr. McKeeby, Senate Bill No. 29, entitled "An Act granting to Abraham Curry, his associates and assigns, the right to supply Carson City with water," together with the amendments reported by the Committee, were taken up, and, on motion, the amendments were adopted by the House, and the bill read a third time, and placed on its final passage, and the roll called with the following result: Ayes, 29; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Young.

Mr. Speaker declared the bill duly passed.

Mr. Lee, from the Standing Committee on Education, to which was referred the bill entitled "An Act concerning teachers of common schools in this State," report that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House with amendments, and recommend its passage.

Accepted.

On motion of Mr. Bond, the special order of the day, relating to Public Administrator, was postponed until to-morrow, at twelve o'clock m.

On motion of Mr. Bond, the Senate Bill No. 34, entitled "An Act concerning Teachers of Common Schools in this State," was taken up, together with the following amendments from the Committee, to wit:

Insert "ten" instead of "twenty," in first line of section three; after the word "education," in the thirtieth line of section three, insert the words "or Trustees of any town or district," the same words to be inserted after and whenever the words "Board of Education" occur in the bill.

The question now being on concurring with the committee amendments, they were adopted, and the bill read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Cutter, by unanimous consent, introduced the following resolution:

*Resolved*, by the Assembly, the Senate concurring, in accordance with the provisions of section two, of article sixteen, of the Constitution of the State of Nevada: That the qualified electors of the State be, and they are hereby, recommended to vote for or against a convention to revise the Constitution, at the next election for members of the Legis-

lature, to be holden on the Tuesday next after the first Monday of November, A. D. one thousand eight hundred and sixty-five.

*Resolved*, That his Excellency the Governor be, and is hereby, requested to incorporate the above recommendation in his proclamation for the next general election.

On motion of Mr. Lee, the resolution was made the special order for Monday, January twenty-third, at seven o'clock P. M.

Mr. Lee, from the Standing Committee on Education, to which was referred the bill entitled "An Act to provide for the maintenance and supervision of common schools," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their Chairman to report the same to the House without amendment, and recommend its passage.

Accepted.

Mr. Walter moved that five hundred copies of the Senate Bill No. 34, concerning Teachers of Common Schools in this State, be printed.

Under the rules, the motion was laid over one day.

Mr. Wellington, from the Committee on Agriculture, to which was referred the bill entitled "An Act for the protection of agricultural lands and preservation of water," reports that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their Chairman to report the same to the House without amendment, and recommend its passage. The committee would recommend that in the penalty imposed in the last part of section one, five hundred dollars be substituted in place of one hundred dollars.

Accepted, and the report and bill placed on file.

Mr. St. Clair, from the Standing Committee on Contingent Expenses, beg leave to report that the committee have had the following bills under consideration, find them correct, and recommend the payment of the same, as follows:

Grant & Co., repairing desk .....	\$15 00
John A. Dot & Co., furnishing water .....	15 00
Upton & Co., thirty-one yards carpet.....	31 00
T. G. Smith, horses and carriages for Prison Committee.....	30 00

JAMES A. ST. CLAIR,  
Chairman.

Adopted.

On motion of Mr. Hawkins, the House adjourned at four o'clock P. M. until seven o'clock P. M.

#### EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order of the evening, to wit: the resolutions relating to the Pacific Railroad was now taken up, and on motion of Mr. Patten, the House resolved itself into Committee of the Whole for the consideration of the several resolutions.

Mr. Speaker in the chair, who reported that the Committee of the Whole had had under consideration the Railroad Resolutions, report

progress thereon, and ask leave to sit again next Tuesday evening, January twenty-fourth, at seven o'clock P. M.

Report adopted.

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

---

### THIRTY-NINTH DAY.

THURSDAY, January 19th, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Upon the roll being called the following members were present, viz : Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young and Mr. Speaker.

Absent—Mr. Small.

Present, 34 ; absent, 1.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

#### NOTICE OF BILLS.

Mr. Shackelford gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act concerning roads and highways in the county of Washoe."

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to regulate and define the duties and powers of Secretary of State."

Mr. Lee, pursuant to previous notice, introduced the following bill, entitled "An Act to provide for the formation of limited partnership."

Rules suspended, [bill] read a first and second time by title, the usual number of copies were ordered printed, and the bill was referred to the Judiciary Committee.

Mr. Myrick, pursuant to previous notice, introduced the following bill, entitled "An Act for the punishment of contempts and trespasses."

Rules suspended, [bill] read a first and second time by title, the usual number of copies were ordered printed, and the bill referred to the Judiciary Committee.

#### GENERAL FILE.

Assembly Bill No. 54, entitled "An Act to provide for the disincorporation of cities and towns in this State," was read a third time and placed upon its final passage.

The roll was called, with the following result: Ayes, 33; noes, 2—as follows:

Those voting in the affirmative were—



Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Greeley and St. Clair.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 63, entitled "An Act to exclude traitors and alien enemies from the courts of justice in civil cases," was taken up, together with the amendments of the committee, and on motion of Mr. Haskell, the House resolved itself into Committee of the Whole for the consideration of the bill and amendments.

Mr. Patten, in the chair, reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act to exclude traitors and alien enemies from the courts of justice in civil cases," together with the amendments of the committee, had gone through therewith, had made some additional amendments thereto, and directed their Chairman to report the bill to the House, and recommend the adoption of the amendments reported by the Committee—report progress, and ask leave to sit again.

Accepted, and made the special order for to-morrow (Friday), January 20th, at two o'clock P. M.

On motion of Mr. Rosenblatt, the House took a recess, at one o'clock and thirty minutes P. M., until two o'clock P. M.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

The roll was called, and quorum present.

On motion, the motion of Mr. Walter, made yesterday, and laid over one day under the rules, was taken up, relating to printing five hundred copies of Senate Bill No. 34, concerning teachers of common schools; thereupon Mr. Lee moved to amend by inserting two hundred and forty copies, which was carried, and so ordered.

The special order of the day, entitled "An Act creating the office of Public Administrator," was now taken up, and on motion of Mr. Cutter, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair, who reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act creating the office of Public Administrator," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Report accepted, and bill ordered re-engrossed, and ordered to a third reading.

On motion of Mr. Cutter, the vote by which two hundred and forty copies of the Senate Bill No. 34, relating to teachers of the public schools, was ordered printed, was reconsidered.

Assembly Bill No. 93, entitled "An Act in relation to the State Board of Examiners, and defining their powers and duties," was taken up, together with the substitute reported by the committee, and, on motion, the substitute was adopted by the House; and upon motion of Mr. Lee,

the House resolved itself into Committee of the Whole for the consideration of the substitute bill.

Mr. Lee in the chair, who reported that the Committee of the Whole had had under consideration the substitute bill entitled "An Act in relation to the State Board of Examiners, and defining their powers and duties," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend the bill be placed at the bottom of the file.

Report accepted, and bill so ordered.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
January 19th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to inform your honorable body that Messrs. Sumner, Seeley, and Winton, have been appointed a free conference committee to consider with a like committee from your honorable body, Senate Bill No. 34, "An Act in relation to Teachers of Common Schools."

The Senate this day not concurring in Assembly amendments.

All of which is respectfully submitted :

GEO. R. AMMOND,  
Assistant Secretary of Senate.

The question now being, upon receding from Assembly amendments to Senate Bill No. 34, relating to teachers of common schools, the ayes and noes were called for by Messrs. Beck, Cutter, and Shith.

The roll was called, with the following result: Ayes, 12; noes, 18; as follows :

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Bond, Cutter, Denson, Greeley, Patten, Rosenblatt, Rigby, Sine, Smith, and St. Clair.

And in the negative—

Messrs. Beck, Brown, Bolan, Cary, Dun, Epstein, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols, Small, Shackelford, Walter, Wellington, Young, and Mr. Speaker, *pro. tem.*

The House refused to recede.

On motion of Mr. Young, a committee of free conference of three, to confer with a like committee appointed by the Senate, to consider the amendments made by the House in Senate Bill No. 34, relating to teachers of common schools, was appointed by the chair, as follows: Messrs. Young, McKeeby, and Brown.

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

## EVENING SESSION.

7 O'CLOCK, P. M.

The House re-assembled, Mr. Speaker in the chair.

The roll was called, and a quorum present.

Indefinite leave of absence was granted Mr. Mayhugh.

The special order of the day, relating to the Union resolutions, was now taken up, and on motion of Mr. Bien, the House resolved itself into Committee of the Whole for consideration of the resolutions.

Mr. Speaker in the chair, who reported that the Committee of the Whole had considered the series of Union resolutions, which have been amended and beg leave to report the same to the House, and recommend their adoption.

Mr. Bond moved to recommit the resolutions to the Committee on Federal Relations.

The question being upon committing the resolutions, the ayes and noes were called for by Messrs. Brown, Bishop, and Cutter, and the roll was called with the following result: Ayes, 4; noes, 24;—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bolan, Bond, and Young.

And in the negative—

Messrs. Bearss, Brown, Bien, Bishop, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

The motion to re-commit was lost.

The question now being on concurring with the report of the Committee of the Whole, the ayes and noes were called for by Messrs. Parker, Patten, and Brown, and the roll was called, with the following result: Ayes, 22; noes, 6.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Smith, Walter, and Wellington.

And in the negative—

Messrs. Brown, Myrick, St. Clair, Toombs, Young, and Mr. Speaker.

Report of committee adopted.

The rules were suspended, and resolutions were considered engrossed, and read a third time, and placed upon their final passage.

The roll was called, with the following result: Ayes, 23; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bond, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Smith, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Brown, Bolan, Bishop, Hinckley, Myrick, St. Clair, and Mr. Speaker.

Mr. Speaker declared the resolutions duly passed.

Mr. Denson gave notice of motion to reconsider the vote by which the resolutions were passed.

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

## FORTIETH DAY.

FRIDAY, January 20th, 1865.

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

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Parker, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Absent—Messrs. Bien, Mayhugh, Rosenblatt, and Wellington.

Present, 31; absent, 4.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Leave of absence granted to Mr. Wellington until Tuesday next, and to the Chief Clerk, U. E. Allen, until the re-assembling of the House at its afternoon session.

Mr. Haskell requested that the cause of Mr. Mayhugh's absence, viz: sickness, be stated in the journal, and was so ordered.

Mr. Hawkins, from the Standing Committee on Internal Improvements, to which was referred the Bill No. 100, entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe," reported that they had had the same under consideration, and had made a substitute for the same, and directed their Chairman to report it to the House and recommend its passage.

The report was agreed to.

Mr. Denson withdrew his notice of motion to reconsider the vote by which the Union resolutions yesterday passed the House.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON, January 19th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to transmit herewith Assembly Bill No. 15, "An Act for the relief of Hiram Welsh," with the action of the Senate thereon, viz: The question being, Shall the bill pass notwithstanding the objections of the Governor? resulted as follows: Ayes, 16; noes, 0; and the bill declared passed.

Also, Senate Concurrent Resolution No. 9, relative to the power of the Legislature to determine as to the applicability of general and special laws, etc., with the action of the Senate thereon.

All of which is respectfully submitted.

GEO. B. AMMOND,  
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 9 (as just reported in Senate message), in relation to the power of the Legislature to determine as to the applicability of general and special laws, etc., was taken up, and the question being on concurring, the roll was called, with the following result: Ayes, 12; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bond, Cutter, Greeley, Hawkins, Nichols, Parker, Rigby, Sine, Smith, St. Clair, and Toombs.

Those voting in the negative were—

Messrs. Beck, Brown, Bolan, Bien, Bishop, Cary, Denson, Dun, Epstein, Hinckley, Haskell, Lee, Myrick, Patten, Rosenblatt, Small, Shackelford, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the resolutions non-concurred with, and the Clerk requested to return the same to the Senate.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
CARSON, January 20th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, the following bills, etc., with the action of the Senate thereon, viz :

First, Senate Bill No. 117, "An Act authorizing the State Treasurer to appoint watchmen, and fixing their compensation."

Second, Senate Bill No. 121, "An Act to appropriate one thousand dollars to purchase and provide furniture for the Supreme Court room for the State of Nevada."

Third, Assembly Bill No. 96, "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and to establish their pay," as amended in Senate as follows: In seventh line, section one, before the word "copying," strike out "two" and insert "one." In the eighth line of said section, strike out the word "and" before "one;" and after the word "messenger," in same line, add "and one doorkeeper, provided that after the first session there shall be no doorkeeper in either body." In section three, strike out after the word "move," in fifth line, the words "except by a two thirds vote of the House in which they are employed." In line twenty-third of same section, insert after the word "day," as follows: "The doorkeeper of the Senate six dollars per dollars per day." In thirty-seventh line of section four, make "clerks" read "clerk." In seventy-ninth line of section four, strike out the word "and," before "employees," and "ladies." Section six to read as follows: "The Secretary, Sergeant-at-Arms, Engrossing and Enrolling Clerks of the Senate shall be elected by the Senate. The Assistant Secretary, Minute Clerk, Journal Clerk and Copying Clerk of the Senate shall be appointed by the Secretary of the Senate. The Assistant Sergeant-at-Arms of the Senate shall be appointed by the Sergeant-at-Arms of the Senate. The Chief Clerk, Assistant Clerk, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Journal and Minute, Enrolling and Engrossing Clerks of the Assembly, shall be elected by the Assembly. The Porters, Pages and Messengers shall be appointed by the presiding officers of their respective Houses. The Senate and Assembly may each elect a Chaplain, whose pay shall be five dollars per day." Section nine to read as follows: "The per diem of all officers fixed by this Act shall date from the day on which they shall have been elected and qualified."

Fourth, Senate Bill No. 12, "An Act concerning forcible entries and unlawful detainers."

Fifth, Senate Bill No. 47, "An Act to protect the rights of Frederick Birdsall and his associates in a road constructed from Dayton to Virginia City."

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Senate Bill No. 117, "An Act authorizing the State Treasurer to appoint watchmen, and fixing their compensation," was taken up, read a first and second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 121, "An Act appropriating one thousand dollars to purchase and provide furniture for the Supreme Court room for the State of Nevada."

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

Senate amendments to Assembly Bill No. 96, "An Act fixing the number of attachees of the Senate and Assembly, to define their duties, and to establish their pay," as reported in Senate message, was taken up, and the question being upon concurring with the Senate amendments, the roll was called, with the following result: Ayes, 32: noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the amendments concurred with, and ordered the bill enrolled.

Senate Bill No. 12, "An Act concerning forcible entry and unlawful detainers," as reported in Senate message, was taken up, read a first and second time by title, and referred to the Judiciary Committee.

Senate Bill No. 47, "An Act to protect the rights of Frederick Bird-sall and his associates in a road constructed from Dayton to Virginia City," as reported in Senate message, was taken up, read a first and second time by title, and referred to Committee on Internal Improvements.

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

#### AFTERNOON SESSION.

1:30 O'CLOCK P. M.

House re-assembled, Mr. Speaker in the chair.

The roll was called, and a quorum present.

The special order of the day, to wit: the proposals of the Ormsby County Commissioners, was taken up, and on motion of Mr. Patten, a committee of three was appointed by the Speaker to confer with a like committee to be appointed by the Senate to consider the said proposals, said committee being Messrs. Patten, Dun, and Shackelford.

Mr. Haskell gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act authorizing Peter Driesbach and Geo. L. Gibson, their associates and assigns, to construct and maintain a toll road, connecting Carson City with Kingsbury's grade, near Van Sickles."

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to provide for the appointment of auctioneers, and to define their duties."

Mr. Cutter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to enable A. B. Waller, his associates and assigns, to construct and maintain a toll road."

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: No. 80, "An Act to legalize the assessment of real and personal property as made by the County Commissioners of Douglas County for the year one thousand eight hundred and sixty-four."

Also, Concurrent Union Resolutions.

Report accepted.

On motion of Mr. Haskell, the House resolved itself into Committee of the Whole for consideration of bills on general file.

Assembly Bill No. 85 was taken up, entitled "An Act for the protection of agricultural lands, and to preserve the purity of water."

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act for the protection of agricultural lands and to preserve the purity of water," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and recommend its passage.

Accepted.

Rules suspended, [bill] considered engrossed, and read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 29; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Epstein, the House adjourned at three o'clock P. M.

---

## FORTY-FIRST DAY.

SATURDAY, January 21st, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

Absent—Messrs. Dun, Mayhugh, Patten, Shackelford, St. Clair, and Wellington.

Present, 29; absent, 6.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Leave of absence granted for one day each to Messrs. Greeley and Patten.

On motion of Mr. Bond, the special order of the day, relating to excluding traitors and alien enemies from the courts of justice, was postponed until Monday, January twenty-third, at two o'clock P. M.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill, as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 96, "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and establish their pay."

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the twenty-first inst., viz: "Assembly Bill No. 96, "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and establish their pay."

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 10, "An Act creating the office of Public Administrator, and defining its duties."

Mr. Young, from the free conference committee, reported as follows:

*To the Hon. the Speaker and Members of the Assembly:*

Your committee of free conference on Senate Bill No. —, concerning teachers of common schools in this State, have to report that they have met a like committee on the part of the Senate, have had said bill under consideration, and recommend as follows:

First, Amend the bill as proposed by the Assembly, by inserting the words "or trustees of any town or district," whenever proposed.

Section two, insert in line fifteen, after the words "school fund," these words, "for any services rendered subsequent to the passage of this Act."

Third. Insert in line five of section four, after the word "teacher," "for services rendered after the passage of this Act."

Fourth. In first line of section three, insert "twenty," instead of "ten," as in the original bill inserted.

CHAS. A. SUMNER,  
N. W. WINTON,  
SEELEY,  
Committee on part of Senate.

R. A. YOUNG,  
L. C. McKEEBY,  
D. H. BROWN,  
Committee on part of Assembly.



The question being on concurring with the report of the free conference committee, the roll was called, with the following result : Ayes, 28; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denison, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the amendments concurred in, and the bill duly passed.

On motion of Mr. Bond, the vote by which the printing was ordered of the bill relating to teachers of common schools was rescinded, was reconsidered, and the printing of two hundred and forty copies ordered to be done.

Mr. Tozer asked leave of absence for one day, which was granted.

Mr. Lee gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to exempt the homestead and other property from forced sale in certain cases."

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 21st, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, substitute for Senate Bill No. 101, "An Act to provide for the payment of interest and so much of the principal of the bonds of the Territory of Nevada as become due on the first day of February, one thousand eight hundred and sixty five, and the first day of August, one thousand eight hundred and sixty-five, and to appropriate money to defray the civil expenses of the State government, from its organization to the close of the first fiscal year," the same having passed the Senate this day. Also, Senate Concurrent Resolution No. 10, granting leave of absence to M. J. Noyes, County Surveyor of Lander county, the same having passed the Senate this day. All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Substitute for Senate Bill No. 101, entitled "An Act to provide for the payment of interest and as much of the principal of the bonds of the Territory of Nevada as become due on the first day of February, one thousand eight hundred and sixty-five, and the first day of August, one thousand eight hundred and sixty-five, and to appropriate money to defray the civil expenses of the State government from its organization to the close of the first fiscal year" (as reported in Senate message), was taken up, read first and second times by title, and on motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker, *pro tem*, in the chair, who reported that the Committee of the Whole had had under consideration the substitute Senate bill entitled "An Act to provide for the payment of interest of Territorial bonds," etc., had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House and recommend its passage.

Adopted.

Rules suspended, bill read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 27; noes, 1—as follows:

Those voting in the affirmative were—

Messrs Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, and Young.

And in the negative—Mr. Bolan.

Mr. Speaker declared the bill duly passed.

Senate Concurrent Resolution No. 10, granting leave of absence to M. J. Noyes, County Surveyer of Lander County, was taken up, and read the first time; rules suspended, and the bill read a second time by title; rules suspended, bill read the third time and placed on its final passage, and the roll was called with the following result: Ayes, 23; noes, 4—as follows:

Those voting in the affirmative were—

Messrs Bearss, Beck, Brown, Bolan, Bien, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Myrick, McKeeby, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, and Walter.

And in the negative—

Messrs. Bond, Denson, Lee, and Young.

Mr. Speaker declared the resolution duly passed.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT. }  
CARSON CITY, January 20th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

Assembly Bill No. 64, entitled "An Act authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road," has been presented to me for my approval. The Constitution of the State of Nevada, section one, article eight, provides that "The Legislature shall pass no special Act in manner relating to corporate powers, except for municipal purposes, but corporations may be formed under general laws, and all such laws may from time to time be altered or repealed."

In the first clause of the above section, is a rather indefinite expression, but connecting it with the following clause "but corporations may be formed under general laws," it becomes obvious that the intention of the framers of the Constitution was, that the Legislature should be prohibited from creating corporations by special or private acts, but on the contrary, that a general act or system of laws should be passed, furnishing the method of forming corporations for the transaction of various kinds of business, defining the powers, duties and privileges, and opening the business of such corporations to general competition, the evident policy was to prevent the conferring of special privileges, or advantages on any set of corporators. This bill does not attempt to confer corporate powers upon Jerry Schooling and his associates; but it does attempt to confer special privileges upon them. And when they shall have obtained these privileges, they may then incorporate under the general incorporation laws of the State, and then they will be a corporation with special privileges conferred by Act of the Legislature.

The framers of the Constitution evidently intended that no such cor-

poration should ever have an existence in this State. I cannot therefore, believe that that can be done, indirectly even, if the beneficiaries of this bill should never incorporate; still they would be a Joint Stock, or with special privileges. It would be just as injurious to the interest of the community to have joint stock companies enjoying monopolies, and exclusive privileges, as for corporations to do so, if not against the letter, it certainly would be contrary to the spirit of the Constitution. This bill is a reasonable one, conferring no unusual privileges, imposing no burthens or oppressive restrictions upon the public, and it would give me pleasure to approve it, if I thought I could do so without violating the letter or spirit of the Constitution. But with my views of the spirit and intention of that instrument, I am constrained to return it without approval.

HENRY G. BLASDEL,  
Governor.

The question being "Shall the vote by which the Assembly Bill entitled an Act authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road passed, be reconsidered? and the vote was reconsidered.

The question now being "Shall the bill pass, notwithstanding the objections of the Governor?" The roll was called, and before the result was announced, Mr. Bishop moved that the House do now adjourn, which was carried, and accordingly at one o'clock and thirty minutes P. M., the House adjourned.

---

#### FORTY-THIRD DAY.

MONDAY, January 23d, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

The roll was called, and the following members were present, viz :

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And the following were absent, viz :

Messrs. Brown, Bien, Hinckley, Haskell, Mayhugh, and Wellington.

Present, 29; absent, 6.

Prayer by the Rev. Mr. Nimms.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Hinckley for one day, and to Mr. Epstein for one day.

On motion of Mr. Hawkins, the further consideration of Assembly Bill No. —, entitled "An Act authorizing Jerry Schooling and others to construct and maintain a toll road," was postponed, and made the special order for Wednesday, January twenty-fifth, at eleven o'clock and thirty minutes A. M.

Mr. Rosenblatt, from the Committee on Ways and Means, reported as follows :

*Mr. Speaker :*

The Committee of Ways and Means, to whom was referred Senate Bill No 117, entitled "An Act authorizing the State Treasurer to appoint watchmen, and fixing their compensation," beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and report the same to the Assembly, and recommend its passage without amendment.

H. G. PARKER, Chairman.  
JAS. A. RIGBY,  
M. A. ROSENBLATT,  
JACOB SMITH.

Report accepted, and report and bill placed on file.

Mr. Young, from the Committee on Ways and Means, made the following minority report :

*Mr. Speaker :*

The minority of the Committee of Ways and Means beg leave to report unfavorably on Bill No. 117, concerning the appointment of watchmen for State Treasurer, and recommend that the same be indefinitely postponed, and would recommend the appointment of a committee of two to draft a bill fixing the bonds and defining the duties of State Treasurer.

Respectfully,

R. A. YOUNG,  
H. H. BECK.

Accepted, and bill and report placed on file.

Mr. Denson, from the Judiciary Committee, to which was referred Assembly Bill No. —, entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," reports that they have had the same under consideration, and recommend the passage of the following substitute.

DENSON, Chairman.

Report accepted, and bill and substitute placed on file.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT. }  
CARSON CITY, January 21st, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 96, "An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties and establish their pay."

HENRY G. BLASDEL,  
Governor.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 21st, 1865. }

*To the Hon. the Assembly :*

I am directed by the honorable the Senate to transmit herewith As-

sembly Bill No. 80, "An Act to legalize the assessment of real and personal property, as made by the County Commissioners of Douglas County, for the year one thousand eight hundred and sixty-four," which passed the Senate this day, without amendments.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Bill ordered enrolled.

Mr. Lee, pursuant to previous notice, introduced the following bill, entitled "An Act to exempt the homestead and other property from forced sale in certain cases."

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

Mr. McKeeby, pursuant to previous notice, introduced the following bill, entitled "An Act to provide for the payment of the private secretary of the Governor of the Territory of Nevada, for the year one thousand eight hundred and sixty-four."

Rules suspended, bill read first time by title, and second time by sections, and referred to Committee on Claims.

On motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for consideration of substitute Assembly Bill No. 93, entitled "An Act in relation to the State Board of Examiners, and defining their powers and duties."

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the substitute Assembly bill entitled "An Act in relation to the State Board of Examiners," had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House and recommend its passage.

Report accepted.

Rules suspended, [bill] considered engrossed, bill read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 23; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bond, Cary, Denson, Dun, Hinckley, Hawkins, Haskell, Myrick, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bishop, Cutter, Greeley, Lee, Smith, and Young.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Walter, Senate Bill No. 21, entitled "An Act for the relief of J. H. Taber, Sheriff of Lander County," was now taken from the general file, read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 30; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Patten, the vote by which the concurrent resolution relating to revising the Constitution was made the special order for

seven o'clock p. m., January twenty-third, was reconsidered, and made the special order for to-day, January twenty-third, at two o'clock and thirty minutes p. m.

On motion of Mr. Hawkins, the House took a recess, at one o'clock p. m., until two o'clock p. m.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and quorum present.

Special order of the day, bill entitled "An Act excluding traitors and alien enemies from the courts of justice in this State," was taken up, and on motion of Mr. Lee, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Brown in the chair, who reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act excluding traitors and alien enemies from the courts of justice," etc., had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House without recommendation.

Report accepted.

The question being upon suspending the rules and considering the bill engrossed, the ayes and noes were called for by Messrs. Patten, Bishop and Lee, and the roll was called, with the following result: Ayes, 23; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, and Toombs.

And in the negative—

Messrs. Bolan, Bishop, Cutter, Parker, St. Clair, Young, and Mr. Speaker.

Two thirds of all the members voting having voted in the affirmative, the rules were suspended and the bill considered engrossed, read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 23; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Sine, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bolan, Bishop, Cutter, Myrick, Parker, Rosenblatt, St. Clair, and Toombs.

Mr. Speaker declared the bill duly passed.

Mr. Sine gave notice of motion to reconsider the vote just taken.

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

## FORTY-FOURTH DAY.

TUESDAY, January 24th, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz : Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Present, 35 ; absent, 0.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Mr. Small wished the name of Mr. Epstein to appear upon yesterday's journal as having leave of absence for one day instead of two.

So ordered.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill, as presented to them, and have found it correctly enrolled, viz : Assembly Bill No. 80, "An Act to legalize the assessment of real and personal property, as made by the County Commissioners of Douglas County, for the year 1864."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the 24th inst, viz : Assembly Bill No. 80, "An Act to legalize the assessment of real and personal property, as made by the County Commissioners of Douglas County, for the year one thousand eight hundred and sixty-four."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, CARSON CITY, }  
January 24th, 1865. }

*To the Honorable Assembly of Nevada :*

I herewith return to your honorable body, in which it originated, Assembly Bill No. 23, entitled "An Act to tax and regulate foreign insurance companies doing business in this State," without approval.

This bill, as its title imports, is one of more than ordinary moment, and in my opinion is amenable to objections plainly denoted by certain provisions of our Constitution, and is subversive of that wise policy which should ever characterize our legislation. An examination of it discloses such varied objections of the nature mentioned, that it seems incumbent on me to accompany the announcement of my disapproval

with all the objections which occur to me; but other official duties have so occupied my time, that I conceive it quite enough to suggest those of a character in direct conflict with the Constitution.

Article eighteen, section five (schedule), after defining the compensation of certain officers, among them that of Controller, reads as follows: "No officer mentioned in this section shall receive any fees or perquisites to his own use, for the performance of any duty connected with his office, or for the performance of any additional duty imposed on him by law." Section nine of the bill under consideration provides that "for every such certificate so obtained, the sum of five dollars shall be paid to the Controller," and in no place is it provided that such fee shall be collected and paid by the Controller into the Treasury. On the contrary, it can be regarded only in the light of a fee to his own use.

The bill also conflicts with section thirteen of article six of the Constitution, which says—"The style of all process shall be, 'The State of Nevada,' and all prosecutions shall be in the name, and by authority of the same." But section six of this bill provides for criminal prosecutions in the name of "The People of this State," and section thirteen (137), for such prosecutions in the name of "The People." Just such errors have been adjudicated in different States by their highest tribunals, and pronounced fatal.

I may briefly add, this bill imposes conditions upon all foreign insurance companies desiring to do business among us, which but one or two of such companies, in all reasonable probability, would comply with. With such a monopoly, under this proposed law, our citizens, who might wish to secure policies of insurance, would be at its mercy, or compelled to go abroad to effect the same. Thus, that competition which enures to the benefit of the many would be destroyed, and the few benefitted thereby.

HENRY G. BLASDEL,  
Governor.

On motion of Mr. Cutter, the vote by which Assembly Bill No. 23, entitled "An Act to regulate foreign insurance companies doing business in this State," [passed], was reconsidered, and the question being, Shall the bill pass, notwithstanding the objections of the Governor?

Mr. Parker, Speaker *pro tem.*, in the chair.

The roll was called, with the following result: Ayes, 28; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Lee, Mayhugh, Nichols, Patten, Rosenblatt, Rigby, Smith, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bien, Hinckley, Myrick, McKeeby, Parker, and Wellington.

Two thirds of all the members elect having voted in the affirmative, the Speaker declared the bill duly passed.

Mr. Denson gave notice of motion to reconsider the vote just taken.

Mr. Cutter arose to a point of order. The point of order being that upon the final passage of a bill, notwithstanding the objections of the Governor, a motion to reconsider was out of order.

Mr. Speaker declared the point of order not well taken.

Mr. Cutter appealed from the decision of the chair.

Upon which the ayes and noes were called for by Messrs. Patten



Brown and Denson, and the roll was called, with the following result :  
Ayes, 12, noes, 21—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Cary, Denson, Hawkins, Myrick, McKeeby, Rosenblatt, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Beck, Brown, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hinckley, Lee, Mayhugh, Nichols, Patten, Rigby, Small, Shackelford, Sine, Smith, Walter, Young, and Mr. Speaker.

The decision of the Chair was not sustained.

Mr. Denson wished his name to appear upon the journal as protesting against the whole action of the House, whereby the Bill No. 23 passed, notwithstanding the objections of the Governor.

On motion of Mr. Sine, the House took a recess, at one o'clock and thirty minutes P. M., until two o'clock and thirty minutes P. M.

### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called and a quorum present.

Mr. Sine withdrew his notice of motion to reconsider the vote by which the bill entitled "An Act to exclude traitors and alien enemies from the Courts of Justice in this State," [was passed.]

Mr. Patten, by unanimous consent, introduced the following bill entitled "An Act supplementary to an Act of the Legislature of the State of Nevada, passed at the first session, entitled an Act to tax and regulate foreign insurance companies doing business in this State."

Rules suspended, bill read a first and second time by title; rules suspended, bill considered engrossed, and read a third time.

Pending the call of the roll, on motion, the bill was referred to the Committee on Ways and Means, with special instructions to amend as follows: Add to section one "And all other fees accruing in the office of State Controller shall be paid into the State Treasury, to be appropriated to the general fund."

The committee reported the bill back to the House, amended as per instructions, and the roll was completed with the following result: Ayes, 19; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bishop, Cary, Dun, Epstein, Haskell, Lee, Mayhugh, McKeeby, Parker, Patten, Shackelford, Sine, Smith, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Denson, Hinckley, and Myrick.

Mr. Speaker declared the bill duly passed.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
CARSON CITY, January 24th, 1865. }

*To the Hon. Assembly of Nevada:*

I have this day approved Assembly Bill No. 80, "An Act to legalize the assessment of real and personal property, as made by the County

Commissioners of Douglas County, for the year one thousand eight hundred and sixty-four."

HENRY G. BLASDEL,  
Governor.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 24th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the Hon. the Senate to transmit herewith to your honorable body, Assembly Bill No. 47, "An Act to amend an Act entitled an Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two, the same having passed the Senate this day, without amendment.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

On motion of Mr. Lee, the Assembly Bill No. 16, entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," was taken up, and two hundred and forty copies ordered printed.

Mr. Parker gave notice that he would, at an early day, ask leave to introduce a bill entitled "An Act for securing liens to corral-keepers and others."

Mr. Rosenblatt, by unanimous consent, introduced the following bill, entitled "An to provide Act for the taking of the census and statistics of the State, and for the apportionment of representation in the State Legislature."

Rules suspended, bill read a first and second time by title, and by request of Mr. Rosenblatt, placed upon file with original bill.

On motion of Mr. Bond, the House resolved itself into Committee of the Whole for the consideration of bills on general file.

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration bills on general file, and reported as follows :

Assembly Bill No. 114, entitled "An Act to provide for taking the census and statistics of the State, and for the apportionment of representation in the State Legislature," was considered, and the Committee recommended that the bill be indefinitely postponed.

Also, Assembly Bill No. 87, entitled "An Act for the apportionment of representation of the several counties of the State of Nevada," was considered, and the Committee recommended that the bill be indefinitely postponed.

The report of the Committee was adopted, and the bills were indefinitely postponed.

Mr. Rosenblatt gave notice of motion to reconsider the vote whereby the report of the Committee of the Whole was adopted.

On motion of Mr. Patten, the House took a recess, at four o'clock p. m., until seven o'clock p. m.

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

The roll called, and a quorum not being present, a call of the House was ordered, and the following members were absent, viz :

Messrs. Bearss, Beck, Bond, Cary, Epstein, Greeley, Hinckley, Hawkins, Haskell, Nichols, Parker, Rosenblatt, Shackelford, St. Clair, and Toombs.

Mr. Cutter moved that a further call of the House be dispensed with, upon which the ayes and noes were called for by Messrs. Bishop, Cutter, and Patten, and the roll called, with the following result : Ayes, 4 ; noes, 16—as follows :

Those voting in the affirmative were—

Messrs. Bien, Cutter, Smith, and Wellington.

And in the negative—

Messrs. Brown, Bolan, Bishop, Denson, Dun, Hawkins, Lee, Myrick, McKeeby, Patten, Rigby, Small, Sine, Walter, Young, and Mr. Speaker.

Motion lost, and the House refused to dispense with the call.

Mr. Brown moved that those members absent when their names were called be each fined one dollar, upon which the ayes and noes were called by Messrs. Brown, Cutter, and Lee, and the roll called, with the following result : Ayes, 16 ; noes, 4—as follows :

Those voting in the affirmative were—

Messrs. Brown, Bolan, Bien, Bishop, Denson, Dun, Hawkins, McKeeby, Patten, Rigby, Small, Sine, Smith, Walter, Wellington, and Young.

And in the negative—

Messrs. Cutter, Lee, Myrick, and Mr. Speaker.

The motion carried.

On motion of Mr. Brown, the further proceedings under the call of the House was dispensed with.

The special order of the day, relating to the railroad resolutions, was now taken up, and on motion of Mr. Haskell, the House resolved itself into Committee of the Whole for the consideration of the various resolutions.

Mr. Haskell in the chair.

Some confusion occurring in the House, Mr. Speaker resumed the Chair, and announced the Committee of the Whole dissolved, and called the House to order.

Whereupon Mr. Bishop moved that the House do again resolve itself into Committee of the Whole for the consideration of the various resolutions.

Carried.

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the railroad resolutions, had gone through therewith, had made no amendments thereto, and directed their Chairman to report the resolutions to the House, and recommend the passage of the resolutions offered by Mr. Epstein, without amendment.

The question being upon concurring with the report of the Committee of the Whole, the ayes and noes were called for by Messrs. Cutter, Pat-

ten and Brown, and the roll was called, with the following result : Ayes, 16 ; noes, 16—as follows :

Those voting in the affirmative were—

Messrs. Bien, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, and Wellington.

And in the negative—

Messrs. Beck, Brown, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Nichols, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the report of the Committee adopted.

Mr. Bond moved to indefinitely postpone the whole subject matter referring to the railroad resolutions, upon which the ayes and noes were called for by Messrs. Bond, Patten and Bishop, and the roll was called, with the following result : Ayes, 13 ; noes, 18—as follows :

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Bond, Dun, Greeley, Haskell, Myrick, Nichols, Shackelford, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Lee, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, and Wellington.

The motion to indefinitely postpone, lost.

On motion of Mr. Sine, the resolutions were made the special order for Friday, January twenty-seventh, at seven o'clock p. m.

On motion of Mr. Lee, the House adjourned at nine o'clock and thirty minutes p. m.

## FORTY-FIFTH DAY.

WEDNESDAY, January 25th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent, Mr. Beck.

Present, 34 ; absent, 1.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill, as presented to them, and found it correctly enrolled, viz : Assembly Bill No. 47, "An Act to amend an Act entitled an Act authorizing John Hawkins, his associates and assigns, to con-

struct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two.

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins, from the Standing Committee on Enrollment, reported that he had delivered the following entitled bills to his Excellency the Governor, for his approval, on the twenty-fifth instant, viz: Assembly Bill No. 47, "An Act to amend an Act entitled an Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two.

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

The special order of the day, viz: the bill authorizing Jerry Schooling and others to construct and maintain a toll road," was taken up, and the question being, Shall the bill pass, notwithstanding the objections of the Governor? the roll was called, with the following result: Ayes, 27; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Hinckley, McKeeby, Nichols, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Mr. Bien wished his name to appear upon the journal as protesting against the action of the House in the vote just taken.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 24th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the Hon. the Senate to return to your honorable body Assembly Bill No. 23, "An Act to tax and regulate foreign insurance companies doing business in this State," the same having passed the Senate this day, notwithstanding the objections of his Excellency the Governor, by the following vote, viz: Ayes, 13; noes, 4.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
January 24th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 44, "An Act to protect the natural flow of

water in what is known as Old River Bed, in Churchill county, Nevada," the Senate refusing to order a third reading.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Mr. St. Clair gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend an Act entitled an Act amendatory of and supplemental to an Act entitled an Act granting Moses Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the sink of Carson River and Reese River," approved December nineteenth, one thousand eight hundred and sixty-two; approved February nineteenth, one thousand eight hundred and sixty-four.

Mr. Denson, by unanimous consent, introduced the following bill, entitled "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in Ormsby County."

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

Mr. Haskell, by unanimous consent, introduced the following bill, entitled "An Act amendatory of an Act entitled an Act in relation to County Treasurers," approved November twenty-ninth, one thousand eight hundred and sixty-one.

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

Mr. Cutter, pursuant to previous notice, introduced the following bill, entitled "An Act authorizing A. B. Waller, and his associates, to construct and maintain a toll road."

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

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the originals, as ordered engrossed, and found the same correctly engrossed, viz: No. 85, "An Act for the protection of agricultural lands, and to preserve the purity of water." Also, No. 93, "An Act in relation to the Board of Examiners, to define their duties and powers, and impose certain duties on the Controller and Treasurer." Also, No. 113, "An Act supplementary to an Act of the Legislature of the State of Nevada, passed at its first session, entitled an Act to tax and regulate foreign insurance companies doing business in this State." Also, No. 63, "An Act to exclude traitors and alien enemies from the courts of justice in civil cases."

Accepted.

On motion of Mr. Lee, the House took a recess, at one o'clock P. M., till two o'clock P. M.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Indefinite leave of absence was granted to Mr. Smith, on account of sickness in his family.

Assembly Bill No. 10, "An Act creating the office of Public Adminis-

trator, and defining its duties," was taken from the general file, read the third time, and placed on its final passage. The roll was called, with the following result: Ayes, 20; nays, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Rigby, Small, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Dun, and Sine.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Cutter, Senate Bill No. 11, entitled "An Act establishing the terms of Court and the manner of transacting business by the judges of the First Judicial District," was taken from the general file, and recommitted to Judiciary Committee, with instructions to amend amendments, and report to the House.

Assembly Bill No. 9, "An Act concerning conveyances," together with the substitute reported by the Judiciary Committee, was taken from the file, and on motion of Mr. Lee, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

[Mr. Chairman] reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act supplementary to an Act entitled an Act concerning conveyances," passed November fifth, one thousand eight hundred and sixty-one, together with the substitute, had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend the indefinite postponement of the bill, and recommend the adoption of the substitute reported from the committee.

Report adopted, rules suspended, bill considered engrossed, and read the third time, and placed on its final passage. The roll was called, with the following result: Ayes, 29; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 43, "An Act amendatory of and supplemental to an Act to provide for the formation of corporations for certain purposes," approved December twentieth, one thousand eight hundred and sixty-two was taken from the file, and, on motion, laid upon the table.

Mr. Parker moved that the Speaker be authorized to appoint another member on the Committee of Ways and Means, in the place of Mr. Leavitt, absent.

Carried.

Assembly Bill No. 117, entitled "An Act concerning the appointment of watchmen for State Treasurer," was taken from the file, and, on motion, laid upon the table.

Mr. Haskell moved that a committee of three be appointed by the Speaker, to report, to-morrow, as to the policy of passing bill providing watchmen for State Treasurer, and the Speaker appointed as such committee, Messrs. Haskell, Young and Hinckley.

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

## FORTY-SIXTH DAY.

THURSDAY, January 26th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

The roll was called, and the following members were present, viz :

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bearss, Epstein, and Smith.

Present, 32; absent, 3.

Prayer by the Rev. Mr. Nims.

The journal of yesterday read and approved.

Leave of absence granted Mr. Epstein for one day.

The rules were suspended, and the following Senate message taken up :

STATE OF NEVADA, SENATE CHAMBER, }  
January 25th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, the following Senate bills, which passed the Senate this day :

First—Senate Bill 103, "An Act granting further powers to District Attorneys, in suits for delinquent taxes, etc."

Second—Senate Bill 68, "An Act providing for the transfer of judgments, actions and proceedings from the several probate courts of the Territory of Nevada to the district courts," etc.

Third—"An Act in relation to the State Library."

I am also directed by the Hon. the Senate to inform your honorable body, that Messrs. Kellogg, Doran and Thompson have been appointed a conference committee, to take into consideration the amendments proposed in your honorable body to Senate Bill No. 101 (the appropriation bill), and request that a like committee be appointed on the part of your honorable body.

Also, that Messrs. Seeley, Proctor and Haines have been appointed a committee, on the part of the Senate, to act with a like committee on the part of your honorable body, to confer with the Board of County Commissioners of Ormsby County in relation to the rent of the State building.

All of which is respectfully submitted.

GEO. R. AMMOND,

Assistant Secretary Senate.

On motion of Mr. Parker, a committee of conference, to consist of three, was appointed by the Speaker, to confer with a like committee appointed by the Senate, relating to disagreement of Senate and Assembly in Assembly amendments to Senate Bill No. 101 (appropriation bill), comprising Messrs. Rigby, Nichols and St. Clair.

Senate Bill No. 103, "An Act granting further powers to District Attorneys, for the several counties within this State, in suits for delinquent



taxes for the fiscal year one thousand eight hundred and sixty-four," was taken up, rules suspended, bill read the first and second times by title, and referred to Judiciary Committee.

Senate Bill No. 68, entitled "An Act providing for the transfer of judgments, actions and proceedings from the several probate courts of the Territory of Nevada to the district courts," was taken up, rules suspended, bill read the first and second times by title; rules again suspended, bill read the third time, and placed upon its final passage. The roll was called, with the following result: Ayes, 27; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeedy, Parker, Patten, Small, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. Rosenblatt.

Mr. Speaker declared the bill duly passed.

Senate Bill No. 50, entitled "An Act in relation to the State Library," was taken up, rules suspended, bill read the first and second times by title, and referred to Committee on State Library.

Mr. Denson reported as follows:

The Committee on the Judiciary, to whom was referred Assembly Bill No. 111, entitled "An Act to exempt the homestead and other property from forced sale in certain cases," have had the same under consideration, and directed their Chairman to report it back to the Assembly, without amendment, and recommend its passage. They also recommend that the said bill be ordered printed.

Accepted, and bill ordered printed, and placed on file.

Also reported as follows:

The Judiciary Committee, to whom was referred Senate Bill No. 11, entitled "An Act establishing the terms of Court and the manner of transacting business by the judges of the First Judicial District," respectfully report that they have had the same under consideration, have made some amendments thereto, and ordered their chairman to report the same back to the House, and recommend the passage of the same as amended.

DENSON,  
Chairman.

Amendments proposed by Judiciary Committee: Amend section one by striking out the words "March, June, September and December," and insert instead the words "January, March, June and October." Also, strike out all of section one after the words "other terms." The section, as amended, to read as follows: "Section One. There shall be in each year four terms of the District Court for the First Judicial District, commencing on the first Monday of January, March, June and October. Each term to continue so long as the business thereof may require; provided, that no one term shall extend into any other term."

Accepted. Report and bill ordered on file.

Mr. Parker, from the Committee of Ways and Means, reported as follows:

*Mr. Speaker:*

The Committee of Ways and Means, to whom was referred Assembly

Bill No. 30, entitled "An Act to amend and supplemental to an Act to provide for assessing and collecting county and territorial revenue;" also, Assembly Bill No. 19, entitled "An Act to amend an Act entitled an Act to amend an Act to provide for assessing and collecting county and territorial revenue," approved December twentieth, one thousand eight hundred and sixty-two; also, Assembly Bill No. 42, entitled "An Act to amend an Act entitled an Act to amend and supplemental to an Act to provide for assessing and collecting county and territorial revenue," passed December twentieth, one thousand eight hundred and sixty-two; also, Assembly Bill No. 84, entitled "An Act to create a cash contingent fund for the payment of district judges"—beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the Assembly, and recommend their indefinite postponement.

H. G. PARKER,  
Chairman.

Accepted, and bills and report placed on file.

Mr. Hawkins, from the Standing Committee on Internal Improvements, to which was referred Senate Bill No. 47, entitled "An Act to protect the rights of Frederick Birdsall, and his associates, in a road constructed from Dayton to Virginia City," report that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House, with amendments as follows: Insert in section two, after the words "may fix," "provided that no toll shall be collected on any branch of said road west of Gold Cañon," and recommend its passage.

The report was agreed to, and bill and report placed on file.

Mr. Denson reports as follows:

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in the courts of justice of the State of Nevada," have had the said bill under consideration, and amended the same by adding thereto an additional section, as follows:

"Section Eight. This Act shall take effect, and be in force, from and after the first day of June, one thousand eight hundred and sixty-five."

And they have instructed their chairman to report it back to the Assembly, and recommend its passage as amended.

DENSON,  
Chairman.

Bill and report placed on file.

Mr. Lee, from the Judiciary Committee, made the following minority report:

*Mr. Speaker:*

A minority of the Judiciary Committee, to whom was referred Assembly Bill No. 83, "An Act to regulate the proceedings of attachment in civil cases in the courts of justice of the State of Nevada," have had the same under consideration, and beg leave to dissent from the majority, and recommend the passage of the bill, with the following amendments: Insert after the word "State," in line twelve, of section one, "That such contract was made after the passage of this Act." In line

thirteen of section two, insert after the word "State," "That such contract was made after the passage of this Act."

W. G. LEE,  
E. P. SINE.

Bill and report placed on file.

Mr. Denson reported as follows:

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred Assembly Bill No. 68, entitled "An Act defining the time for commencing civil actions," have had the said bill under consideration, amended the same by striking out the words "and the State of California," in the fifth line of the second section, and by a majority instructed their chairman to report it back to the Assembly, and recommend its passage as amended.

DENSON,  
Chairman.

Report and bill placed on file.

Mr. Lee made the following minority report:

*Mr. Speaker:*

A minority of the Judiciary Committee, to whom was referred Assembly Bill No. 68, "An Act defining the time for commencing civil actions," have had the same under consideration, and beg leave to dissent from the minority [majority], and recommend the passage of the bill, with the following amendments: Strike out all of line five in section two. After the word "State," insert "after the passage of this Act." Strike out all of section one. Also, strike out the words "section two," and insert "section one."

W. G. LEE,  
E. P. SINE.

Bill and report placed on file.

On motion of Mr. Bien, the House resolved itself into Committee of the Whole for consideration of bills upon the general file.

Mr. Speaker in the chair.

[Mr. Chairman] reported that Assembly Bill No. 22, entitled "An Act to provide for the maintenance and supervision of common schools," had been considered by the Committee of the Whole, and they recommend that it be made the special order for January twenty seventh, at two o'clock p. m.

Also recommend the passage (as amended by the Judiciary Committee) of Senate Bill No. 11, entitled "An Act establishing terms of Court, and the manner of transacting business therein by the judges of the First Judicial District."

Also recommend that Assembly Bill No. 100, entitled "An Act authorizing a toll road from Washoe Valley to Lake Tahoe," be laid upon the table.

Report adopted by the House.

Senate Bill No. 11, entitled "An Act establishing the terms of Courts and the manner of transacting business by the judges of the First Judicial District," was read a third time, and placed upon its final passage, and the roll was called, with the following result: Ayes, 26; noes, 0— as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Lee, Myrick, McKeeby, Parker, Patten, Small, Shackelford, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Speaker appointed Mr. Walter to fill the vacancy occasioned by the absence of Mr. Leavitt in the Standing Committee on Ways and Means.

On motion of Mr. Bishop, the House took a recess at twelve o'clock m., until two o'clock p. m.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Mr. Parker, pursuant to notice, introduced the following bill, entitled "An Act for securing liens to corral-keepers and others."

Rules suspended, read first and second times by title, and referred to the Judiciary Committee.

Mr. Denson, from the Judiciary Committee, reported verbally a substitute bill for Assembly Bill No. 24, entitled "An Act fixing the terms of the courts of justice of the State of Nevada," which was read and placed upon file with original bill.

Mr. Patten, from the Committee on County and County Boundaries, reported as follows:

*Mr. Speaker:*

The Committee to whom was referred the House Bill No. 48, entitled "An Act authorizing the County Commissioners of the several counties to cause the county lines to be established," have had the same under consideration, and directed their chairman to report the bill back, with amendments, and recommend its passage as amended.

EDMUND PATTEN,  
Chairman.

Accepted, and bill, with amendments, placed on file.

General file taken up, and Assembly Bill No. 30, entitled "An Act to amend, and supplemental to, an Act to provide for assessing and collecting county and territorial revenue," on motion of Mr. Hawkins, was laid upon the table.

Assembly Bill No. 19, entitled "An Act to amend an Act entitled an Act to amend an Act to provide for assessing and collecting county and territorial revenue," approved December twentieth, one thousand eight hundred and sixty-two, was, on motion of Mr. Haskell, laid upon the table.

Assembly Bill No. 42, entitled "An Act to amend, and supplemental to, an Act to provide for assessing and collecting county and territorial revenue," passed December twentieth, one thousand eight hundred and sixty-two, on motion of Mr. Bond, was laid upon the table.

Assembly Bill No. 84, entitled "An Act to create a cash contingent fund for the payment of District Judges," on motion of Mr. Beck, was indefinitely postponed.

Senate Bill No. 47, entitled "An Act to protect the rights of Freder-

ick Birdsall, and his associates, in a road constructed from Dayton to Virginia City," was taken up and read the third time, and, on motion of Mr. Lee, was laid upon the table.

Mr. Rigby, from the conference committee, reported as follows :

*Mr. Speaker :*

Your committee of conference, appointed to confer with Senate committee on Senate Bill No. 101, ask leave to report that they have conferred with Senate Committee, and that we recommend that the Assembly do recede from the amendments made to said bill by the Assembly, not concurred in by the Senate, and that the following proviso be added to section (7) seven :

"Provided that nothing in this section shall operate to render void or of none effect the action of the Assembly heretofore had respecting appropriations for actual expenses."

JAS. A. RIGBY,  
Chairman.

The question being upon concurring with the report of the conference committee, the roll was called, with the following result : Ayes, 28 ; noes, 1—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—Mr. Rosenblatt.

Mr. Speaker declared the amendments concurred with, and the bill duly passed.

Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada," was taken from the file, together with the amendments offered by the majority and minority reports of the Judiciary Committee.

The question being upon adopting the reports of the committee, and the majority report of the committee was adopted by the House, and the bill ordered engrossed for a third reading.

On motion of Mr. Patten, the House adjourned at four o'clock and forty-five minutes P. M.

---

#### FORTY-SEVENTH DAY.

FRIDAY, January 27th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee,

Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Myrick and Smith.

Present, 33 ; absent, 2.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Mr. Denson, from the Judiciary Committee, reported as follows :

*Mr. Speaker :*

The Committee on the Judiciary have had under consideration the following Assembly bills, acted on them favorably, and instructed their Chairman to report them back, and recommend their passage :

Assembly Bill No. 99, entitled " An Act for the location of lands containing salt."

Assembly Bill No. 34, entitled " An Act for the relief of insolvent debtors and protection of creditors."

Assembly Bill No. 105, entitled " An Act for the punishment of contempt and trespasses."

Assembly Bill No. 61, entitled " An Act defining the rights of husband and wife."

Assembly Bill No. 104, entitled " An Act to provide for the formation of limited partnership."

Senate Bill No. 12, entitled " An Act concerning forcible entries and unlawful detainers."

They have also had under consideration Assembly Bill No. 86, entitled " An Act to authorize married women to transact business in their own name as sole traders," made sundry amendments thereto, and directed the same to be reported back, and its passage, with such amendments, recommended.

The committee propose to amend as follows : Strike out all of section two after the word " also," in line twenty, and substitute the following words, " advertised in some newspaper of general circulation, published in said county, for three successive weeks ; and if no newspaper be published in said county, then in a paper published in some county adjacent thereto." In line eleven of section three, after the word " women," insert " who." In the first line of section four, after the word " availing," insert the word " herself." In the last line of section six, after the word " any," insert the word " debts."

The committee have also considered the following bills, and directed them to be reported back to the Assembly, with a recommendation that they be laid on the table :

Assembly Bill No. 7, entitled " An Act to regulate attachment proceedings."

Assembly Bill No. 73, entitled " An Act in relation to attachments in civil cases."

Your committee have also had under consideration the following bills, and instructed their Chairman to report them back, and recommend their indefinite postponement :

Assembly Bill No. 101, entitled " An Act to regulate and define the jurisdiction of Justices' Courts of this State."

Assembly Bill No. 13, entitled " An Act for the limitation of civil actions in courts of justice."

Assembly Bill No. 69, entitled "An Act to authorize married women to execute powers of attorney."  
All of which is respectfully submitted.

DENSON,  
Chairman.

On motion of Mr. Lee, Assembly Bill No. 61, entitled "An Act defining the rights of husband and wife," was taken up, and two hundred and forty copies ordered printed.

Mr. St. Clair, Chairman of the Standing Committee on Contingent Expenses, reports that they have had the following bills under consideration, and directed their Chairman to report favorably on the same, and recommend the various sums to be paid :

To J. M. Woodworth, cash paid for express charges and wood box.....	\$ 1 75
To Dot & Co., water barrel.....	1 50
To Corbett & Co., seven cords wood, cutting, etc.....	77 00
To Upton & Co., American flag .....	20 00
To Grant & Co., making box for clerk's desk and putting on locks. ....	12 50
To Geo. W. Green, repairing clock, etc.....	7 50
To Gillig, Mott & Co., hardware, stove, fixtures, etc.....	42 50

ST. CLAIR,  
Chairman.

Report adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 27th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 76, "An Act authorizing the payment of expenses incurred in telegraphing State Constitution," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Mr. Hinckley gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander County, for the year one thousand eight hundred and sixty-four."

Senate Bill No. 76, entitled "An Act authorizing the payment of expenses incurred in telegraphing State Constitution," as reported in Senate message, was taken up, read a first time, rules suspended, bill read a second time by title, and referred to Committee on Claims.

Mr. Epstein, by unanimous consent, introduced the following bill, entitled "An Act to repeal an Act passed December nineteenth, one thousand eight hundred and sixty-two, entitled an Act amendatory of section thirty-four of an Act defining the time of commencing civil actions, approved November twenty-first, one thousand eight hundred and sixty-one, and to repeal said section thirty-four of the said original Act."

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

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 83, "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada."

Accepted.

On motion of Mr. Epstein, the House resolved itself into Committee of the Whole for consideration of bills upon the general file.

Mr. Speaker in the chair, who reported that the Committee of the Whole had had under consideration the following bills, and report as follows:

Assembly Bill No. 83, entitled "An Act to regulate proceedings of attachment in civil cases in courts of justice of the State of Nevada." The committee would recommend its passage as engrossed.

Assembly Bill No. 111, entitled "An Act to exempt the homestead and other property from forced sale in certain cases." The committee recommend the engrossment of the bill, with amendments.

Assembly Bill No. 68, entitled "An Act defining the time of commencing civil actions," together with the majority and minority reports of the Judiciary Committee, and the committee adopted the majority report of the Judiciary Committee, and recommend the bill be engrossed.

Report of committee adopted, and so ordered.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
January 27th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 147, "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

The Senate Bill No. 147, entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," as reported in Senate message, was taken up, rules suspended, bill read the first and second times by title; rules suspended, bill read a third time, and placed upon its final passage—and the roll was called, with the following result: Ayes, 27; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Lee, Mayhugh, Nichols, Patten, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

The Speaker declared the bill duly passed.

On motion of Mr. Bishop, the House took a recess, at twelve o'clock and forty minutes p. m., until two o'clock and thirty minutes p. m.



## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Leave of absence granted to Mr. Brown until to-morrow morning.

On motion of Mr. Lee, the House resolved itself into Committee of the Whole for the consideration of the special order of the day, viz: Assembly Bill No. 22, entitled "An Act to provide for the maintenance and supervision of common schools."

Mr. Parker, Speaker *pro tem.*, in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act to provide for the maintenance and supervision of common schools," had not gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House, and report progress.

Accepted.

Mr. Bien introduced a concurrent resolution relating to appointing a committee by the Senate and Assembly to visit Virginia, at the expense of the city and county of Storey, to investigate the affairs of Storey County.

Laid upon the table.

On motion of Mr. Haskell, the House adjourned, at four o'clock P. M., till seven o'clock this evening.

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Epstein, the House resolved itself into Committee of the Whole for the consideration of the special order of the day, viz: the railroad resolutions.

The Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the railroad resolutions, had gone through therewith, had made no amendments thereto, and directed their chairman to report the resolutions to the House, and recommend that they be made the special order for Wednesday, February first, at seven o'clock P. M.

Report adopted by the House.

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

## FORTY-EIGHTH DAY.

SATURDAY, January 28th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members were present, viz :

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Den-  
son, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick,  
Mayhugh, McKeoby, Nichols, Parker, Rosenblatt, Rigby, Small, Shack-  
elford, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Absent—Messrs. Beck, Patten, Smith, and Young.

Present, 31 ; absent, 4.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Leave of absence granted to Messrs. Patten and Dun for one day  
each.

Mr. Brown, from the Committee on Elections, reported as follows :

*Mr. Speaker :*

Your Committee on Elections, to whom was referred Assembly Bill  
No. 14, entitled "An Act to provide for the election of Presidential  
Electors, Members of Congress, and state and county officers, and to  
preserve the purity of elections," would report that they have had the  
same under consideration, and report the same back to the House, with  
the following amendments, and recommend its passage :

Amend section three by striking out the word "three" where it occurs  
in the fifth line of said section, and insert in lieu thereof the word "five"  
Also strike out the word "two," in the seventh line of said section, and  
insert the word "five."

Amend section four by striking out the word "enclose," where it  
occurs in line ten, and insert the words "make out from said poll-books  
a full and correct abstract of all votes cast in said county for Presiden-  
tial Electors."

Amend section five by striking out the words "poll books," where  
they occur in lines one and five of said section, and insert in each blank  
the word "abstracts."

Amend section thirty-one by striking out the word "two," in line  
nine, and inserting the word "five." Also, strike out the words "within  
five days from and after the day of election," in lines fourteen and fif-  
teen."

Amend section thirty-two by striking out the word "ten," where it  
occurs in first line, and insert the word "seven."

Amend section sixty by striking out the first eight lines, and the  
words "to fill out," in line (9) nine.

Amend section sixty-five by striking out the words "or who shall not  
have registered his name, or paid his poll tax as required by law."

Amend section sixty-nine by striking out the seventh clause, and the  
first five lines of clause eight.

Amend section seventy-one by striking out the words "and that you  
are a registered elector," etc. Strike out sections ninety-three, ninety-  
four and ninety-five. Add a section as follows :

"Section Ninety-eight. All Acts and parts of Acts, so far as they are

inconsistent or in conflict with the provisions of this Act, are hereby repealed."

Your committee would further recommend that the bills as amended, be ordered printed. Your committee would also report back, Assembly Bill No. 6, without recommendation. Also, Assembly Bill No. 4, without recommendation.

D. H. BROWN,  
Chairman.

Bills and reports placed on file.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
CARSON CITY, January 27th, 1865. }

*To the Assembly of Nevada:*

I herewith return to your honorable body Assembly Bill No. 47, entitled "An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road, approved December nineteen, A. D. one thousand eight hundred and sixty-two." without approval.

I find this bill subject to the same constitutional objections urged by me to a bill authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road, which objections are before you.

It is subject to an additional objection, founded upon constitutional provisions. The Act which this bill proposes to mend, (see the Territorial Statutes of one thousand eight hundred and sixty-two, page fifty, section five,) grants the holders of the charter in question, exemption from taxation on their toll road, on payment of two per cent. of the gross receipts of said road into the Territorial Treasury, for school purposes. Section one of Article seventeen of the Constitution, recognizes and continues that right, but does not permit any addition to be made to it. The Constitution, Article ten, reads as follows: "The Legislature shall provide by law for a uniform and equal rate of taxation." Section one of this bill would amend section one of the Act in question, and thereby add to the property, by said Act, exempted from taxation.

If the parties named in this bill are the legal successors in interest to John Hawkins, deceased, the Act attempted to be amended, and the Constitution, guarantee to them all the rights, (under the same conditions and restrictions,) given to said Hawkins, and those rights can be enforced in a court of justice, without further legislation. The legislature, most certainly, cannot grant additional rights by which property would be acquired and held, exempt from taxation.

If additional rights are sought, they can be obtained under a general, and not by special or local enactments. See sections twenty and twenty-one, article four of the Constitution.

HENRY G. BLASDEL,  
Governor.

The vote by which Assembly Bill No. 47, entitled "An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled An Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road, approved December nineteen, A. D. one thousand eight hundred and sixty-two," passed, was reconsidered; and the question being, Shall the bill pass, notwithstanding the ob-

jections of the Governor? on motion of Mr. Hawkins, the bill was made the special order for Tuesday, January thirty-first, at eleven o'clock and thirty minutes A. M.

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

Mr. St. Clair, pursuant to previous notice, introduced the following bill, entitled "An Act to amend an Act entitled an Act amendatory of an Act, supplementary to an Act entitled an Act granting Moses Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the sink of Carson River and Reese River," approved December nineteenth, one thousand eight hundred and sixty-two; approved February eighteenth, one thousand eight hundred and sixty-four.

Rules suspended, bill read the first and sixth times by title, and referred to Committee on Internal Improvements.

Mr. Rosenblatt gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to construct a railroad from Carson to Austin and the eastern boundary of this State.

Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada," was taken up, and Mr. Lee moved to refer the bill to a special committee of one, with special instructions to amend as follows: Insert after the word "State," in section one, line twelve, "after the passage of this Act;" upon which the ayes and noes were called for by Messrs. Lee, Denson and Bishop.

Pending the motion, Mr. Hawkins moved to take a recess, at one o'clock P. M., until two o'clock P. M., which carried.

## AFTERNOON SESSION.

2 O'CLOCK, P. M.

House re-assembled.

Mr. Speaker *pro tem.* in the chair.

Roll called, and a quorum present.

Leave of absence was granted to Messrs. Shackelford, Beck and Young until Monday.

The consideration of Assembly Bill No. 83, pending the consideration of which the House took a recess, was now resumed, and the question being, Shall the bill be referred to a special committee of one, with instructions to amend? the roll was called; but before the vote was announced, Mr. Bishop moved that the House do now adjourn; upon which the ayes and noes were called for by Messrs. Bishop, Myrick and Bien, and the roll called, with the following result: Ayes, 14; noes, 14— as follows:

Those voting in the affirmative were—

Messrs. Bolan, Bishop, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Myrick, Small, St. Clair, and Wellington.

And in the negative—

Messrs. Bearss, Brown, Bien, Cary, Dun, Lee, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Sine, Toombs, and Walter.

Mr. Speaker declared the motion lost.

Mr. Hawkins moved for a new roll call upon the motion to recommit, as some new members had come within the bar since the roll was called, who wished to vote.

Mr. Speaker ordered the clerk to call the roll.

The roll was called, with the following result: Ayes, 17; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Dun, Epstein, Lee, Nichols, Parker, Rosenblatt, Rigby, Sine, Toombs, and Walter.

And in the negative—

Messrs. Cutter, Denson, Greeley, Hinckley, Hawkins, Haskell, Myrick, McKeeby, Small, St. Clair, and Wellington.

Mr. Speaker declared the motion to recommit carried.

And the bill was recommitted to a select committee of one, to amend as per instructions, and Mr. Lee was appointed by the Chair as such select committee.

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

---

## FIFTIETH DAY.

MONDAY, January 30th, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Brown, Bolan, Bien, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

Absent—Messrs. Beck, Bishop, Rosenblatt, Rigby, Small, Shackelford and Mr. Speaker.

Present, 28; absent, 7.

Prayer by the Rev. Father Rubi.

The journal of Saturday read and approved.

Leave of absence was granted to Messrs. Small, Rigby, Rosenblatt, Tozer and Bishop for one day each.

On motion of Mr. Hawkins, the rules were suspended, and the following Senate message was read:

STATE OF NEVADA, SENATE CHAMBER, }  
January 30th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, the following bills, which passed the Senate January twenty-eighth, one thousand eight hundred and sixty-five, to-wit:

First. Senate Bill No. 63, "An Act to provide for the disposition of the sixteenth and thirty-sixth sections of the public lands donated by the United States Government to the State of Nevada."

Second. Assembly Bill No. 62, "An Act empowering the Governor to appoint Commissioners of Deeds and define their duties," the same having

been amended as follows: Add to section one the words "and duly certify the same under his hand and official seal." Strike out in line twelve of section two the word "Recorder," and insert "Notary Public." In section three, strike out all after the word "oath," in line five, and before the word "that," in line ten. In section four, strike out all after the word "subscribe," in line six, and insert in place thereof, "and take the official oath of this State, and file the same in the office of the Secretary of State," and strike out section eight.

Third. Assembly Bill No. 56, "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State," without amendment.

Fourth. Assembly Bill No. 54, "An Act to provide for the disincorporating of cities and towns incorporated under the laws of the Territory of Nevada," amended by striking out section ten.

Fifth. Assembly Bill No. 3, "An Act to create contingent [funds] for the Senate and Assembly," without amendment.

Sixth. Assembly Bill No. 75, "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," amended as follows: Insert before the word "provided," in section three, "provided that no toll should be charged for over five yoke of oxen in any one team of such."

Make the following read: "Section Twelve. The owners of the before mentioned toll road shall, on the first of January in each year, make a report, under oath, to the County Commissioners of Storey and Washoe counties, stating the nett earnings of the said road, after all necessary expenses have been paid; and if the nett earnings exceed the sum of three per cent. per month on the cost of said road and its branches, then the excess of such earnings shall be paid to the counties of Storey and Washoe, in equal proportions." Change section twelve to section thirteen.

Seventh. Senate Bill No. 130, "An Act granting the right of way and authorizing A. Sutro and his associates to construct a mining and draining tunnel."

Eighth. Senate Bill No. 120, "An Act to prevent gaming."

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Mr. Bond, from the Committee on Claims, reported as follows:

*Mr. Speaker:*

The Committee on Claims, to whom was referred Assembly Bill No. 112, "An Act to provide for the payment of the private secretary to the Governor of the Territory of Nevada, for the year one thousand eight hundred and sixty-four," have had the same under consideration, and directed their chairman to report the same back to the House, and recommend that the whole subject matter contained in this Act should first be brought to the attention of the State Board of Examiners.

E. BOND,  
Chairman.

Bill and report placed upon file.

Senate Bill No. 130, entitled "An Act granting the right of way and authorizing A. Sutro, and his associates, to construct a mining and draining tunnel," as reported in Senate message, was taken up, rules sus-

pending, the bill was read the first and second times by title; rules suspended, bill read the third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 23; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cutter, Dun, Greeley, Hawkins, Haskell, Lee, Mayhugh, Nichols, Parker, Patten, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Brown, Cary, Denson, Hinckley, and McKeeby.

Mr. Speaker declared the bill duly passed.

Senate Bill No. 63, entitled "An Act to provide for the disposition of the sixteenth and thirty-sixth section of the public lands donated by the United States Government to the State of Nevada," as reported in Senate message, was taken up, rules suspended, bill read the first and second times by title, and referred to Committee on Federal Relations.

Senate Bill No. 120, entitled "An Act to prevent gaming," as reported in Senate message, was taken up, rules suspended, bill read a first and second times by title, and referred to Committee on Public Morals.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 68, "An Act defining the time for commencing civil actions." Also, No. 111, "An Act to exempt the homestead and other property from forced sale in certain cases." Also, No. 9, "An Act supplementary to an Act concerning conveyances," passed November fifth, one thousand eight hundred and sixty-one.

Accepted.

Assembly Bill No. 112, entitled "An Act to provide for the payment of the private secretary to the Governor of the Territory of Nevada, for the year one thousand eight hundred and sixty-four," was taken up, and on motion of Mr. McKeeby, the bill was recommitted to the Committee on Claims, with instructions to lay the matter before the State Board of Examiners.

On motion of Mr. Lee, the rules were suspended, and Senate Bill No. 47, entitled "An Act to protect the rights of Frederick Birdsall and his associates in a road constructed from Virginia City to Dayton," was taken from the general file, and the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

[The chairman] reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act to protect the rights of Frederick Birdsall, and his associates, in a road constructed from Virginia City to Dayton," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Rules suspended, bill read the third time, and placed on its final passage.

The roll was called with the following result: Ayes, 21; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cutter, Dun, Greeley,

Hawkins, Lee, Mayhugh, Nichols, Parker, Patten, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Bein, Cary, Denson, Hinckley, and McKeeby.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Patten, the House took a recess, at one o'clock p. m., until two o'clock p. m.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum present.

Leave of absence granted Mr. Young for one day, to Mr. Bolan for one week, and to Messrs. Myrick and Epstein for one day each.

Assembly Bill No. 62, entitled "An Act empowering the Governor to appoint Commissioners of Deeds, and defining their duties," as reported in Senate message, was taken up, and the question being upon concurring in Senate amendments, the roll was called with the following result: Ayes, 21; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Parker, Shackelford, St. Clair, Toombs, Walter, and Wellington.

And in the negative—Mr. Lee.

Mr. Speaker declared the amendment concurred in, and bill ordered enrolled.

Assembly Bill No. 75, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," as reported in Senate message, was taken up, and the question being upon concurring in Senate amendments, the roll was called with the following result: Ayes, 18; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, Nichols, Parker, Shackelford, Toombs, and Wellington.

And in the negative—

Messrs. Bien, Denson, McKeeby, Sine, St. Clair, and Walter.

Mr. Speaker declared the amendments concurred in, and the bill ordered enrolled.

Assembly Bill No. 54, entitled "An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," as reported in Senate message, was taken up, and the question being upon concurring in the Senate amendments, the roll was called, with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Sine, St. Clair, Toombs, Walter, and Wellington.

Mr. Speaker declared the amendments concurred in, and the bill ordered enrolled.

The rules were suspended, and the Concurrent Resolution No. 9, requiring State Prison Commissioners to make report, which was laid



upon the table for one day, under the rules, was taken up, read, and passed unanimously.

Mr. Hawkins called for a new roll to be called upon the question of concurring in Senate amendments to Assembly Bill No. 75, upon the grounds that only eighteen members having voted in the affirmative, it was not a constitutional majority.

Mr. Speaker decided that other business having intervened, the call for a new roll call was out of order; upon which Mr. Hawkins appealed from the decision of the chair.

Upon the vote being taken, the decision of the chair was sustained.

Mr. Haskell gave notice of motion to reconsider the vote by which Senate amendments to Assembly Bill No. 75 was declared concurred in.

Mr. Walter also gave notice of motion to reconsider the vote by which Senate amendments to Assembly Bill No. 75 was declared concurred in.

Mr. Speaker declared the notice of motion out of order, as the gentleman voted in the negative; upon which Mr. Hawkins appealed from the decision of the chair, and a vote being taken, the decision of the chair was sustained.

Assembly Bill No. 68, entitled "An Act defining the time for commencing civil actions," was taken up, read third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 20; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Greeley, Hincley, Lee, Mayhugh, McKeeby, Parker, Shackelford, Sine, Smith, Toombs, Walter, and Wellington.

And in the negative—Mr. Patten.

Mr. Speaker declared the bill duly passed.

Mr. Smith gave notice of motion to reconsider the vote just taken by which Assembly Bill No. 68 passed.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill, as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 3, "An Act to create contingent funds for the Senate and Assembly."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the thirtieth instant, viz: "An Act to create contingent funds for the Senate and Assembly."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Mayhugh, pursuant to previous notice, introduced the following bill entitled "An Act concerning the office of Secretary of State."

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

Mr. Mayhugh offered the following resolution:

*Resolved*, That the special committee of three on public buildings be,

and they are hereby, instructed to report to this House all facts in their possession connected therewith.

Adopted.

On motion of Mr. Bien, the House adjourned at four o'clock P. M.

---

## FIFTY-FIRST DAY.

TUESDAY, January 31st, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeely, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Wellington.

And absent—Messrs. Bolan, Epstein, Small, Young, and Mr. Speaker.

Present, 29; absent, 6.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Leave of absence was granted to Messrs. Young and Epstein for one day each.

On motion of Mr. Hawkins, the special order of the day, viz : bill authorizing John Hawkins, and others, to construct and maintain a toll road, was postponed until February second, at eleven o'clock and thirty-minutes A. M.

Mr. Mayhugh, from the Committee on Mines and Mining Interests, reported as follows :

*Mr. Speaker :*

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 33, entitled "An Act for the encouragement of mining," have had the same under consideration, and have directed their Chairman to report the same back, with a substitute, and recommend its passage.

All of which is most respectfully submitted.

Report accepted.

On motion of Mr. Hawkins, the Sergeant-at-Arms was required to move the stove to some more convenient place in the lobby.

Carried.

Mr. Brown moved that two hundred and forty copies of the Assembly Bill No. 33, together with the substitute reported by the committee, be printed.

Carried.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
January 31st, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 37, "An Act to provide for the apportionment [appointment] of Notaries Public, and defining their duties," the same having passed the Senate January thirtieth, one thousand eight hundred and sixty-five.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 37, entitled "An Act to provide for the apportionment [appointment] of Notaries Public," just reported in Senate message, was taken up, rules suspended, bill read the first and second times by title, and referred to Committee on Federal Relations.

The rules were suspended, and Mr. Brown introduced the following resolution :

*Resolved,* That the Senate be, and is hereby, requested to instruct their Sergeant-at-Arms to furnish to the Sergeant-at-Arms of the Assembly two thirds of all printed Senate bills received by him.

Adopted.

Mr. Walter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act providing for the election of County Recorders of this State, and defining their duties."

Mr. Bishop moved to reconsider the vote by which the Senate amendments to Assembly Bill No. 75, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches."

Carried, and vote reconsidered.

The question now being upon concurring in Senate amendments, the roll was called, with the following result: Ayes, 26; noes, 2.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Sine and St. Clair.

Mr. Speaker declared the amendments concurred in, and the bill was ordered enrolled.

Mr. Denson, by unanimous consent, introduced the following bill entitled "An Act to provide for carrying out, in part, the provisions of section seven (7) of article seventeen (17) of the Constitution of the State of Nevada."

Rules suspended, bill read first and second times by title, and referred to Judiciary Committee.

The Assembly Bill No. 111, entitled "An Act to exempt the homestead and other property from forced sale in certain cases," was taken up, read the third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 23; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bond, Cary, Cutter, Denson, Dun, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, and Wellington.

Mr. Speaker declared the bill duly passed.

On motion of Mr. Lee, the House resolved itself into Committee of the Whole for further consideration of Assembly Bill No. 22, entitled "An Act to provide for the maintenance and supervision of common schools."

The Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration Assembly bill entitled "An Act to provide for the maintenance and supervision of common schools," had gone through therewith in part, had made some amendments to bill as far as read, and directed their chairman to report the bill to the House, and ask leave to sit again at two o'clock and ten minutes P. M.

Accepted.

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

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum present.

The House again resolved itself into Committee of the Whole for consideration of Assembly Bill No. 22, and resumed business pursuant to recommendation of committee.

Mr. Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the Assembly Bill entitled "An Act to provide for the maintenance and supervision of common schools," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report adopted, and bill ordered engrossed.

Mr. Patten, pursuant to notice, moved that the vote by which Assembly Bill No. 68, entitled "An Act defining the time for commencing civil actions," passed, be reconsidered.

The roll was called, with the following result: Ayes, 19; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bond, Cary, Dun, Hawkins, Haskell, Lee, Myrick, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Beck, Bishop, Denson, Greeley, Hinckley, Sine, and St. Clair.

Mr. Speaker declared the motion to reconsider carried.

Mr. Patten moved that the bill be recommitted to a select committee of three, to be appointed by the chair, with special instructions to amend as follows: Insert after the word "liability," in the second line of section two, the words "made after the passage of this Act;" upon which the ayes and noes were called for by Messrs. Patten, Greeley, and Bishop, and the roll called with the following result: ayes, 16; noes, 10—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bond, Cary, Dun, Hawkins, Myrick, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, Toombs, and Wellington.

And those voting in the negative were—

Messrs. Bishop, Denson, Greeley, Hinckley, Haskell, McKeeby, Sine, St. Clair, and Walter.

Mr. Speaker declared the motion to reconsider carried, and appointed as such committee Messrs. Patten, Rigby, and Haskell.

Mr. Hawkins, from the Standing Committee on Enrollment, respectfully reports that the committee have carefully compared the following bill with the engrossed bill as presented to them, and have found it correctly enrolled, viz: Assembly Bill No. 56, "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State."

Mr. Hawkins reports that the Standing Committee on Enrollment delivered the following entitled bill to his Excellency the Governor, for his approval, on the thirty-first instant, viz: Assembly Bill No. 56, "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State."

On motion of Mr. St. Clair, the House adjourned at four o'clock p. m.

---

## FIFTY-SECOND DAY.

WEDNESDAY, February 1st, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bolan, Epstein, Sine, Small, and Cutter.

Present, 30; absent, 5.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Mr. Lee, from the special committee to which was referred the bill entitled "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada," reported that he has made the amendment as instructed.

Accepted.

The rules were suspended, and Mr. Hawkins moved that the vote by which the Assembly Bill No. 75, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," passed, be reconsidered.

Carried.

Mr. Hawkins moved that the bill be referred to a select committee of two, with special instructions to amend as follows: In line five, section

six, strike out the words "fined in a sum not less than twenty-five dollars," and insert in lieu thereof the words "punished according to general laws made and provided in such cases." In section nine, line one, strike out "expiration of five years from the." Strike out all of section ten.

Carried, and Messrs. Hawkins and Denson were appointed by the Chair as such committee, who forthwith reported the bill back to the House amended as per instructions.

Report adopted, and the question being, Shall the bill pass as amended by select committee? the roll was called with the following result: Ayes, 31; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found the same correctly enrolled, and that the same were this day delivered to the Governor for his approval, viz: Assembly Bill No. 54, "An Act to provide for the disincorporating of cities and towns incorporated under the laws of the Territory of Nevada."

Also, Assembly Bill No. 62, "An Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties."

C. HAWKINS,  
Chairman Enrolling Committee.

Report accepted.

Mr. Parker, from the Committee on Ways and Means, reported as follows:

*Mr. Speaker:*

The Committee of Ways and Means, to whom was referred Assembly Bill No. 55, "An Act in relation to current money in the State of Nevada, and the rate of interest to be charged thereon," have had the same under consideration, and have amended the same by substituting a section for section five, have added two sections thereto, and beg leave to report the same to the Assembly, and recommend its passage as amended.

H. G. PARKER,  
Chairman.

Bill and report placed on file.

Mr. Shackelford, from the Standing Committee on State Library, to which was referred the bill entitled "An Act in relation to the State Library," report that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House without amendments, and recommend its passage.

Report agreed to, and the bill placed on file.

Mr. Parker offered the following resolution:

*Resolved,* That the Sergeant-at-Arms be, and is hereby, instructed to issue to John R. Eardley the sum of three hundred and forty-two

dollars (\$342), for thirty-eight days' services as copying clerk, from December twenty-second, one thousand eight hundred and sixty-four, to Saturday, January twenty-eighth, one thousand eight hundred and sixty-five, inclusive.

Adopted.

Assembly Bill No. 46, entitled "An Act to authorize J. B. McClure and John Eaves to construct and maintain a toll road," was taken from general file, and, upon motion of Mr. St. Clair, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act to authorize J. B. McClure and John Eaves to construct and maintain a toll road," had gone through therewith in part, had made no amendments thereto, and directed their chairman to report the bill to the House, and ask leave to sit again.

Accepted.

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

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

The Speaker in the chair.

Roll called, and a quorum present.

Mr. Hinckley offered the following resolution :

*Resolved*, That this Assembly do hereby defer action on all special franchise bills for eighteen days, excepting such as have already been acted upon.

Adopted.

Mr. Denson offered the following resolution :

*Resolved*, That the Governor be, and he is hereby, requested to return to this House, for their further consideration, Assembly Bill No. 62, "An Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties."

Adopted.

Mr. Patten, from a special committee, reported as follows :

*Mr. Speaker :*

Your special committee, to whom was referred Assembly Bill No. 68, "An Act amendatory of section thirty-four of an Act defining the time of commencing civil actions," approved November twenty-eighth, one thousand eight hundred and sixty-one, have had the same under consideration, and find that section two of said bill is not properly worded, and not susceptible, under your committee instructions, of being amended. Therefore, your committee would respectfully recommend that the bill be recommitted to the Judiciary Committee for further action.

Report accepted.

Mr. Hawkins moved that the vote, by which the bill entitled "An Act defining the time for commencing civil actions," was referred to a special committee, be reconsidered.

Carried, and the bill laid on the table.

Mr. St. Clair moved that the bill entitled "An Act to authorize J. B. McClure and John Eaves to construct and maintain a toll road," be laid on the table.

Carried.

Assembly Bill No. 43, entitled "An Act amendatory of and supplementary to an Act entitled an Act to provide for the formation of corporations for certain purposes," approved December twentieth, one thousand eight hundred and sixty-two, was taken from the general file, and on motion of Mr. Walter, indefinitely postponed.

Assembly bill entitled "An Act granting the right of way for the construction of a railroad from Virginia, via Gold Hill, Silver City, Lake View, Franktown and Washoe City, to its terminus on Truckee River," was taken from general file, and, on motion of Mr. Hawkins, was laid on the table.

Senate Bill No. 117, "An Act authorizing the State Treasurer to appoint watchmen," was taken from the general file, and, on motion of Mr. Haskell, laid on the table.

Mr. Patten moved that Assembly bill entitled "An Act for defining the time for commencing civil actions," be referred to a special committee of one, with instructions to report as follows: Strike out section two and insert the following:

"Section Two. An action upon any judgment, contract, obligation or liability for the payment of money or damages obtained, executed or made out of this State, after the passage of this Act, shall only be commenced within two years from the time the cause of action shall have accrued."

Mr. Speaker appointed as such committee Mr. Patten, who reported the bill back amended as per instructions.

The question now being upon concurring in the amendment, the roll was called with the following result: Ayes, 27; noes, 0; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Patten, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the amendment concurred in, and the bill duly passed.

Assembly Bill No. 48, entitled "An Act to amend an Act authorizing the County Commissioners of the several counties of this State, to cause the county lines to be established," was taken up.

Rules suspended, bill considered engrossed, read the third time, and placed upon its final passage.

The roll was called with the following result: Ayes, 21; noes, 1; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Cary, Denson, Dun, Lee, Myrick, Mayhugh, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. Brown.

Mr. Speaker declared the bill duly passed.

Indefinite leave of absence granted Mr. Cutter on account of sickness.



Assembly Bill No. 24, entitled "An Act fixing the terms of the courts of justice of the State of Nevada," together with a substitute reported by the Judiciary Committee was taken up, the substitute adopted, and the original bill indefinitely postponed.

The substitute bill was amended as follows :

After the word December in thirty-eighth line of section two, insert the following: "In the Seventh Judicial District there shall be five regular terms of court annually, commencing on the first Mondays of March, May, July, September and November;" and in section two, line twenty-four, after the word "December," insert "In the Fifth Judicial District, there shall be six regular terms of court annually, in the county of Churchill on the first Mondays of March, July, and November; and in the county of Nye, on the first Mondays of January, April, and August."

Amendments adopted.

On motion of Mr. Lee, the rules were suspended, bill considered engrossed, read the third time, and placed on its final passage.

The roll was called with the following result: Ayes, 24; noes, 0; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, St. Clair, Toombs, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

The rules were suspended, and Mr. Mayhugh offered the following resolution:

*Resolved*, that the Committee on Federal Relations be, and they are hereby, authorized to employ a clerk, whose compensation shall not exceed the sum of five dollars per day, for ten days.

Adopted.

Assembly Bill No. 99, "An Act to provide for the location of lands containing salt," was taken up.

Rules suspended, bill considered engrossed, read the third time, and placed on its final passage.

The roll was called with the following result: Ayes, 23; noes, 1; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nich Parker, Patten, Rigby, Smith, St. Clair, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. Shackelford.

Mr. Speaker declared the bill duly passed.

The rules were suspended, and Mr. Patten offered the following concurrent resolution:

*Resolved*, by the Assembly, the Senate concurring, that Assembly Bill No. 62, which has passed both Houses of the Legislature, and withdrawn from the possession of the Governor by a resolution of the Assembly, be amended by striking out of the enrolled copy in line sixteen, the words "official oath of this State," and insert the following oath:

"I (here name the person, office, and State, Territory or District) do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States against all enemies,

whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or laws of any State, Constitution or Legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever; and, further, that I will well and faithfully perform all the duties which may be required of me by law. So help me God."

"Sworn to, and subscribed, before me, this — day of —."

On motion of Mr. Bien, the House took a recess, at three o'clock and thirty minutes p. m., until seven o'clock p. m.

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order of the day, relating to the railroad resolutions, was taken up, and the previous question was called; upon which the ayes and noes were called for by Messrs. Parker, Patten and Bishop, and the roll called, with the following result: Ayes, 17; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hawkins, Lee, McKeeby, Nichols, Parker, Rosenblatt, Small, Sine, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Bearss, Bishop, Dun, Haskell, Myrick, Mayhugh, Patten, Rigby, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the previous question sustained, and the main question being, Shall the resolutions be adopted?

The question now being upon adopting the amendment offered by Mr. Patten, the roll was called, with the following result: Ayes, 13; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bishop, Dun, Haskell, Lee, Myrick, Mayhugh, McKeeby, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Brown, Bien, Bond, Cary, Cutter, Denson, Epstein, Hawkins, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

Mr. Speaker declared the amendments offered by Mr. Patten lost.

The question now being upon the amendments offered by Mr. Epstein, the roll was called, with the following result: Ayes, 16; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bishop, Dun, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the amendments offered by Mr. Epstein adopted.

The question now being, Shall the resolutions as amended be engrossed?

the ayes and noes were called for by Messrs. Patten, Bishop and Sine, with the following result: Ayes, 20; noes, 10—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Haskell, McKeeby, Nichols, Parker, Rosenblatt, Small, Sine, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bishop, Dun, Lee, Myrick, Patten, Rigby, Shackelford, Smith, and Walter.

Mr. Speaker declared the question, Shall the resolutions be engrossed? carried, and so ordered.

On motion of Mr. Patten, the House adjourned at eight o'clock P. M.

### FIFTY-THIRD DAY.

THURSDAY, February 2d, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Absent—Messrs. Bolan, Bien, Greeley, and Young.

Present, 31; absent, 4.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Leave of absence granted Messrs. Young and Greeley for one day each.

The special order of the day, entitled "An Act to authorize John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two, was taken up, and the question now being, Shall the bill pass notwithstanding the objections of the Governor? the roll was called, with the following result: Ayes, 27; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Denson, Dun, Epstein, Hawkins, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Brown, Cary, Hinckley, and Lee.

Two thirds of all the members elect having voted in the affirmative, the Speaker declared the bill duly passed.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
CARSON, February 2d, 1865. }

*To the Assembly of Nevada :*

I have this day approved Assembly Bill No. 56, "An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State."

H. G. BLASDEL,  
Governor.

Mr. St. Clair offered the following resolution :

*Resolved*, That the Sergeant-at-Arms of this House be, and he is hereby, directed to procure a zinc or board screen or fender, to be placed between the stove and the bar of the House.

Adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 1st, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 93, "An Act in relation to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer," the same having passed the Senate January thirty-first, one thousand eight hundred and sixty-five, amended as follows :

First. Strike out section four, as it relates to duties of a State officer, which should be provided for in a separate bill.

Second. Strike out section five, for the same reason.

Third. Strike out section six, for the reason that it is in conflict with the criminal laws defining the crime of felony, and fixing the punishment therefor.

Fourth. Strike out section fifteen, all after the word "Act," in fourth line.

Fifth. Strike out section sixteen.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

On motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for consideration of Senate amendments to Assembly Bill No. 93, entitled "An Act in relation to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer," just reported in Senate message.

Mr. Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the Senate amendments to Assembly Bill No. 93, "An Act in relation to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend the concurrence in Senate amendments.

Report adopted by the House.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 12th, 1865.

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to communicate to your honorable body the action of the Senate on the following bills, etc., the same having passed the Senate February first, one thousand eight hundred and sixty-five :

First. Assembly Concurrent Resolution No. 9, requiring State Prison Commissioners to make report, the same having passed, without amendment.

Second. Senate Bill No. 133, "An Act to provide for the government of the State Prison of the State of Nevada."

Third. Senate Bill No. 144, "An Act fixing the time at which Representatives in Congress shall be elected."

Fourth. Senate Concurrent Resolution No. 11, requesting our Senators and Representatives to take such steps as will secure to Nevada certain public lands, etc.

Fifth. Assembly Bill No. 113, "An Act supplementary to an Act of the Legislature of the State of Nevada, passed at its session, entitled An Act to tax and regulate foreign insurance companies doing business in this State," the same having passed without amendment.

Sixth. Substitute to Assembly Bill No. 17, "An Act to authorize the survey and to establish the western boundary line of the State of Nevada," the same having been amended as follows: Amend section three, seventh line, by striking out the word "ninety," and insert in lieu thereof the word "seventy." Amend section four, first line, by striking out "three thousand," and insert in lieu thereof "twenty-four hundred;" and in the seventh line of same section, after "of," strike out "three thousand," and in lieu thereof insert "twenty-four hundred."

Seventh. Substitute for Senate Bill No. 145, "An Act concerning juries."

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 144, entitled "An Act fixing the time at which Representatives in Congress shall be elected," just reported in Senate message, was taken up, and on motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

[The Chairman] reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act fixing the time at which Representatives in Congress shall be elected," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and ask leave to sit again.

Report adopted.

On motion of Mr. Smith, the House took a recess, at one o'clock P. M. until two o'clock P. M.

AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Parker, the House resolved itself into Committee of the Whole for the further consideration of Senate Bill No. 144.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act fixing the time at which Representatives in Congress shall be elected," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended.

The question being upon adopting the report<sup>s</sup> of the committee, the ayes and noes were called for by Messrs. Patten, Hawkins and Brown, and the roll called, with the following result: Ayes, 6; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Cary, Hawkins, Mayhugh, Rosenblatt,<sup>s</sup> Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Brown, Bishop, Bond, Cutter, Denson, Dun, Hincley, Haskell, Lee, Nichols, Parker, Patten, Rigby, Small, Sine, Shackelford, Smith, and Walter.

Mr. Speaker declared the report of the committee non-concurred in.

Mr. Patten moved to lay the bill upon the table; upon which the ayes and noes were called for by Messrs. Parker, Cutter and Patten, and the roll was called, with the following result: Ayes, 8; noes, 21—as follows:

Those voting in the affirmative were—

Messrs. Bond, Cary, Denson, Haskell, Patten, Rigby, Small, and St. Clair.

And in the negative—

Messrs. Beck, Brown, Bishop, Cutter, Dun, Epstein, Hincley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Shackelford, Sine, Smith, Walter, Wellington and Mr. Speaker.

The motion to lay on the table was lost.

Mr. Hawkins moved to indefinitely postpone the bill, upon which the ayes and noes were called for by Messrs. Brown, Patten and Haskell. The roll was called with the following result: Ayes, 20; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Cary, Dun, Hincley, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter and Wellington.

And in the negative—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Denson, Epstein, Haskell, Mayhugh, Small, Smith, and Mr. Speaker.

Mr. Speaker declared the motion to indefinitely postpone carried.

Mr. Brown moved that the Clerk be authorized to inform the Senate, forthwith, of the action of the House upon Senate Bill No. 144, upon which the ayes and noes were called for by Messrs. Patten, Brown and Cutter, and the roll called with the following result: Ayes, 15; noes, 17.

Those voting in the affirmative were—

Messrs. Beck, Brown, Cary, Hincley, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Shackelford, Sine, St. Clair, Walter, and Wellington.

And in the negative—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Denson, Dun, Epstein,

Haskell, Mayhugh, Patten, Rosenblatt, Rigby, Small, Smith, Toombs, and Mr. Speaker.

Mr. Speaker declared the motion lost.

Rules suspended, and Mr. Bien offered the following resolution :

*Resolved*, That the Superintendent of Public Instruction be, and is hereby, requested to transmit to this House the annual report of the Storey County Superintendent, with all the papers accompanying the same.

Adopted.

Substitute for Senate Bill No. 145, entitled "An Act concerning Juries," as reported in Senate message, was taken up.

Rules suspended, bill read first and second times by title, and referred to Judiciary Committee.

Senate Bill No. 133, entitled "An Act to provide for the government of the State Prison of the State of Nevada," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to committee on State Institutions.

Senate Concurrent Resolution No. 11, requesting our Senators and Representatives to take such steps as will secure to Nevada certain public lands, was taken up.

Read first time and rules suspended, resolution read a second time by title, rules further suspended and resolutions read a third time, and,

On motion of Mr. Haskell, the vote by which the rules were suspended and the resolutions ordered to a third reading, was reconsidered, and resolutions referred to the Committee on Federal Relations.

Substitute to Assembly Bill No. 17, entitled "An Act to authorize the survey and to establish the western boundary line of the State of Nevada," as reported in Senate message, was taken up, and on motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the consideration of Senate amendments to substitute Assembly Bill No. 17.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate amendments to Assembly Bill No. 17, had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended by the Senate.

The question now being upon concurring in Senate amendments, the roll was called, with the following result : Ayes, 26 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the amendments concurred in, and the bill passed.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 2d, 1865. }

To the Hon. the Assembly of Nevada :

I herewith return to your honorable body Assembly Bill No. 62, "An

Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," and message accompanying, the Senate refusing to receive the same.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

The question now being, Shall the House again concur in the Senate amendments to Assembly Bill No. 62, entitled "An Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," the roll was called, with the following result: Ayes, 22; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Cary, Cutter, Denson, Epstein, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Wellington, and Mr. Speaker.

Mr. Speaker declared the Senate amendments concurred in, and the bill duly passed.

Mr. Bien moved that a committee of five be appointed by the chair, to investigate the report of the Storey County School Superintendent, as to the condition of common schools in said county.

Carried, and Mr. Speaker appointed as such committee Messrs. Bien, Smith, Bond, Rigby and Epstein.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following House resolution with the original, as ordered engrossed, and found the same correctly engrossed, viz: Assembly Concurrent Resolution.

Report accepted.

Assembly concurrent railroad resolutions were taken up, and Mr. Walter moved that the resolutions be made the special order for Monday, February sixth, at seven o'clock p. m.; upon which the roll was called, with the following result: Ayes, 18; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bond, Bishop, Dun, Haskell, Lee, Myrick, Mayhugh, McKeeby, Patten, Rigby, Shackelford, Smith, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Nichols, Parker, Rosenblatt, Small, Sine, St. Clair, and Wellington.

Carried, and so ordered.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found the same correctly enrolled, and this day delivered the same to the Governor for his approval, viz: Assembly Bill No. 62, "An Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Bishop offered the following resolution:

*Resolved*, That the Sergeant-at-Arms of the Assembly be, and is hereby, authorized to issue scrip to the following named persons:



To U. E. Allen, for two days services at the opening of the Assembly, at \$15 per day.....	\$30 00
To C. M. Gregory, for two days services as Assistant Clerk, at \$12.....	24 00
To T. M. Carson, for two days services as Sergeant-at-Arms, at \$10.....	20 00
Also to W. M. Gillespie, as Chief Clerk, for balance due for nine days services, at \$15 per day.....	45 00
To Jas. Brown, two days as Porter, at \$6 per day.....	12 00

Resolution adopted.

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to enable certain incorporate companies, incorporated under the laws of the State of California, having their principal place of business in the town of Aurora, Esmeralda County, to incorporate by their own election under the laws of this State."

Mr. Bishop, by unanimous consent, introduced the following bill entitled "An Act to divide the county of Storey, and create the county of Union."

Rules suspended, bill read a first and second time by title, and referred to Committee on County and County Boundaries.

Mr. Bond moved that two hundred and forty copies of the bill be printed; upon which the ayes and noes were called for by Messrs. Bishop, Cutter and Patten, and the roll called, with the following result: Ayes, 19; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Bond, Cary, Cutter, Denson, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, St. Clair, Walter, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bien, Dun, Epstein, Hinckley, Hawkins, McKeeby, Patten, Small, Shackelford, Smith, and Wellington.

Motion to print carried, and so ordered.

On motion of Mr. Hawkins, the House adjourned at four o'clock and forty-five minutes p. m.

---

FIFTY-FOURTH DAY.

FRIDAY, February 3d, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called, and the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And those absent were:

Messrs. Bolan, Parker, and Young.

Present, 32; absent, 3.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

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

On motion of Mr. Denson, the rules were suspended, and the following Senate message was read:

STATE OF NEVADA, SENATE CHAMBER, }  
February 3d, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the Hon. the Senate to return to your honorable body Assembly Bill No. 75, "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," the Senate concurring in the amendments proposed by your honorable body, excepting the striking out of section ten, in which they do not concur.

I also transmit herewith Senate Bill No. 19, "An Act to provide for the publication of a volume of reports of the decisions of the Supreme Court of the Territory of Nevada," which passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Assembly Bill No. 75, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," as reported in Senate message, was taken up, and, on motion, the House receded from Assembly amendments to section ten, and the bill ordered enrolled.

Senate Bill No. 19, entitled "An Act to provide for the publication of a volume of reports of the decisions of the Supreme Court of the Territory of Nevada," as reported in Senate message, was taken up, and on motion of Mr. Brown, the clerk was directed to return the bill to the Senate, with a message informing them, as the bill was not engrossed, the Assembly refuse to receive it.

The following communication was received from the Superintendent of Public Instruction:

CARSON CITY, February 2d, 1865.

*To the Hon. the Speaker of the Assembly:*

SIR:—I have this instant received the following certified copy of a resolution passed in Assembly this day:

*Resolved,* That the State Superintendent of Public Schools be, and he is hereby, requested to transmit to this House the annual report of the Storey County Superintendent, with all papers accompanying the same.

In compliance with this resolution, I have the honor herewith to transmit to you the report and all the papers specified.

Very respectfully, yours, etc.,

A. F. WHITE,  
Superintendent Public Instruction, State of Nevada.

Mr. Denson, from the Judiciary Committee, to whom was referred Senate Bill No. 145, entitled "An Act concerning juries," respectfully

reports that the said committee have carefully examined the said bill, and directed their chairman to report the bill back without amendments, and recommend its passage as received from the Senate.

Accepted and adopted.

On motion of Mr. Bishop, the rules were suspended, and the bill, above reported, was taken up and read a third time, and placed upon its final passage.

The roll was called with the following result: Ayes, 30; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in the courts of justice in the State of Nevada," was taken from general file and read a third time; whereupon Mr. Beck moved to recommit the bill to a special committee of two, to amend by striking out section eight.

Mr. Hawkins moved to reconsider the vote by which the bill was ordered engrossed for a third reading; upon which the ayes and noes were called for by Messrs. Brown, Hawkins and Beck, and the roll was called, with the following result: Ayes, 14; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bishop, Cutter, Denson, Greeley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Patten, Small, Smith, and Wellington.

And in the negative—

Messrs. Bearss, Brown, Bond, Bien, Cary, Dun, Epstein, Hinckley, Lee, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, and Mr. Speaker.

Motion to reconsider lost.

The question now being upon the motion to recommit to a special committee, upon which the ayes and noes were called for by Messrs. Brown, Cutter and Sine, and the roll called, with the following result: Ayes, 13; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bishop, Cutter, Denson, Dun, Epstein, Lee, McKeeby, Parker, Rigby, Sine, Smith, and Walter.

And in the negative—

Messrs. Brown, Bond, Cary, Greeley, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, Nichols, Patten, Rosenblatt, Small, Shackelford, St. Clair, Toombs, Wellington, and Mr. Speaker.

Motion to recommit was lost.

The previous question was now called for and sustained, and the question being, Shall the bill pass? the roll was called, with the following result: Ayes, 25; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bien, Cutter, Dun, Nichols, Small, Smith, and Walter.

Mr. Speaker declared the bill duly passed and ordered enrolled.

Mr. Beck gave notice of motion to reconsider the vote by which the bill passed.

On motion of Mr. Hawkins, the House took a recess at one o'clock P. M. until two o'clock P. M.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Rules suspended, and Mr. Patten introduced concurrent resolution relating to establishing a mail route from Carson City to American City.

Read a first time, rules suspended, resolutions read a second time by title, rules further suspended, and the resolutions considered engrossed, read a third time and placed upon their final passage.

The roll was called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the resolutions duly passed, and ordered the same transmitted to the Senate.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 3d, 1865. }

*To the Hon. Assembly of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 155, "An Act to incorporate the city of Virginia," etc., the same having passed the Senate this day, and is herewith transmitted for the concurrence of your honorable body.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate bill No. 155, entitled "An Act to incorporate the city of Virginia," etc., as reported in Senate message, was taken up, rules suspended, bill read a first and second time by title, rules further suspended, the bill read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 28; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered the same transmitted to the Senate.

Mr. Hawkins reports that the Standing Committee an Enrollment have carefully compared the following entitled resolution with the engrossed

resolution as passed by the two Houses, and found it correctly enrolled, and have delivered the same to the Secretary of State, viz: "Assembly Concurrent Resolution requiring State Prison Commissioners to make report."

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills as passed by the two Houses, and found them correctly enrolled, and delivered the same to the Governor for his approval.

Assembly Bill No. 75, "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches."

Also, Assembly Bill No. 93, "An Act in relation to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer."

Also, Assembly Bill No. 113, "An Act supplementary to an Act of the Legislature of the State of Nevada, passed at the first session, entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

Accepted.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 52, "An Act to provide for the maintenance and supervision of Common Schools."

Mr. Bien, from a select committee, reported as follows:

GENTLEMEN:—Your committee, appointed to investigate the Public School matters of Storey county, find from the reports and papers before them, that it is necessary to appoint a committee of one or more, at the option of the House, to proceed to Storey county, with full power to examine books and papers of the Board of Education, take their depositions, and other testimony from citizens of the county, relative to the educational department of that county.

All of which is respectfully submitted.

H. M. BIEN, Chairman.  
JACOB A. SMITH,  
H. EPSTEIN,  
JAS. A. RIGBY,  
ERASTUS BOND.

Accepted.

Mr. Sine offered the following resolution:

*Resolved*, That M. M. Bien and Erastus Bond be and are hereby appointed a committee of two to proceed to Storey county, with full power to examine the books and papers of the Board of Education of that county; take their depositions, and examine other witnesses under oath, on all matters connected with the public schools of that county; and that they shall be empowered to employ a clerk, if necessary, at a sum of six dollars per day. All actual expenses accruing from the execution of this commission shall not exceed the sum of one hundred dollars.

Adopted.

Assembly Bill No. 22, entitled "An Act to provide for the maintenance and supervision of Common Schools in this State," was taken up, read a third time and placed on its final passage. The roll was called with the following result: Ayes, 23; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Rigby, Small, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Greeley.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

Mr. Haskell, from the Committee on Federal Relations, reported as follows:

*Mr. Speaker :*

The Committee on Federal Relations have had under consideration Senate Concurrent Resolutions No. 11, and, after careful examination, have directed their chairman to report the same back to the House, with the recommendation that they be indefinitely postponed for the following reasons: These resolutions refer to an important Act of Congress, passed July second, one thousand eight hundred and sixty-two, granting lands to the several States and Territories, "which may provide colleges for the benefit of agriculture and the mechanic arts," any time within two years from the date of its approval. The gentleman who introduced the resolutions was probably not aware of the Act of Congress, approved April fourteenth, one thousand eight hundred and sixty-four, extending the time whereby States and Territories may avail themselves of its provisions two years, which time does not expire until April fourteenth, one thousand eight hundred and sixty-six. Any State or Territory may now, or at any time prior to April fourteenth, one thousand eight hundred and sixty-six, by conforming to the provisions of the law of July second, one thousand eight hundred and sixty-two, receive the benefits it confers. Therefore, it is action on the part of our Legislature, and not upon the part of Congress, which is needed to make the Act enure to the benefit of our State.

Respectfully submitted.

D. H. HASKELL,  
Chairman.

The report of the Committee was concurred in, and the resolutions indefinitely postponed.

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

---

## FIFTY-FIFTH DAY.

SATURDAY, February 4th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bolan, Myrick, Shackelford, and Smith.

Present, 31; absent, 4.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

#### REPORT OF COMMITTEES.

Mr. Toombs, from the Standing Committee on State Institutions, to which was reported the bill entitled "An Act to provide for the government of the State Prison of the State of Nevada," report that they have had the same under consideration, had come to no conclusion thereon, and directed their chairman to report the same to the House without amendments or recommendation.

W. F. TOOMBS,  
Chairman.

Report accepted, and bill placed on file.

Mr. Parker, from the Committee on Ways and Means, reports as follows:

*Mr. Speaker:*

The Committee of Ways and Means, to whom was referred Assembly Bill No. 65, "An Act defining the duties and fixing the salaries of the Governor's Private Secretary," have had the same under consideration, have substituted a bill therefor, and beg leave to report that fact to the Assembly, and recommend the passage of the substitute.

Also, Assembly Bill No. 129, "An Act concerning the office of Secretary of State," have had the same under consideration, have made some amendments thereto, and beg leave to report that fact to the Assembly, and recommend its passage as amended.

Also, Senate Bill No. 121, "An Act to appropriate one thousand dollars to purchase and provide furniture for the Supreme Court room for the State of Nevada;" and substitute for Senate Bill No. 55, "An Act authorizing the Secretary of State to employ a clerk and fixing his compensation," have had the same under consideration, have come to an unfavorable conclusion thereon, and beg leave to report that fact to the Assembly, and recommend their indefinite postponement.

H. G. PARKER,  
Chairman.

Accepted.

#### RESOLUTIONS.

Mr. Mayhugh offered the following concurrent resolution:

*Resolved,* By the Assembly, the Senate concurring, that D. J. Francis, Sheriff of Esmeralda county, is hereby granted leave of absence from this State for the period of five months, at any time within the present year; provided that the Sheriff shall have competent deputies to discharge all the duties of said office required by law, during his absence.

Adopted.

Upon motion of Mr. Bien, the vote by which the resolution appointing Messrs. Bien and Bond a committee to investigate the books and papers of the Board of Education of Storey County, was adopted, was reconsidered, and Mr. Bien offered the following concurrent resolution:

\**Resolved*, By the Assembly, the Senate concurring, that a committee of three (two from the Assembly and one from the Senate) be appointed by the two Houses, and instructed to proceed to Storey County, with full powers to examine the books and papers of the Board of Education of that county, to administer oaths, and to send for persons and papers.

Adopted.

GENERAL FILE.

Assembly Bill No. 34, entitled "An Act for the relief of insolvent debtors and protection of creditors," was taken up, rules suspended, bill considered engrossed, read a third time and placed upon its final passage.

The roll was called, with the following result: Ayes, 22; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bien, Bishop, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Patten, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck and Greeley.

Mr. Speaker declared the bill duly passed, and the bill ordered enrolled.

Pursuant to notice, Mr. Beck now moved to reconsider the vote by which the Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in the courts of justice in this State," passed, upon which the ayes and noes were called for by Messrs. Patten, Smith, and Bishop, and the roll called with the following result: Ayes, 16; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Bond, Cary, Denson, Greeley, Hinckley, Hawkins, Haskell, Myrick, Patten, Small, Sine, Wellington, and Young.

And in the negative—

Messrs. Bien, Bond, Mayhugh, Nichols, Parker, Rigby, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the motion carried.

On motion of Mr. Tozer, the vote by which the bill was ordered engrossed, and ordered to a third reading, was also reconsidered.

Mr. Tozer moved that the bill be referred to the Judiciary Committee, pending which,

Mr. Brown moved to adjourn.

Lost.

The question now being, Shall the bill be referred to the Judiciary Committee? carried, and the bill so referred.

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



## FIFTY-SEVENTH DAY.

MONDAY, February 6th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following members were absent, viz :

Messrs. Bolan, Epstein, Hinckley, Myrick, Patten, Shackelford, and St. Clair.

Present, 28 ; absent, 7.

Leave of absence granted Messrs. Patten and Epstein for one day each.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

## REPORTS.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill as passed by the two Houses, and found it correctly enrolled, and that they this day delivered the same to the Governor for his approval, viz : Assembly Bill No. 17, "An Act to authorize the survey and to establish the western boundary line of the State of Nevada."

Accepted.

Mr. Bond, from the Committee on Claims, made the following report :

*Mr. Speaker :*

The Committee on Claims have had under consideration Senate Bill No. 76, "An Act authorizing the payment of expenses incurred in telegraphing State Constitution," and directed their chairman to report the same back to the House, and recommend its passage.

Accepted.

The following messages were received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 6th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I have this day approved Assembly Bill No. 3, "An Act to create contingent funds for the Senate and Assembly."

HENRY G. BLASDEL,  
Governor.

EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 4th, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 62, "An Act to empower the Governor to appoint Commissioners of Deeds, and to define their du-

ties." Though I have approved the above Act, I must urgently recommend the immediate passage of an Act repealing the fourth section thereof, and hope the same will be done, as I think it would be wrong to issue commissions under the Act, requiring, as it now does, the appointees to take our constitutional oath of office. The third section covers sufficiently the requirements of an oath.

HENRY G. BLASDEL,  
Governor.

Mr. Cutter introduced concurrent resolutions relating to sale of State bonds, which were read, adopted unanimously, and ordered transmitted to the Senate.

Mr. Bond introduced concurrent resolution relating to investigating the State printing, which was read first time and adopted unanimously, and the chair appointed as such investigating committee Messrs. Bond, Brown, and Toombs.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 4th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 19, "An Act to provide for the publication of a volume of reports of the decisions of the Supreme Court of the Territory of Nevada," the vote by which said bill passed having been reconsidered; also, the vote by which the bill was considered engrossed, then ordered to engrossment, reported correctly engrossed, read third time and passed.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, February 6th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 165, "An Act to create a secret service fund."

Also, Senate Bill No. 95, "An Act regulating proceedings upon *quo warranto*, and informations in the nature thereof," the same having passed the Senate February fourth, one thousand eight hundred and sixty-five.

I also return Assembly Concurrent Resolution No. —, relative to examination of books and papers of Storey County Board of Education, the same having been adopted without amendment.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Mr. Speaker appointed, upon the part of the House, as the committee to investigate the books and papers of the Storey County Board of Education, Messrs. Bien and Bond.

Senate Bill No. 19, entitled, "An Act to provide for the publication of a volume of reports of the decisions of the Supreme Court of the Terri-

tory of Nevada," as reported in Senate message, was taken up, and on motion of Mr. Patten was referred to a special committee of three.

The chair appointed as such committee Messrs. Walter, McKeeby and Nichols.

Rules suspended, and Mr. Walter, pursuant to previous notice, introduced the following bill, entitled "An Act concerning County Recorders and defining their duties."

Read first and second time by title, and referred to Judiciary Committee.

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

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum present.

Senate Bill No. 165, entitled "An Act to create a secret service fund," as reported in Senate message, was taken up, rules suspended, read a first and second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 95, entitled "An Act regulating proceedings upon *quo warranto*, and informations in the nature thereof," as reported in Senate message, was taken up, rules suspended, bill read a first and second time by title, and referred to Judiciary Committee.

### GENERAL FILE.

Assembly Bill No. 105, entitled "An Act for the punishment of contempt and trespasses."

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 29; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 61, entitled "An Act defining the rights of husband and wife," taken from the file, rules suspended, bill considered engrossed, read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 26; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

Mr. Rigby gave notice of motion to reconsider the vote just taken.

Mr. Haskell, by unanimous consent, introduced the following bill, entitled "An Act accepting the provisions of an Act of Congress entitled

an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July two, one thousand eight hundred and sixty-two, and amended and approved April fourteenth, one thousand eight hundred and sixty-four.

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

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

### EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum present.

The special order of the day, the railroad resolutions, were now taken up.

The question now being, Shall the resolutions pass?

Mr. Haskell moved to make the resolutions the special order for Friday, February tenth, at seven o'clock P. M.

Mr. Brown moved to lay the motion on the table, upon which the ayes and noes were called for by Messrs. Lee, Haskell and Patten, and the roll called, with the following result: Ayes, 17; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the motion lost.

The question now being upon making the resolutions the special order for Friday evening next, upon which the ayes and noes were called for by Messrs. Patten, Rigby and Rosenblatt, and the roll called, with the following result: Ayes, 17; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Rigby, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Small, Sine, St. Clair, Toombs, and Wellington.

Motion lost.

Mr. Patten moved that the House do now adjourn, upon which the ayes and noes were called for by Messrs. Patten, Haskell and Brown, and the roll called, with the following result: Ayes, 17; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

Motion to adjourn lost.

The previous question was called for, upon which the ayes and noes were called for by Messrs. Shackelford, Beck and Patten, and the roll called, with the following result: Ayes, 18; noes, 16—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

The previous question was sustained.

Mr. Greeley moved that the House do now adjourn, upon which the ayes and noes were called for by Messrs. Greeley, Bishop and Cutter, and the roll called, with the following result: Ayes, 16; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

Motion to adjourn lost.

The main question being, Shall the resolutions pass? they were read a third time and placed upon the final passage, and the roll called, with the following result: Ayes, 18; noes, 16—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the resolution lost.

Mr. Patten moved that the House do now adjourn, upon which the ayes and noes were called for by Messrs. Patten, Hawkins and Lee, and the roll called, with the following result: Ayes, 16; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

Motion to adjourn lost.

Mr. Cutter gave notice of motion to reconsider the vote by which the resolutions were lost.

On motion of Mr. Patten, the House adjourned at nine o'clock and thirty minutes p. m.

---

FIFTY-EIGHTH DAY.

TUESDAY, February 7th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bien, Bond, and Myrick.

Present, 32; absent, 3.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

BILLS ON GENERAL FILE.

The rules were suspended, and Assembly Bill No. 129, "An Act concerning the office of Secretary of State," was taken from the file, and on motion of Mr. Mayhugh, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill entitled "An Act concerning the office of Secretary of State," together with the amendments reported by the Committee of Ways and Means, had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended by the Committee of Ways and Means.

Adopted.

The rules suspended, bill considered engrossed, read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 27; noes, 2:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bolan and Young.

Mr. Speaker declared the bill duly passed.

The rules were suspended, and Senate Bill No. 50, entitled "An Act in relation to the State Library," was taken from the file, and on motion

of Mr. Bishop, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act in relation to the State Library," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted, bill read a third time, and placed on its final passage.

The roll was called, with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Cutter, Denson, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

#### REPORTS.

Mr. Cutter reports that the Standing Committee on Engrossment, have carefully compared the following entitled House Bills with the original as ordered engrossed, and found the same correctly engrossed, viz:

No. 68, "An Act defining the time for commencing civil actions."

Also, No. 24, "An Act fixing the terms of the Courts of Justice of the State of Nevada."

Also, No. 48, "An Act to amend an Act, entitled An Act authorizing the County Commissioners of the several counties to cause the county lines to be established."

Also, No. 99, "An Act to provide for the location of lands containing salt."

Also, No. 105, "An Act to provide for the punishment of contempts and trespasses."

Also, No. 34, "An Act for the relief of insolvent debtors and the protection of creditors."

Report accepted and bills ordered enrolled.

Pursuant to notice, Mr. Rigby now moved to reconsider the vote by which Assembly Bill No. 61, entitled "An Act defining the rights of husband and wife," passed.

On motion of Mr. Beck, the House took a recess at one o'clock and fifteen minutes P. M. until two o'clock and thirty minutes P. M.

#### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called and a quorum present.

Mr. Bishop moved that the House do now adjourn, upon which the ayes and noes were called for by Messrs. Bishop, Cutter, and Brown, and the roll called with the following result:

Ayes, 6; noes, 22—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bishop, Greeley, Haskell, Myrick, and Shackelford.

And in the negative—

Messrs. Bearss, Brown, Bolan, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Lee, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington; and Mr. Speaker.

Motion to adjourn lost.

Mr. Cutter, pursuant to notice, now moved to reconsider the vote by which the railroad resolutions were lost.

Motion carried.

Mr. Rosenblatt moved that the resolution be made the special order for Tuesday evening, February fourteenth, at seven P. M.

Carried, and so ordered.

The question now being upon reconsidering the vote by which the Assembly Bill No. 61, passed. The ayes and noes were called for by Messrs. Patten, Brown, and Rosenblatt, and the roll called with the following result:

Ayes, 14; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Cary, Dun, Epstein, Greeley, Hinckley, Parker, Patten, Rosenblatt, Rigby, Shackelford, and Smith.

And in the negative—

Messrs. Bearss, Bishop, Cutter, Denson, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Small, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Motion to reconsider lost.

#### BILLS ON GENERAL FILE

Assembly Bill No. 104, entitled "An Act to provide for the formation of limited partnership," taken from file and ordered engrossed.

Assembly Bill No. 86, entitled "An Act to authorize married women to transact business in their own name as sole traders," together with the report of the Judiciary Committee were taken from file, and upon motion of Mr. Bishop, the House resolved itself into Committee of the Whole for the consideration of the bill and report.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill, entitled "An Act to authorize married women to transact business in their own name as sole traders," together with report of Judiciary Committee, had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House as amended by the Judiciary Committee, and recommended that two hundred and forty copies be printed.

Report adopted.

Assembly Bill No. 7, entitled "An Act to regulate attachment proceedings," taken from file, and, on motion, indefinitely postponed.

Senate Bill No. 12, entitled "An Act concerning forcible entries and unlawful detainers," was taken from file, read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 25; noes, 1;

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Toombs, Young, and Mr. Speaker.



And in the negative—Mr. Walter.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 73, entitled "An Act in relation to attachments in civil cases," was taken from file, and, on motion, was indefinitely postponed.

Assembly Bill No. 55, entitled "An Act in relation to current money in the State of Nevada, and the rate of interest to be charged thereon," together with the report of the Committee of Ways and Means, were taken from the file, and, on motion of Mr. Rosenblatt, the House resolved itself into Committee of the Whole for consideration of the bill and report.

Mr. Rosenblatt in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act in relation to current money in the State of Nevada, and the rate of interest to be charged thereon," together with the amendments reported by the Committee of Ways and Means, had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend the indefinite postponement of the bill.

The report of the committee was non-concurred in, and, on motion, the bill and amendments were made the special order for February eighth, at two o'clock p. m.

On motion of Mr. Rosenblatt, the House adjourned at four o'clock and thirty minutes p. m.

---

## FIFTY-NINTH DAY.

WEDNESDAY, February 8th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Denson, Dun, Epstein, Greeley, Hincley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

Absent—Messrs. Bien, Bond, Cutter, St. Clair, and Wellington.

Present, 30; absent, 5.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Mr. Parker, from the Committee of Ways and Means, reported as follows:

*Mr. Speaker:*

The Committee of Ways and Means, to whom was referred Senate Bill No. 165, "An Act to create a secret service fund," have had the same under consideration, and beg leave to report the same to the House without amendment, and recommend its passage.

Accepted, and bill placed upon file.

Mr. Denson, from the Committee of Judiciary, reported as follows :

*Mr. Speaker :*

The Committee on Judiciary have had under consideration Assembly Bill No. 121, entitled "An Act for securing liens to corral-keepers and others." Also, Assembly Bill No. 27, entitled "An Act to amend an Act in relation to County Treasurers." Also, Assembly Bill No. 28, entitled "An Act to amend an Act creating Boards of County Commissioners, and defining their duties." Also, Assembly Bill No. 123, entitled "An Act to repeal an Act, passed December nineteenth, one thousand eight hundred and sixty-two, entitled An Act amendatory of section thirty-four of an Act entitled An Act defining the time of commencing civil actions, approved November twenty-one, one thousand eight hundred and sixty-one, and to repeal said section thirty-four, of said original Act." And they have directed their chairman to report the said bills back to the Assembly, and recommend their indefinite postponement.

They have also had under consideration the following bills, to wit:

Assembly Bill No. 18, entitled "An Act in relation to the Boards of County Commissioners in the several counties of this State, defining their powers and duties, and other matters relating thereto."

Assembly Bill No. 138, entitled "An Act concerning County Recorders, and defining their duties."

Bill No. 139, being Senate Bill No. 95, entitled "An Act regulating proceedings upon *quo warranto*, and informations in the nature thereof."

Bill No. 118, being Senate Bill No. 104, entitled "An Act granting further powers to District Attorneys of the several counties within this State, in suits for delinquent taxes for the fiscal year one thousand eight hundred and sixty-four."

And they have instructed their chairman to report the said bills back to the Assembly, and severally recommend their passage.

SAM. C. DENSON,  
Chairman.

Accepted, and bills placed on file.

Mr. Denson, from the Judiciary Committee to which was referred the bill, entitled "An Act to provide for carrying out in part the provisions of section seven of article seventeen, of the Constitution of the State of Nevada," report that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House without amendments, and recommend its passage.

S. C. DENSON,  
Chairman.

The report was agreed to, and the bill placed upon file.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 7th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have this day approved Assembly Bill No. 54, "An Act to provide for the disincorporating of cities and towns incorporated under the laws of the Territory of Nevada.

HENRY G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 7th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have this day approved Assembly Bill No. 17, "An Act to authorize the survey and to establish the western boundary line of the State of Nevada."

HENRY G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 7th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have this day approved Assembly Bill No. 93, "An Act in relation to the Board of Examiners; to define their duties and powers; and to impose certain duties on the Controller and Treasurer."

HENRY G. BLASDEL,  
Governor.

Mr Mayhugh introduced concurrent resolution relating to establishing a mail route between Carson City and Aurora."

Read first time, rules suspended, resolution read a second time by title, rules further suspended, resolution considered engrossed, read a third time and placed upon its final passage.

The roll was called with the following result :

Ayes, 23 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cary, Denson, Dun, Epstein, Greeley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the resolutions duly passed, and ordered the same transmitted to the Senate.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 6th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate, to return to your honorable body, Assembly Concurrent Resolution No. —, granting leave of absence to D. G. Francis, Sheriff of Esmeralda County, the same having been unanimously adopted without amendment.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
February 7th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable, the Senate, to return to your honorable body, Assembly Concurrent Resolutions No. 26, relating to investigating the State Printing, the same having been adopted by the Senate without amendment.

I transmit for the consideration of your honorable body, Senate Bill

No. 65, "An Act to provide for the reporting the decisions of the Supreme Court of the State of Nevada."

Also, Senate Bill No. 44, "An Act to provide for organizing and disciplining the militia of the State," both of said bills having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Mr. Rigby gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act declaring the evidence of possessory rights."

Senate Bill No. 65, entitled "An Act to provide for reporting the decisions of the Supreme Court of the State of Nevada," reported in Senate, message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to Judiciary Committee.

Senate Bill No. 44, entitled "An Act to provide for organizing and disciplining the militia of the State," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to Committee on Military and Indian Affairs.

Mr. Toombs, by unanimous consent, introduced the following bill, entitled "An Act for the relief of Gorham H. Moore," together with recommendation of County Commissioner of Lyon County.

Rules suspended, bill read a first time by title, and second time by sections, and, on motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported the bill back to the House without amendments, and recommend its passage.

Report adopted, and, on motion of Mr. Lee, the rules were suspended, bill considered engrossed, read a third time, and placed on its final passage. The roll was called with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cary, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Small, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Small, by unanimous consent, introduced the following bill, entitled "An Act amendatory of, and supplementary to, an Act entitled An Act to provide for the formation of corporations for certain purposes," approved December twentieth, one thousand eight hundred and sixty-two.

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

Mr. Mayhugh, pursuant to notice, introduced the following bill entitled "An Act to provide for the removal of certain incorporated companies to this State, by their own election."

Rules suspended, bill read first and second time by title, and referred to Committee on Corporations.

Mr. Greeley, by unanimous consent, introduced the following bill en-

titled "An Act amendatory of, and supplemental to, an Act amendatory of, and supplemental to, an Act entitled An Act to amend and supplemental to an Act to provide for the assessing and collecting County and Territorial Revenue."

Rules suspended, bill read a first and second time by title, and referred to Committee of Ways and Means.

Mr. Haskell, from the Committee on Federal Relations, reported as follows :

*Mr. Speaker :*

The Committee on Federal Relations have had under consideration Bill No. 141, an Act accepting the provisions of an Act of Congress, entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, one thousand eight hundred and sixty-two, and amended and approved April fourteenth, one thousand eight hundred and sixty-four, and have directed their chairman to report the same back to the House, recommending its passage.

HASKELL,  
Chairman.

Report accepted, and bill placed on file.

#### GENERAL FILE.

Assembly Bill No. 101, entitled "An Act to regulate jurisdiction of justice courts within the State," was taken from file and indefinitely postponed.

Assembly Bill No. 13, entitled "An Act for the limitation of civil actions in courts of justice," was taken from file and indefinitely postponed.

Assembly Bill No. 68, entitled "An Act to authorize married women to execute powers of attorney," was taken from file and indefinitely postponed.

Assembly Bill No. 14, entitled "An Act to provide for the election of Presidential Electors, Members of Congress and State and County Officers, and to preserve the purity of elections," taken from file, and, on motion, laid upon the table.

Assembly Bill No. 6, entitled "An Act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting, entitled a Registry Act," taken from file, and, on motion, laid upon the table.

Assembly Bill No. 4, entitled "An Act relating to elections and terms of office, time of election and terms of office, of officers' duty, misconduct at election and in office," taken from file, and, on motion, laid upon the table.

Assembly Bill No. 33, entitled "An Act for the encouragement of mining," together with the substitute reported by the Committee of Mines and Mining Interests, were taken from file, and, on motion, the House resolved itself into Committee of the Whole for consideration of the bill and substitute.

Mr. Speaker in the chair.

The chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act for the encouragement of mining," together with the substitute reported by Commit-

tee on Mines and Mining Interests, had gone through therewith in part, had made no amendments thereto, and directed their chairman to report the bill and substitute to the House, and ask leave to sit again at two o'clock and thirty minutes p. m.

Report adopted.

On motion of Mr. Patten, the House took a recess, at one o'clock, until two o'clock and thirty minutes p. m.

#### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Lee, the House again resolved itself into Committee of the Whole for consideration of Assembly Bill No. 33, together with the substitute therefor, pursuant to recommendation.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act for the encouragement of Mining," and the substitute thereof, had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage as amended.

Report of committee adopted, and bill ordered engrossed.

#### GENERAL FILE.

Assembly Bill No. 55 was taken from the file, and on motion of Mr. Walter, was made the special order for February ninth, at two o'clock and forty minutes p. m.

Senate Bill No. 133, entitled "An Act to provide for the government of the State Prison of the State of Nevada," was taken from file, and on motion of Mr. Walter, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act to provide for the government of the State Prison of the State of Nevada," had gone through therewith in part, had made no amendments thereto, and directed their chairman to report the bill to the House, and ask leave to sit again.

Report adopted.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act for the relief of Gorham H. Moore."

Adopted.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT. }  
CARSON CITY, February 8th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I herewith return to your honorable body, without approval, Assembly Bill No. 75, "An Act to authorize the Washoe Turnpike Company

to maintain their toll road and branches." I find this bill subject to the same constitutional objections urged against the "Jerry Schooling toll road bill," which originated in the Assembly, and was thereto returned, with objections, on the twenty-first ult.

A cursory examination only of our Constitution cannot fail to convince any one that it was framed with a view of having and maintaining a strictly economical State government upon all possible points; local and special legislation were expressly prohibited, and then to make the landmarks and guides to legislation, if possible, still more plain, it is provided that in all cases where general laws can be made applicable, all laws shall be general and of uniform operation throughout the State.

In view of the fact that but little local and special legislation would be necessary, or could be had, and to preserve uniformly the economical feature of that instrument, its framers further restricted the Legislature to ninety days for the first, and sixty days for all subsequent sessions.

The correctness of all, or any, even, of these restrictions, it would be more than useless here to discuss. That fundamental law—just as we find it—is our chart, and we must sail under its directions, or wander we know not where. It would be no compliment to the judgment of the framers of our Constitution, to conclude that they thought the Legislature could pass all the special franchise bills which would be solicited, and enact all those general laws urgently demanded by the people, within the time allotted. Then, as a question solely of policy, would it be right and just to the people at large, whose servants we are, to spend the time and their money, making such local and special laws as these, and not those without which the machinery of the State is clogged, our faith and credit abroad impaired, and the State in its struggling infancy materially impeded?

I must again earnestly urge the enactment of general laws to cover this and all similar cases. To say that such cannot be done, is simply to say that Nevada does not possess legislative wisdom and ability of other States. Are we prepared to admit by such an acknowledgment that Nevada cannot keep pace with the spirit of progress peculiar to the present age?

HENRY G. BLASDEL,  
Governor.

The vote by which Assembly Bill No. 75, entitled "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," was reconsidered, and the question now being, Shall the bill pass, notwithstanding the objections of the Governor? the roll was called, with the following result: Ayes, 29; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Hinckley and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Bishop, the House adjourned at four o'clock and fifteen minutes P. M.

## SIXTIETH DAY.

THURSDAY, February 9th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And the following members were absent—

Messrs. Bien, Greeley, Myrick, Patten, Rigby, and Wellington.

Present, 28; absent, 7.

Prayer by the Rev. Mr. White.

The journal of yesterday read and approved.

Leave of absence granted Mr. Greeley for two days.

## REPORTS.

Mr. Hawkins reports, that the Standing Committee on Enrollment have carefully compared the following entitled resolutions, with the resolutions as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Secretary of State, viz: Assembly Concurrent Resolution No. 24, authorizing appointment of committee to investigate school matters of Storey County.

Also, Assembly Concurrent Resolution No. 23, granting leave of absence to D. G. Francis, Sheriff of Esmeralda County.

Also, Assembly Concurrent Resolution No. 26, relative to investigation into State Printing.

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted, and resolution placed on file.

Mr. St. Clair, from the Standing Committee on Contingent Expenses, begs leave to report that the committee have had the following bills under consideration, find them correct, and recommend the payment of the same out of the contingent fund of the Assembly, as follows:

E. D. Sweeney, furnishing water.....	\$ 21 00
John G. Fox, stationery, etc.....	643 29

Adopted.

Mr. Denson, from the Judiciary Committee, to which was referred Assembly Bill No. 83, "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada," beg leave to report that said committee have considered said bill, and directed their chairman to report the same back to the House, and recommend that sections seven (7) and eight (8) be stricken out, and the bill passed.

S. C. DENSON,  
Chairman.

Accepted, and bill and report placed on file.

Mr. Cutter introduced a petition from the County Commissioners of Storey County, praying for aid to the hospital of Storey County, which was read and referred to the Committee on State Institutions, with in-



structions to report a bill in accordance with the petition if they deem it advisable.

Mr. Walter, from select committee, reported as follows:

*Mr. Speaker :*

Your select committee, to whom was referred Senate Bill No. 19, "An Act to provide for the publication of a volume of reports of the decisions of the Supreme Court of the Territory of Nevada," respectfully report that they have had the same under consideration, and have made as thorough an investigation of the subject matter as their limited facilities would allow. Your committee are fully satisfied of the necessity of having printed in book form the decisions of the Territorial Supreme Court, and have, in their investigations, been actuated solely by a desire to learn positively whether or not the decisions now in the possession of Judge Turner, and which are proposed to be printed, are the authentic copies of the decisions of said court.

Your committee have devoted considerable time and attention to a thorough examination of the reports of the various Senate committees relating to this subject, and have also had under examination the late Territorial Chief Justice, and have, as the result of their investigation, arrived at the following conclusions:

First. That Judge Turner has the only copies of said decisions.

Second. That they are authentic.

Third. That he is eminently qualified to supervise their publication.

Your committee therefore report the bill back, and recommend its immediate passage.

D. P. WALTER, Chairman.  
L. C. McKEEBY,  
B. H. NICHOLS.

Accepted, and bill and report placed on file.

Mr. Parker offered the following resolution:

*Resolved*, That the Speaker appoint a committee on phraseology, whose duty it shall be to compare the journals with the copy of the same for the State Printer, and correct the phraseology.

Adopted.

Mr. Mayhugh introduced resolutions relating to the Committee on elections taking into consideration the expediency of reporting a bill to provide for a special election for the election of a Member of Congress.

Mr. Walter moved that the resolutions be indefinitely postponed; upon which the ayes and noes were called for by Messrs. Patten, Bishop and Mayhugh, and the roll called, with the following result: Ayes, 15; noes, 15—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Cary, Cutter, Hinckley, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, St. Clair, and Walter.

And in the negative—

Messrs. Bearss, Bishop, Denson, Dun, Epstein, Hawkins, Haskell, Mayhugh, Patten, Rosenblatt, Small, Smith, Toombs, Young, and Mr. Speaker.

Motion to indefinitely postpone lost.

The question now being, Shall the resolutions pass? upon which the

ayes and noes were called for by Messrs. Bishop, Cutter and Walter, and the roll called, with the following result: Ayes, 16; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Denson, Dun, Epstein, Hawkins, Haskell, Mayhugh, Nichols, Patten, Rosenblatt, Rigby, Small, Smith, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Brown, Cary, Cutter, Hinckley, Lee, Myrick, McKeeby, Parker, Shackelford, Sine, St. Clair, Toombs, and Walter.

Mr. Speaker declared the resolutions duly passed.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 9th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 27, "An Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of Nevada," the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 27, entitled "An Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of Nevada," as reported in Senate message, was taken up, rules suspended, bill read first and second time by title, and referred to Judiciary Committee.

Mr. Haskell, by unanimous consent, introduced the following bill, entitled "An Act concerning District Attorneys."

Rules suspended, bill read a first and second time by title, and referred to Judiciary Committee.

Mr. Rigby, pursuant to notice, introduced the following bill, entitled "An Act declaring the evidence of possessory rights."

Rules suspended, bill read a first and second time by title, and referred to Judiciary Committee.

Mr. Cutter, by unanimous consent, introduced the following bill, entitled "An Act to provide for the payment of the outstanding warrants of Storey County."

Rules suspended, bill read a first and second time by title; rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 29; noes, 1.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—Mr. Shackelford.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Epstein, the House took a recess at twelve o'clock and forty-five minutes P. M., until 2 o'clock P. M.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and quorum present.

The special order of the day, Assembly Bill No. 55, "An Act in relation to current money in the State of Nevada, and the rate of interest to be charged thereon," was taken up, and on motion of Mr. Patten, the bill was made the special order for Tuesday, February fourteenth, at two o'clock p. m.

Mr. Denson, from the Judiciary Committee, reported as follows :

The Judiciary Committee, to whom was referred Senate Bill No. 37, "An Act to provide for carrying out in part the provisions of section seven (7) of article seventeen (17) of the Constitution of Nevada," beg leave to report that they have had said bill under consideration, and report the same back, and recommend its passage.

S. C. DENSON,  
Chairman.

Report accepted, and bill placed upon file.

Rules suspended, and on motion of Mr. Tozer, Senate Bill No. 27, entitled "An Act to provide for carrying out in part the provisions of section seven (7) of article seventeen (17) of the Constitution of Nevada," was taken from file, and on motion of Mr. McKeeby, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Hawkins in the chair.

Mr. Chairman reported the bill back to the House without amendments, and recommend the passage of the bill.

Report of the Committee of the Whole adopted, and the bill read a third time, and the roll called, with the following result: Ayes, 22; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bishop, Cary, Cutter, Denson, Dun, Epstein, Haskell, Lee, Myrick, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Hinckley, Hawkins, Mayhugh, Nichols, Shackelford, and St. Clair.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, CARSON CITY, }  
February 9th, 1865. }

*To the Honorable Assembly of Nevada :*

I have this day approved Assembly Bill No. 113, "An Act supplementary to an Act of the Legislature of the State of Nevada, passed at its first session, entitled an Act to tax and regulate foreign insurance companies doing business in this State."

HENRY G. BLASDEL,  
Governor.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 151, "An Act to provide for the payment of the outstanding warrants of Storey County."

Accepted.

Mr. Haskell, by unanimous consent, introduced the following bill, entitled "An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," approved February fourth, one thousand eight hundred and sixty-five.

Rules suspended, bill read a first and second time by title, and referred to Judiciary Committee.

Mr. Young, by unanimous consent, introduced the following bill entitled "An Act to amend an Act, and supplementary to, an Act entitled an Act to incorporate the city of Virginia," approved February nineteenth, one thousand eight hundred and sixty-four.

Rules suspended, bill read a first and second time by title, and referred to the Storey County delegation.

#### GENERAL FILE.

On motion of Mr. Haskell, the House resolved itself into Committee of the Whole for consideration of Assembly Bill No. 16, entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada."

Mr. Parker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," had gone through therewith in part, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend it be recommitted to the Judiciary Committee.

Report adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 9th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed to return to your honorable body Assembly Bill No. 75, "An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," the same having passed the Senate, notwithstanding the objections of the Governor, by the following vote: Ayes, 13; noes, 4.

I also transmit, for the consideration of your honorable body, Senate Bill No. 47, "An Act to protect the rights of Frederick Birdsall and his associates in a road constructed from Dayton to Virginia City," the same having passed the Senate, notwithstanding the objections of the Governor, by the following vote: Ayes, 13 (thirteen); noes, 4 (four).

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

*Senate*

The vote by which the Assembly Bill No. 47, entitled "An Act to protect the rights of Frederick Birdsall, and his associates, in a road

constructed from Dayton to Virginia City," passed, was reconsidered; and the question being, Shall the bill pass, notwithstanding the objections of the Governor? the roll was called, with the following result: Ayes, 26; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, and Walter.

And in the negative—

Messrs. Hinckley and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

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

## SIXTY-FIRST DAY.

FRIDAY, February 10th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Leo, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And the following were absent, viz:

Messrs. Bien, Greeley, Rosenblatt, and Wellington. Present, 31; absent, 4.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Leave was granted, and Mr. Patten offered concurrent resolution relating to the appointment of a committee to investigate the affairs of the Storey County hospital, and the speaker appointed as such committee, Messrs. Parker and St. Clair.

Mr. Speaker appointed as a committee on phraseology (as per resolution) Messrs. Hinckley, Young, and Parker.

Mr. Haskell, from a select committee, reported as follows:

*Mr. Speaker:*

The select committee appointed to investigate the subject matter of safe keeping of moneys in the State Treasury, and other matters connected therewith, have directed their chairman to submit the following report, and ask to be discharged.

The committee have given the subject their careful examination, and find the present expense of the Treasury Department sufficiently large, if properly applied, to insure the safe keeping of State money. The policy of special deposits has also been thoroughly discussed, and found to be inconsistent with the proper discharge of the duties of that office,

besides will lead to an additional expense your committee are not willing to recommend.

The State Treasurer has already employed a clerk which, with his own salary, office rent, and unavoidable contingent outlays, will bring the annual expense of that office up to an aggregate not much short of eight thousand dollars, a sum sufficient, in the opinion of the committee, for the State to pay for the support of that department without incurring the additional expense of the salary of a watchman. The safe now used by the Treasurer does not belong to the State, and is liable at any time to be called for. The committee would therefore recommend that the State Treasurer, by the advice and under the direction of the Board of Examiners, be authorized to purchase a suitable safe for the use of the State as soon as practicable.

The committee do not deem it within the province of their duty to investigate and report as to the sufficiency of the bonds of the Treasurer, but would call the attention of the House to the fact that the present bonds of that officer were fixed by the Constitution at \$30,000, at a time when the revenue likely to come into the hands of the Treasurer, was far less than the estimate under our State organization.

We would therefore recommend that the attention of the appropriate committee be called to this important fact, and that that committee make such recommendation and take such action as the exigencies of the case in their judgment may require.

Your committee would respectfully recommend the indefinite postponement of all bills for increasing the expenses of the Treasury department, other than those mentioned in this report.

Respectfully submitted.

D. H. HASKELL,  
Chairman.

Report adopted.

Mr. Denson, from the Judiciary Committee, reported as follows :

*Mr. Speaker :*

Your Judiciary Committee, to which was referred Assembly Bill No. 21, "An Act to define the duties of Coroner," report that they have had the same under consideration and directed their chairman to report the bill to the House, and recommend that it do not pass, as your committee deem it inexpedient at present to create the office of Coroner.

Respectfully submitted,

S. C. DENSON,  
Chairman.

Accepted.

Indefinite leave of absence was granted Mr. Tozer.

On motion of Mr. Denson, Assembly Bill No. 16, entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," was withdrawn from the Judiciary Committee, and recommitted to a select committee comprised of Messrs. Mayhugh, Hinckley, Dun, Rigby, Bearss, Shackelford, St. Clair, Toombs, McKeeby and Small.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 9th, 1865. }

*To the Hon. Assembly of Nevada :*

The following bills, etc., are transmitted for the consideration of your honorable body, viz :

First. Assembly Concurrent Resolution No. 25, relating to sale of State bonds, amended by the Senate as follows: Strike out all after the word "allowed" in line five, to, and including the word "rate," end of line seven. Also, strike out from and including the word "whereas," line sixteen, to and including all of line twenty-one, the same having been adopted as amended.

Second. Assembly Bill No. 144, "An Act for the relief of Gorham H. Moore," passed the Senate without amendment.

Third. Senate Bill No. 170, "An Act to provide for the payment of the outstanding indebtedness of Douglas County," the same having passed the Senate.

Fourth. Assembly Bill No. 24, "An Act fixing the terms of the courts of justice of the State of Nevada," amended as follows: Amend section two by commencing section as follows: "Except in the First Judicial District," and strike out of the section all pertaining to the First Judicial District. Amend as to the Fourth Judicial District, by making the terms the first Mondays of February, May, August and November; and the Seventh Judicial District on the first Mondays of March, June, September and December. Strike out section three, and make section four section three—the same having passed the Senate as amended.

Fifth. "An Act to provide for the payment of the outstanding warrants of Storey County," being Assembly Bill No. 151, the same having passed without amendment.

Sixth. Senate Bill No. 125, "An Act to authorize the incorporation of rural cemetery associations," the same having passed this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Assembly Concurrent Resolutions No. 25, relating to sale of State bonds, reported in Senate message, were taken up, and, on motion, laid upon the table.

Senate Bill No. 170, entitled "An Act to provide for the payment of the outstanding indebtedness of Douglas County," reported in Senate message, was taken up, read first and second time by title, and referred to the Douglas County delegation.

Assembly Bill No. 24, entitled "An Act fixing the terms of the courts of justice in this State," reported in Senate message, was taken up, and the question being upon concurring in the Senate amendments, the roll was called, with the following result: Ayes, 23; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, and Walter.

And in the negative—Mr. Greeley.

Mr. Speaker declared the Senate amendments concurred in, and the bill ordered enrolled.

Senate Bill No. 125, entitled "An Act to authorize the incorporation of rural cemetery associations," reported in Senate message, was taken up, rules suspended, bill read first and second times by title, and referred to the Committee on Public Morals.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 10th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 129, "An Act concerning the office of Secretary of State," the same having passed the Senate without amendment.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Mr. Walter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act relating to Mining Recorders, and defining their duties."

Mr. Hinckley, pursuant to notice, introduced the following bill entitled "An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander County for the year A. D. one thousand eight hundred and sixty-four."

Rules suspended, bill read first and second time by title, and referred to the Lander County delegation.

#### GENERAL FILE.

On motion of Mr. Mayhugh, the House resolved itself into Committee of the Whole for the consideration of Senate Bill No. 165, entitled "An Act to create a secret service fund."

Mr. Speaker in the chair.

The chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act to create a secret service fund," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted, bill read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Nichols, Parker, Patten, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 83, "An Act concerning the office of Secretary of State." No. 61, "An Act defining the rights of husband and wife." No. 104, "An Act to provide for the formation of limited partnership." No. 33, "An Act for the encouragement of mining."

Accepted.

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



## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum present.

Assembly Bill No. 104, entitled "An Act to provide for the formation of limited partnership," was read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Rosenblatt, Small, Shackelford, Smith, St. Clair, Toombs, Walter, and Young.

Mr. Speaker declared the bill duly passed.

## GENERAL FILE.

Assembly Bill No. 86, entitled "An Act to authorize married women to transact business in their own name as sole traders," was taken up, and ordered engrossed for a third reading.

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

On motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the further consideration of Senate bill No. 133, entitled "An Act to provide for the government of the State Prison of the State of Nevada."

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act to provide for the government of the State Prison of the State of Nevada," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended.

Report adopted; bill read a third time.

On motion of Mr. Cutter, the bill was recommitted to a special committee of one, with instructions to amend as follows: To strike out "section twenty-five," and insert a new section in lieu thereof, which was reported back to the House, amended as per instructions.

Report adopted, and the bill placed upon its final passage, and the roll called, with the following result: Ayes, 10; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Bolan, Bond, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, Nichols, Patten, and Small.

And in the negative—

Messrs. Beck, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Lee, Parker, Rosenblatt, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Young.

Mr. Speaker declared the bill lost.

Mr. Cutter gave notice of motion to reconsider the vote just taken.

Mr. Rosenblatt, from the Committee on Military and Indian Affairs, reported as follows:

*Mr. Speaker :*

Your committee, to whom was referred Senate Bill No. 143, entitled "An Act to provide for organizing and disciplining the militia of the State," have had the same under consideration, and beg leave to report the same back, and recommend its passage.

M. A. ROSENBLATT,  
W. G. LEE,  
R. M. SHACKELFORD,  
JAMES BOLAN.

Accepted.

Mr. Lee, from the Standing Committee on Public Morals, to which was referred the bill entitled "An Act relating to wild game and fish," also "An Act to prevent gaming," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their chairman to report the same to the House without amendments, and recommend their passage.

The report was agreed to, and the bills placed upon file.

Mr. Lee also reported Assembly Bill No. 35, "An Act for the abatement of certain public nuisances," and have instructed their chairman to report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the main provisions of said bill are contained in an Act of one thousand eight hundred and sixty-one.

Accepted, and bill placed on file.

On motion of Mr. Young, the House adjourned at four o'clock P. M.

---

## SIXTY-SECOND DAY.

SATURDAY, February 11th, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Denson, Greeley, Hawkins, Haskell, Lee, Nichols, Parker, Shackelford, Sine, St. Clair, and Young.

And the following were absent:

Messrs. Bien, Brown, Cutter, Dun, Epstein, Hinckley, Myrick, Mayhugh, McKeeby, Patten, Rosenblatt, Rigby, Small, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

There not being a quorum present, a call of the House was ordered, and the roll called, and the following members were absent, viz:

Messrs. Toombs, Cutter, Patten, Brown, Mayhugh, Rosenblatt, and Myrick; and the Sergeant-at-Arms was ordered to bring the absentees before the bar of the House, which was done, and, on motion, further proceedings under the call of the House dispensed with.

Prayer by the Rev. Mr. White.

Leave of absence was granted to Messrs. Dun, Hinckley, and Small, for one day each.

The journal of yesterday read and approved.

#### REPORTS OF COMMITTEES.

Mr. Lee reported that the Committee on Public Morals had had under consideration Senate Bill No. 125, entitled "An Act to authorize the incorporation of Rural Cemetery Associations," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Accepted, and bill placed on file.

Mr. Hawkins, from the Standing Committee on Internal Improvements, to which was referred the bill No. 125, entitled "An Act to amend an Act amendatory of an Act supplemental to an Act, entitled an Act granting Moses Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the sink of Carson river and Reese river, approved December nineteen, one thousand eight hundred and sixty-two, approved February eighteen, one thousand eight hundred and sixty-four, reports that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House without amendment, and recommend its passage.

Also, Bill No. 115, "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in the county of Ormsby," and recommend its indefinite postponement.

C. HAWKINS,  
Chairman.

Accepted, and bill placed upon file.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found them correctly enrolled; and that the same were this day delivered to the Governor for his approval, viz:

Assembly Bill No. 24, "An Act fixing the terms of the courts of justice of the State of Nevada."

Also, Assembly Bill No. 129, "An Act concerning the office of [Secretary of State.]"

Also, Assembly Bill No. 144, "An Act for the relief of Gorham H. Moore."

Also, Assembly Bill No. 151, "An Act to provide for the payment of the outstanding warrants of Storey County."

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted.

On motion of Mr. McKeeby, the Assembly Bill No. 14, entitled "An Act to provide for the election of Presidential Electors, Members of Congress, and State and County Officers, and to preserve the purity of elections," was taken from the table and recommitted to Committee on Elections.

Mr. Cutter, pursuant to notice, now moved to reconsider the vote by which Senate Bill No. 133, entitled "An Act to provide for the government of the State Prison of the State of Nevada," was lost.

Carried.

And Mr. Cutter moved that the bill be made the special order for Friday, February seventeenth, at twelve o'clock m.

Carried, and so ordered.

Mr. McKeeby offered the following resolution :

*Resolved*, That the committee appointed to confer with the County Commissioners of Ormsby County in relation to the rent of capitol buildings, be requested to report progress.

Adopted.

The following messages were received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 10th, 1865. }

*To the Hon. Assembly :*

I am directed to return to your honorable body the following bills, which passed the Senate, notwithstanding the objections of the Governor :

First. Assembly Bill No. 64, "An Act authorizing Jerry Schooling, his associates and assigns, to construct and maintain a toll road." Ayes, 12; noes, 5.

Second. Assembly Bill No. 47, "An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road," approved December nineteenth, one thousand eight hundred and sixty-two. Ayes, 12; noes, 5.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
February 10th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, the following bills, which passed the Senate this day :

First. Senate Bill No. 20, "An Act authorizing the construction of a railroad from Virginia City to the Truckee River."

Second. Senate Bill No. 182, "An Act to repeal section four of an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," passed February fourth, one thousand eight hundred and sixty-five.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 20, entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee River," reported in Senate message, was taken up, rules suspended, bill read first and second time by title, and referred to Committee on Internal Improvements.

Senate Bill No. 182, "An Act to repeal section four of an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," passed February fourth, one thousand eight hundred and sixty-five, reported in Senate message, was taken up, rules suspended,

bill read first and second times by title; rules further suspended, and the bill read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Young.

Mr. Speaker declared the bill duly passed, and ordered the same returned to the Senate.

Mr. McKeeby, by unanimous consent, introduced the following bill, entitled "An Act to regulate and enforce the collection of delinquent taxes."

Rules suspended, bill read first and second times by title, and referred to Committee on Ways and Means.

Mr. St. Clair introduced concurrent resolution relating to establishing postoffices at St. Clair Station, Stillwater and La Platta.

Rules suspended, resolution read first and second times, and referred to Committee on Federal Relations.

On motion of Mr. Bishop, the House adjourned at twelve o'clock M.

---

## SIXTY-FOURTH DAY.

MONDAY, February 13th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Brown, Bishop, Cary, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And the following were absent, viz:

Messrs. Beck, Bolan, Bien, Bond, Cutter, Epstein, Myrick, Patten, Rosenblatt, Small, Smith, and Wellington. Present, 23; absent, 12.

Prayer by the Rev. Mr. Nims.

The journal of Saturday read and was approved.

Mr. Walter gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act concerning District Court Reporters for the various Judicial Districts of this State."

Mr. Lee, by unanimous consent, introduced the following bill entitled "An Act to provide for the incorporation of Railroad Companies, and the management of the affairs thereof, and other matters relating thereto."

Rules suspended, bill read first and second time by title, and referred to committee on Internal Improvements.

Mr. Brown, from the committee on Elections, reported as follows:

*Mr. Speaker :*

Your committee on Elections to whom was referred Assembly Bill No. 14, "An Act to provide for the election of Presidential Electors, Members of Congress, and State and County officers, and to preserve the purity of elections," beg leave to report that they have had the same under consideration, made some amendments thereto, and directed their Chairman to report the bill back and recommend its passage; they further recommend the usual number of copies be printed.

Report adopted.

Mr. Brown, from the Committee on Elections, also made the following majority report :

*Mr. Speaker :*

Your Committee on Elections, to whom was referred resolutions relative to the calling of a special election for the election of a member of Congress, and instructed to report on the expediency thereof, beg leave to report that, in their judgment, it is inexpedient to call such special election.

D. H. BROWN,  
Chairman.

Mr. Young, from the Committee on Elections, made the following minority report :

*Mr. Speaker :*

The minority of the Committee on Elections believing that an extra session of Congress will be convened by the President between the time of the expiration of the present Congress and the commencement of the next, knowing that this State will be without a representative in the same, beg leave to report to your honorable body the expediency of a special election for member of Congress at the earliest possible time.

Respectfully,

R. A. YOUNG.

Reports accepted.

Minority report rejected and majority report adopted.

Mr. Parker, by unanimous consent, introduced the following bill entitled "An Act to amend an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada."

Rules suspended, bill read first and second times by title, and referred to the Judiciary Committee.

Mr. Hinckley, from the Lander County delegation, reported as follows :

*Mr. Speaker :*

Your special committee, to whom was referred Assembly Bill No. 157, entitled "An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander County for the year A. D. one thousand eight hundred and sixty-four," beg leave to report that they have had the same under consideration—report the same back, and recommend its passage.

J. L. HINCKLEY,  
M. A. ROSENBLATT,  
E. P. SINE,  
D. P. WALTER,

Special Committee of the Lander County Delegation.

Report adopted, and bill placed upon file.

On motion of Mr. Walter, Assembly Bill No. 157, entitled "An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander County for the year A. D. one thousand eight hundred and sixty-four," was taken up, rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 11th, 1865. }

*To the Hon. the Assembly of Nevada:*

I herewith return to your honorable body Assembly Concurrent Resolution No. 28, relating to the appointment of a committee to investigate the affairs of the Storey County Hospital, the same having been adopted by the Senate, without amendment, and Mr. Slingerland appointed on the part of the Senate.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
February 13th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to inform your honorable body that Messrs. Haines and Winton were appointed a committee on the part of the Senate to act with a like committee on the part of your honorable body, to investigate State printing, in accordance with Assembly Concurrent Resolution No. 26.

Respectfully,  
GEO. R. AMMOND,  
Assistant Secretary of the Senate.

GENERAL FILE.

Assembly Bill No. 65, "An Act defining the duties and fixing the salary of the Governor's private Secretary," together with the substitute therefor reported by the Committee on Ways and Means, was taken from file, and, on motion of Mr. Bishop, the House resolved itself into Committee of the Whole for the consideration of the bill and substitute.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly bill, "An Act defining the duties and fixing the salary of the Governor's private secretary," together with the substitute, had gone through therewith, had adopted the substitute of the Committee of Ways and Means, and directed their chairman to report the bill to the House, and recommend its passage.

Report adopted, and the bill ordered engrossed.

Senate Bill No. 121, "An Act to appropriate one thousand dollars to purchase and provide furniture for the Supreme Court room of the State of Nevada," was taken from file, and, on motion of Mr. Bishop, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

The Chairman reported the bill back to the House without recommendation, and the question being, Shall the bill be indefinitely postponed? it was carried, and the bill so ordered.

Substitute Senate Bill No. 55, entitled "An Act authorizing the Secretary of State to employ a clerk, and fixing his compensation," was taken from file, and, on motion, indefinitely postponed.

Senate Bill No. 76, entitled "An Act authorizing the payment of expenses incurred in telegraphing State Constitution," was taken from file, and, on motion of Mr. Brown, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

The chairman reported the bill to the House without amendment, and recommended its passage.

Accepted, and the bill laid upon the table.

Assembly Bill No. 121, entitled "An Act for securing liens to corral-keepers and others," was taken from file, and, on motion, indefinitely postponed.

Assembly Bill No. 27, entitled "An Act to amend an Act in relation to County Treasurers," was taken from file, and, on motion, laid upon the table.

Assembly Bill No. 23, entitled "An Act creating Boards of County Commissioners, and defining their duties," was taken from file, and on motion, laid upon the table.

Assembly Bill No. 123, entitled "An Act to repeal an Act passed December nineteenth, one thousand eight hundred and sixty-two, entitled an Act amendatory of section thirty-four of an Act entitled an Act defining the time of commencing civil actions," approved November twenty-first, one thousand eight hundred and sixty-one, and to repeal section thirty-four of said original Act, was taken from the file, and, on motion, indefinitely postponed.

Assembly Bill No. 18, entitled "An Act in relation to the Boards of County Commissioners in the several counties in this State, defining their powers and duties, and other matters in relation thereto," was taken from the file, and, on motion, placed at the bottom of the file, and two hundred and forty copies ordered printed.

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

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

#### GENERAL FILE.

On motion of Mr. Epstein, the House resolved itself into Committee of the Whole for consideration of bills on general file.

Mr. Speaker in the chair.



Senate Bill No. 103, entitled "An Act granting further powers to District Attorneys of the several counties within this State in suits for delinquent taxes for the fiscal year one thousand eight hundred and sixty-four," was taken up, read, and the committee recommended the passage of the bill without amendment.

Assembly Bill No. 138, entitled "An Act concerning County Recorders, and defining their duties," was taken up, read, and the committee recommended its passage without amendment.

Senate Bill No. 95, entitled "An Act regulating proceedings upon *quo warranto* and information in the nature thereof," was taken up, read, and the committee recommend its passage without amendment.

Assembly Bill No. 130, entitled "An Act to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada," was taken up, and the committee recommend its indefinite postponement.

Assembly Bill No. 141, entitled "An Act accepting the provisions of an Act of Congress, entitled "An Act donating Public Lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," approved July second, one thousand eight hundred and sixty-two; and amended and approved April fourteen, one thousand eight hundred and sixty-four," was taken up, read, and the committee recommend its passage without amendment.

Senate Bill No. 19, entitled "An Act to provide for the publication of a volume of reports of all the decisions of the Supreme Court of the Territory of Nevada," was taken up, read, and the committee recommend its passage without amendment.

Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in Courts of Justice of the State of Nevada," was taken up and read, amended, and its passage recommended as amended.

Assembly Bill No. 21, "An Act to define the duties of Coroner," was taken up, and its indefinite postponement recommended.

Assembly Bill No 97, entitled "An Act relating to Wild Game and Fish," was taken up, amended, and its passage recommended.

Assembly Bill No. 115, entitled "An Act to authorize John Ford and others, to construct a toll road in Ormsby county," was taken up, and its indefinite postponement recommended.

Senate Bill No. 120, entitled "An Act to prevent gaming," was taken up, read, and its passage recommended.

Assembly Bill No. 35, entitled "An Act for the abatement of certain public nuisances," was taken up, and its indefinite postponement recommended.

Assembly Bill No. 125, entitled "An Act to amend an Act entitled an Act amendatory of and supplemental to an Act entitled an Act granting Moses Job, Emanuel Penrod, their heirs and assigns, to construct and maintain a toll road," etc., was taken up, and its passage recommended as amended.

Senate bill No. 125, entitled "An Act to authorize the incorporation of rural cemetery associations," was taken up, read, and its passage recommended.

Report of committee adopted.

#### THIRD READING OF BILLS.

Senate Bill No. 19, entitled "An Act to provide for the publication of

a volume of reports of all the decisions of the Supreme Court of the Territory of Nevada," was taken up, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 20; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Rigby, Sine, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bond, Shackelford and St. Clair.

Mr. Speaker declared the bill duly passed.

Senate Bill No. 95, entitled "An Act regulating proceedings upon *quo warranto*, and information in the nature thereof," was taken up, read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Lee, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 138, entitled "An Act concerning County Record-ers and defining their duties," was taken up, rules suspended, bill considered engrossed, read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 97, entitled "An Act relating to wild game and fish," was taken up, and ordered engrossed for a third reading.

Assembly Bill No. 21, entitled "An Act to define the duties of Coron-ers," was taken up, and, on motion, indefinitely postponed.

Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada," was ordered re-engrossed for a third reading.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 13th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I have this day approved Assembly Bill No. 24, "An Act fixing the terms of the courts of justice of the State of Nevada."

HENRY G. BLASDEL,  
Governor.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 13th, 1865. }

*To the Hon. the Assembly of the State of Nevada:*

I herewith transmit to your honorable body the accompanying Senate Bill No. 74, entitled "An Act to provide for constructing and maintaining toll roads in the State of Nevada," the same having passed the Senate this day, in which the concurrence of your honorable body is requested.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Senate Bill No. 74, entitled "An Act to provide for constructing and maintaining toll roads in the State of Nevada," reported in Senate message, taken up, rules suspended, bill read first and second time by title, and referred to Committee on Internal Improvements.

Senate Bill No. 103, entitled "An Act granting further powers to District Attorneys of the several counties within this State, in suits for delinquent taxes for the fiscal year one thousand eight hundred and sixty-four," was read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 25; noes 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Assembly Bill No. 33, entitled "An Act for the encouragement of mining," was taken up and laid upon the table.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following House Bills with the original as ordered engrossed, and found the same correctly engrossed, viz:

Assembly Bill No. 65, "An Act defining the duties and fixing the salary of the Governor's Private Secretary."

Also, No. 86, "An Act to authorize Married Women to transact business in their own name as sole traders."

Also, No. 157, "An Act to legalize the assessment of real and personal property as made by the Board of County Commissioners of Lander county for the year one thousand eight hundred and sixty-four."

Accepted.

Assembly Bill No. 141, ordered engrossed for a third reading.

Mr. Bond, by unanimous consent, introduced the following bill, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in courts of justice in the Territory of Nevada."

Rules suspended, bill read first and second times by title, and referred to the Judiciary Committee.

Mr. Shackelford gave notice of motion to reconsider the vote by which Senate Bill No. 103, "An Act granting further powers to District Attorneys," etc., passed.

Mr. Denson, by unanimous consent, introduced the following bill, entitled "An Act to regulate the exercise of the pardoning power."

Rules suspended, bill read first and second times by title, and referred to Judiciary Committee.

On motion of Mr. Parker, the House adjourned at four o'clock and fifteen minutes P. M.

## SIXTY-FIFTH DAY.

TUESDAY, February 14th, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz : Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And the following were absent, viz :

Messrs. Bolan, Bien, Greeley, and Wellington.

Present, 29 ; absent, 4.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

Mr. Patten introduced the remonstrance of Michael Burns and others relating to the division of Storey County, which was referred to the Committee on Counties and County Boundaries.

Leave of absence was granted Mr. Rosenblatt for two days.

## REPORTS OF COMMITTEES.

Mr. Bearss, from the Committee of Corporations, reported as follows :

*Mr. Speaker :*

The Standing Committee on Corporations, to whom was referred Assembly Bill No. 102, "An Act to provide for the formation of corporations for certain purposes," having considered the same, beg leave to report the bill back to the House without recommendation.

A. C. BEARSS,  
Chairman.

Accepted, and bill placed upon file.

Mr. St. Clair, Chairman from Standing Committee on Contingent Expenses, begs leave to report that they have had the following bill under consideration, find the same correct, and recommend the payment thereof out of the contingent fund of the Assembly : To S. Pixley, for carpenter work, fixing and repairing desk, etc., two hundred and eighteen dollars.

J. A. St. CLAIR,  
Chairman.

Accepted, and on motion of Mr. Mayhugh, the report was referred to a select committee of five, and Mr. Speaker appointed as such committee Messrs. Mayhugh, Myrick, Dun, Walter and Greeley.

The following messages were received from the Governor :

EXECUTIVE DEPARTMENT, CARSON, }  
February 14th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have this day approved Assembly Bill No. 151, "An Act to provide for the payment of the outstanding warrants of Storey County."

HENRY G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
 CARSON CITY, February 14th, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 129, "An Act concerning the office of Secretary of State."

HENRY G. BLASDEL,  
 Governor.

Senate Bill No. 44, entitled "An Act to provide for organizing and disciplining the militia of the State," was taken up, and, on motion, re-committed to the Committee on Military and Indian Affairs.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as ordered engrossed, and found the same correctly engrossed, viz :

No. 83, "An Act to regulate the proceedings of attachment in civil cases in the courts of justice of the State of Nevada."

No. 141, "An Act accepting the provisions of an Act of Congress entitled an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, one thousand eight hundred and sixty-two, and amended and approved April fourteenth, one thousand eight hundred and sixty-four.

No. 125, "An Act to amend an Act granting to Moses Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the sink of Carson River and Reese River," approved December nineteenth, one thousand eight hundred and sixty-two, approved February eighteenth, one thousand eight hundred and sixty-four.

No. 97, "An Act relating to wild game and fish."

Accepted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
 February 13th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 132, "An Act to provide for paying the expenses of reporting and publishing the debates and proceedings of the Constitutional Convention, which assembled at Carson City July fourth, one thousand eight hundred and sixty-four," the same having passed the Senate this day, in which the concurrence of your honorable body is requested.

Respectfully,

GEO. R. AMMOND,  
 Assistant Secretary.

Senate Bill No. 132, entitled "An Act to provide for paying the expenses of reporting and publishing the debates and proceedings of the Constitutional Convention, which assembled at Carson City July fourth, one thousand eight hundred and sixty-four."

Rules suspended, [bill] read first and second times by title, and referred to the Committee of Ways and Means.

Mr. Walter, pursuant to notice, introduced the following bill, "An Act

concerning District Court Reporters of the various judicial districts in this State."

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

Mr. Denson, by unanimous consent, introduced the following bill, entitled "An Act to extend the time for commencing suits for the collection of delinquent taxes for the year one thousand eight hundred and sixty-four."

Rules suspended, bill read first and second times by title; rules further suspended, bill considered engrossed, read a third time, and, on motion, the bill was recommitted to a select committee of one, with special instructions to amend as follows: Strike out "fifteenth day of March" wherever it occurs in the bill, and insert the "first day of April."

Mr. Bond was appointed by the chair as such committee, who forthwith reported the bill back to the House, amended as per instructions.

Mr. Shackelford moved that the bill be indefinitely postponed; upon which the ayes and noes were called for by Messrs. Patten, Shackelford and Mayhugh, and the roll called, with the following result: Ayes, 9; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Greeley, Myrick, Patten, Small, Shackelford, Smith, St. Clair, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Rigby, Sine, Toombs, and Walter.

The motion to indefinitely postpone was lost.

The previous question was called for and sustained.

The main question now being, Shall the bill pass? the roll was called with the following result: Ayes, 22; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Sine, Toombs, and Walter.

And in the negative—

Messrs. Greeley, Myrick, Small, Shackelford, Smith, St. Clair, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed.

Mr. Patten gave notice of motion to reconsider the vote just taken.

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

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called and a quorum present.

On motion of Mr. Smith, the special order of the day was postponed for ten minutes.

Mr. Epstein, from select committee, reported as follows:

*Mr. Speaker:*

Your select committee, to which was referred Senate Bill No. 190,

"An Act to provide for the payment of the outstanding indebtedness of Douglas County," beg leave to report that they have had the same under consideration, made one amendment thereto, and have come to a favorable conclusion thereon, and report the bill to the House, and recommend its passage as amended.

JAS. W. SMALL,  
H. EPSTEIN.

Report accepted, and bill placed upon file.

Mr. Lee, by unanimous consent, introduced the following bill, entitled "An Act to provide for the publication of the laws of the first session of the Nevada State Legislature."

Rules suspended, bill read first and second times by title, and laid upon the table.

The special order of the day, Assembly Bill No. 55, entitled "An Act in relation to the current money in the State of Nevada, and the rate of interest to be charged thereon," was taken up, and Mr. Sine moved that the bill be indefinitely postponed.

Carried, and so ordered.

Mr. Patten moved that the bill introduced by Mr. Lee, "An Act to provide for the publication of the laws of the first session of the Nevada State Legislature," be now taken up, and referred to a select committee of five.

Mr. Shackelford moved to refer the bill to the Standing Committee on Printing.

Carried, and so ordered.

#### THIRD READING OF BILLS.

Senate Bill No. 120, entitled "An Act to prevent gaming," was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Patten, Rigby, Small, Sine, Shackelford, and Toombs.

And in the negative—

Messrs. Bolan, Dun, Greeley, Nichols, Smith, St. Clair, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate bill No. 125, entitled "An Act to authorize the incorporation of rural cemetery associations, was taken up, read a third time, and placed upon its final passage, and the roll was called with the following result: Ayes, 28; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rigby, Shackelford, Sine, Smith, St. Clair, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Bill No. 65, entitled "An Act defining the duties and fixing the salary of the Governor's private secretary," was taken from the file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bishop, Bond, Cary, Dun, Epstein, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols, Patten, Rigby, Shackelford, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Cutter, Greeley, Mayhugh, and Sine.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 86, entitled "An Act to authorize married women to transact business in their own name as sole traders," was taken up and read a third time.

Mr. Brown moved that the bill be recommitted to a select committee of one, with instructions to amend as follows :

Strike out all of section two, and insert as follows :

Section Two. Any married woman, residing within this State, desirous to avail herself of the benefit of this Act, shall give notice thereof by advertising in some public newspaper of general circulation in the county in which she resides, for four successive weeks; *provided*, if any newspaper be published in said county, said publication shall be made in the paper so published in said county. Such notice shall set forth that it is her intention to make application to the District Court of said county on the day therein named, for an order of said Court permitting her to carry on business in her own name and on her own account, and it shall specifically set forth the nature of the business to be carried on. On the day named in notice, or at such further time as the Court may appoint on filing proof of publication, the Court shall proceed to examine the applicant, on oath, as to the reasons which induce her to make the application, and if it appear to the Court that a proper case exists, it shall make an order, which shall be entered on the minutes, that the applicant be authorized and empowered to carry on, in her own name, and on her own account, the business, trade, profession, or art, named in the notice; but the insolvency of the husband, apart from other causes tending to prevent his supporting his family, shall not be deemed to be sufficient cause for granting such application. Any creditor of the husband may oppose such application, and may show that it is made for the purpose of defrauding such creditor, and preventing him from collecting his debt, or will occasion such result, and if it shall so appear to the Court, the application shall be denied. On the hearing, witnesses may be examined on behalf of either party. Before making the order, the Court or Judge shall administer to the applicant the following oath: "I, A B, do, in presence of Almighty God, truly and solemnly swear that this application is made in good faith, for the purpose of enabling me to support myself and my children (if the applicant have minor children), and not with any view to defraud, delay, or hinder any creditor or creditors of my husband; and that of the moneys so to be used in said business not more than five hundred (\$500) dollars has come, either directly or indirectly, from my husband; so help me God." A certified copy of said order, with the said oath endorsed thereon, shall be recorded in the office of the Recorder of the county where the business is to be carried on, in a book to be kept for such purpose.

Strike out section three and insert as follows :

Section Three. After the order has been duly made and recorded, as provided in the second section of this Act, the person therein named shall be entitled to carry on such business in her own name, and the



property, revenue, moneys, and credits so invested, shall belong exclusively to such married woman, and shall not be held liable for any debts of her husband; and such married woman shall be allowed all the privileges, and be liable to all legal processes, now or hereafter provided by law against debtors and creditors, and may sue and be sued alone, without being joined with her husband. But nothing contained in this Act shall be deemed to authorize a married woman to carry on business in her own name, when the same is managed or superintended by her husband.

Strike out section five.

Carried, and the Speaker appointed Mr. Brown as such committee.

Assembly Bill No. 83, entitled "An Act to regulate the proceedings of attachments in civil cases in the courts of justice of the State of Nevada," was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Bond, Cary, Cutter, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Rigby, Shackelford, Sine, Walter, and Young.

And in the negative—

Messrs. Beck, Dun, Myrick, Nichols, Smith, St. Clair, Toombs and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Haskell, the House took a recess at three o'clock and fifteen minutes P. M., until seven o'clock P. M.

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

The roll called.

Quorum present.

The special order of the day, Assembly Concurrent Railroad Resolutions, were taken up, and Mr. Bond moved to indefinitely postpone the resolutions.

Mr. Patten and Mr. Hawkins arose to address the chair. Mr. Patten was recognized by the chair, upon which Mr. Hawkins arose to a point of order, which was, that he was the first to address the chair, and was therefore entitled to the floor.

The Speaker decided the point of order not well taken.

Mr. Hawkins appealed from the decision of the chair.

The ayes and noes were called for by Messrs. Hawkins, Parker and Brown, and the roll called with the following result: ayes, 17; noes, 15—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Patten, Shackelford, Smith, Walter and Young.

And in the negative—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Nichols, Parker, Rosenblatt, Rigley, Small, Sine and Wellington.

The decision of the chair was sustained.

The question now being, shall the resolutions be indefinitely postponed, Mr. Patten moved the previous question.

Mr. Hawkins arose to address the chair by leave, but objections being made, the question was, Shall the gentleman have leave? Upon which the ayes and noes were called by Messrs Myrick, Parker and Hopkins, and the roll called with the following result: ayes, 27; noes, 8—as follows:

Those voting in the affirmative were:

Messrs. Bearss, Beck, Brown, Bien, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bolan, Bishop, Dun, Greeley, Haskell, Myrick, Patten, and Young.

Mr. Speaker declared that leave was granted.

Mr. Patten arose to a point of order, which was that leave was granted during a pendency of the call for the previous question.

The Chair decided the point of order not well taken.

The question now being, shall the previous question be ordered?

Lost.

The question now being shall the resolutions be indefinitely postponed? [pending which]

Mr. Patten moved that the House do now adjourn, upon which the ayes and noes were called by Messrs. Patten, Parker and Lee, and the roll called with the following result: ayes, 19; noes, 16.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Rigby, Shackelford, Smith, St. Clair, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Small, Sine, Toombs, and Wellington.

Motion to adjourn carried, and accordingly at nine o'clock and fifteen minutes p. m., the House adjourned.

---

## SIXTY-SIXTH DAY.

WEDNESDAY, February 15th, 1865.

House met pursuant to adjournment.

Mr. Parker, speaker *pro tem*, in the chair.

The roll was called, and the following members were present, viz:

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

And absent—Messrs. Brown, Greeley, McKeeby, and Mr. Speaker.

Present, 31; absent, 4.

Leave of absence granted to Messrs. Brown, St. Clair, and Greeley, and to Mr. Allen, the clerk, for one day each.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

#### REPORTS.

Mr. Hawkins, from the Standing Committee on Internal Improvements, to which was referred Senate Bill No. 74, entitled "An Act authorizing County Commissioners to grant franchises for toll roads and bridges within their respective counties," report that they have had the same under consideration, and directed their Chairman to report the same to the House and recommend its indefinite postponement. Also recommend, that the House allow the committee on Internal Improvements to send for persons and papers regarding Senate Bill No. 20, "An Act entitled an Act authorizing the construction of a Railroad from Virginia City to Truckee river."

Accepted.

Mr. Rigby, from the Standing Committee of Ways and Means, reported as follows :

*Mr. Speaker :*

The Committee of Ways and Means, to whom was referred Senate Bill No. 132, entitled "An Act to provide for paying the expenses of reporting and publishing the debates and proceedings of the Constitutional Convention, which assembled at Carson City July fourth, one thousand eight hundred and sixty-four," have had the same under consideration, and beg leave to report the same to the Assembly, and recommend its passage.

H. G. PARKER,  
Chairman.

Report and bill placed on file.

Mr. Haskell, from the Committee on Federal Relations, reported as follows :

*Mr. Speaker :*

The Committee on Federal Relations, to whom was referred Senate Bill No. 63, "An Act to provide for the disposition of the sixteenth and thirty-sixth sections of the public land donated by the United States Government to the State of Nevada," have had the same under consideration, and have directed their chairman to report the same back to the House without amendments, and recommend its passage.

HASKELL,  
Chairman.

Report and bill placed on file.

Mr. Bishop, from the Standing Committee on Printing, reported as follows :

The Committee on Public Printing, to whom was referred Assembly Bill No. 169, entitled "An Act to provide for the publication of the laws of the first session of the Nevada Legislature," have had the same un-

der consideration, and directed their chairman to report the bill back to the House without recommendation.

WM. W. BISHOP,  
Chairman.

Report and bill placed on file.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 14th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I have this day approved Assembly Bill No. 144, "An Act for the relief of Gorham H. Moore."

H. G. BLASDEL,  
Governor.

The following messages were received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 14th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I herewith transmit to your honorable body for your concurrence, Senate Bill No. 192, "An Act to provide for the appointment of a Deputy State Controller, and to fix his compensation."

No. 137, "An Act providing for the establishment of the Nevada Polytechnic School."

Also, return Assembly Bill No. 157, "An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander County, for the year one thousand eight hundred and sixty-four," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
February 14th, 1865. }

*To the Hon. Assembly of Nevada :*

I am directed by the honorable, the Senate, to inform your honorable body that the Senate has this day indefinitely postponed the following Assembly bills :

No. 9, "An Act supplementary to an Act entitled an Act concerning conveyances," passed November five, one thousand eight hundred and sixty-one.

No. 10, "An Act creating the office and defining the duties of Public Administrators."

No. 11, "An Act adopting the common law in the State of Nevada."

No. 63, "An Act to exclude traitors and alien enemies from the Courts of Justice in civil cases."

No. 104, "An Act to provide for the formation of limited partnership."

All of which said bills are transmitted herewith.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 192, "An Act to provide for the appointment of a Deputy State Controller, and to fix his compensation," reported in Senate message, was taken up, read first and second times, and on motion of Mr. Hawkins the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

The Chairman reported that the Committee of the Whole had had under consideration Senate Bill 192, "An Act to provide for the appointment of a Deputy State Controller and to fix his compensation," had gone through therewith, had made no amendments thereto, and recommended its passage.

Report accepted.

Rules suspended, bill read a third time and placed upon its final passage.

The roll was called with the following result: Ayes, 24; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bien, Bearss, Bishop, Bond, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, and Toombs.

And in the negative—

Messrs. Beck, Bolan, Shackelford and Young.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Epstein, the rules were suspended, and Senate Bill No. 170, "An Act to provide for the payment of the outstanding indebtedness of Douglas County," was taken up, read, amendments adopted.

Rules suspended, bill read a third time and placed upon its final passage.

The roll was called with the following result: Ayes, 28; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Toombs, and Wellington.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 137, "An Act providing for the establishment of the Nevada Polytechnic School," reported in Senate message, was taken up, read first and second times by title, and referred to the Committee on Education.

Mr. Shackelford offered Concurrent Resolution relating to printing the general laws of this session.

Mr. Bond moved to lay the resolution on the table.

Lost.

The question being upon the passage of the resolution, Mr. Cutter moved its indefinite postponement.

Upon which the ayes and noes were called for by Messrs. Cutter, Bishop and Shackelford, and the roll was called with the following result: Ayes, 10; noes, 17:

Those voting in the affirmative were—

Messrs. Bishop, Bond, Cutter, Epstein, Mayhugh, Nichols, Patten, Rosenblatt, Sine, and Smith.

And in the negative—

Messrs. Beck, Bolan, Bien, Cary, Denson, Dun, Hinckley, Lee, Myrick, McKeeby, Parker, Rigby, Small, Shackelford, and Walter.

Motion to indefinitely postpone lost.

Mr. Lee offered a substitute for the original, which was read, and on motion of Mr. Bolan, the substitute, together with the original, was indefinitely postponed by the following vote: Ayes, 18; noes, 8.

Mr. Bond, from the Standing Committee on Military and Indian Affairs, reported as follows:

*Mr. Speaker:*

The Committee on Military and Indian Affairs have had under consideration Senate Bill No. 44, "An Act to provide for organizing and disciplining the militia of the State," have made the following amendments thereto, and directed their chairman to report the bill back as amended, and recommend its passage.

Amend section eighteen, by inserting after the word "ballot," in the third line, "and shall require a majority of all the votes of the company to elect an officer."

Also, add to the end of said section, "who shall hold their respective offices for the period for which they were elected."

Amend section twenty-nine, by inserting after the word "by," in the tenth line, "a majority of."

Strike out section fifty-four.

Amend section seventy-seven, by inserting after the word "expense," in the sixth line, "or if on duty for the State, at the State's expense."

ERASTUS BOND,  
Chairman.

Report accepted and bill placed upon file.

Mr. Bien, by unanimous consent, introduced concurrent resolution relating to the bad condition of Devil's Gate toll road.

Mr. Shackelford moved that the resolution be indefinitely postponed.

The previous question was called for, and the main question was sustained.

The resolution was again read, and upon its indefinite postponement the ayes and noes were called for by three, and the roll called with the following result: Ayes, 19; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Cary, Cutter, Denson, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Parker, Patten, Shackelford, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Bien, Bond, Dun, Nichols, Rosenblatt, Rigby, Sine, and Smith.

Mr. Speaker declared the resolution indefinitely postponed.

On motion of Mr. Sine, the House took a recess at twelve o'clock and thirty minutes to two o'clock p. m.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum not being present, on motion of Mr. Hawkins, the House adjourned at two o'clock and five minutes p. m.

## SIXTY-SEVENTH DAY.

THURSDAY, February 16th, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and the following members were present, viz :

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeey, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Mr. Bolan.

Present, 34; absent, 1.

Prayer by the Rev. Mr. Nims.

The journal of yesterday was read and approved.

## REPORTS.

Mr. Brown, from a select committee, reported Bill No. 86 back amended as per instructions.

Accepted, and bill ordered re-engrossed for a third [reading.]

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 157, "An Act to legalize the assessment of real and personal property as made by the Board of County Commissioners of Lander County, for the year A. D. one thousand eight hundred and sixty-four."

Also, correctly enrolled and handed to the Secretary of State, Assembly Concurrent Resolution No. 28, authorizing appointment of committee to examine Storey County Hospital.

Accepted.

Mr. Mayhugh, from a select committee, reported as follows:

*Mr. Speaker:*

Your special committee of five, to whom was referred the report of the Standing Committee on Contingent Expenses, together with the bill of S. Pixley, for labor performed and material furnished for the Assembly, have had the same under consideration, and have directed their chairman to report the same back, and recommend the deduction of forty-two dollars from said bill.

All of which is respectfully submitted.

JOHN S. MAYHUGH, Chairman.  
J. A. DUN,  
J. A. MYRICK,  
D. P. WALTER.

Report adopted, and the amount ordered deducted from original bill.

Mr. Bien, from a select committee appointed to investigate the affairs of the Storey County Board of Education, reported as follows:

*To the Hon. the Senate and Assembly:*

GENTLEMEN:—Your committee, appointed to investigate the public school affairs of Storey County, have, as far as their limited time for a work of so large extent permitted, completed their labor, and hereby respectfully submit to your honorable body their report.

On Tuesday, the seventh day of February, we proceeded to Virginia, and after having given due notice to the present County Board of Education, we met that body on the evening of the same day. It behooves us to state that it was in full accordance with their wishes that an investigation as our commission called for should be had, and we found them ready and willing to testify to all questions proposed to them, as also to give us full access to their books, papers and vouchers. It has been unfortunate that a defective annual report of the financial condition of school affairs was rendered to the State Superintendent, wherein the accounts of the former and the present Board were mixed together, thereby not enabling any one to form a correct idea of income and expenditure, and causing a great deal of prejudice, clamor and misrepresentation. This was conceded by the entire Board, and the Treasurer set to work to furnish us with a distinct and comprehensive statement. We otherwise found the documents of this Board in complete order, carrying on a set of books which will at a glance enable us to clearly perceive all their monetary transactions. And while we have cause to be entirely satisfied with the good will and earnest endeavors of this Board to advance and foster the interests of their charge, we must take exceptions to the raising of salaries of some of those employed, under the embarrassed circumstances that the public schools of Storey County are now placed. We are constrained to think so the more, when seeing that for want of means even the most necessary school furniture, in some of the rooms, is wanting. Not that we would not willingly advocate the most munificent reward to those employed in so important duties, but for the reason that the county is utterly unable at present to pay more than fair wages. We therefore would recommend retrenchment in this respect, and by the readiness with which they have attended to other of our suggestions, it is fair to presume that they will act upon this at once.

By schedule A, it will be seen what their expenditures have been from May to October, last year, and by schedule B, from that time to the present date.

We next proceeded to visit the several schools of the county, in company and with the accommodations of the President and Secretary of the Board. We found the school house on F street, in Virginia, in a very sad plight; indeed, a standing reproach to the city and county, much more resembling a stable than the halls of education. There is one room not over seven feet high, and not more than ten by twelve feet in size, which, we are assured, contains from fifty to sixty children, assembled, compelled there to breathe the foul air emanating from the lowness of the ground, and the exhalations of the poor little ones there daily assembled. A large amount of the furniture is of the poorest quality, and wholly unfit for a school room. The play ground is utterly devoid of any of its requisite qualities, and the entire property constitutes a fit subject for the attention of a Grand Jury. The streets and avenues leading to the building are almost impassable, and many children thereby deprived from attending.

The other school houses we found in a much better condition, particu-



larly those in Gold Hill, which are an ornament to that city; also the school house in Flowery District. For the erection of the latter too much praise cannot be bestowed on the Gould & Curry Company, who have almost entirely defrayed the expense of the same, and otherwise taken great interest in the promotion and welfare of the school.

In American Flat, a place has been temporarily fixed up, but it is the intention of the Board in the spring to build an extra house upon the lot donated by the town for school purposes. We found the following scholars present in the several departments :

Virginia, Third Ward—Principal Department, Mr. E. L. White; number of scholars, twenty-four; Miss Matthews' Department, twenty-six scholars; Miss Bisbie's, thirty-two scholars; Miss Lecount's, thirty-three scholars; Miss Fitzgerald's, thirty-three scholars.

Virginia, First Ward—Intermediate Department, Mrs. McLaughlin, thirty scholars. Primary Department, Miss Cordiell, thirty scholars.

Flowery District—Mixed class, Miss Provost, twenty-five scholars.

Gold Hill—Intermediate Department, Miss Crocker, thirty scholars. Primary Department, Miss Meacham, thirty scholars.

American Flat—Mixed Class, Miss George, has an average of twenty-six scholars. [Giving a total in the Public Schools of Virginia School District, of three hundred and nineteen scholars.] Undoubtedly the inclement weather of the winter has much decreased the number of scholars, which is much larger, as the register shows, when the season is fair.

We find the schools, by their general appearance, and from the examination had, are at present conducted on a creditable scale. The departments of Miss Bisbee, Miss Matthews, Miss Crocker and Miss Meacham exhibit particular care and attention, and deserve praise without any desire to discriminate among the teachers. It is, however, apparent that the entire department lacks the supervision of an executive practical mind, well acquainted with and able to execute, himself, and impart to others, the great progress made in the methods of teaching and discipline, by which the schools abroad and in the Eastern States have reached so high a standard.

In behalf of some of the teachers we have taken particular care to ascertain certain charges of disloyalty preferred against them. We have examined, for this purpose, a number of witnesses; extended an invitation to the public at large, through the *Territorial Enterprise* and the *Union*, to give information and state their grievances, without any one coming forward; nor have we been able to trace out any reasonable ground for sustaining the complaints which have received publication to a large extent.

We have also inquired into certain charges made by the Board of Education against one of the teachers, Miss Phillips—(a great deal of clamor had been raised among a certain portion of the public, on account of her dismissal from the department.)

We believe we have succeeded in reconciling the several parties without doing injustice to either. In conclusion, upon the investigation had with the present Board, as seen by the proceedings accompanying this report, we express it as our belief, that apparently this honorable body labors with a good will and the earnest desire to promote the welfare and foster the interests of the important trust placed under their charge. Much less have we cause to be satisfied with that part of our proceedings relating to most of the transactions had by the Board preceding the one now in office. It is exceedingly to be regretted that for most of their

expenditures had to a large amount, neither papers or vouchers are extant. In almost all the enquiries made in this behalf, we had to accept answers, statements and information from the memory of the members. It seems that the principal affairs, then conducted in particular by the Hon. J. A. Collins, without any consideration for the necessity of future reference. In that gentleman's own words, when there were no means in the treasury, he would either advance or borrow the smaller sums required at times, and then bring the sums aggregate for settlement before the Board. One item appears on the minutes where it states that a sum of one thousand four hundred and forty-four dollars was borrowed—one thousand of which remained unaccounted for. It is true that Mr. Collins has tried to explain the subject away, but there it stands on record, needing at all times the verbal explanations which, even if given, might not at all times be accepted. In no better light appears the purchase of the several pieces of real estate. In one instance, relating to the property on F street, a charge is made that the owner offered to some of the members of the Board two thousand dollars if they would arrange to purchase the lot of the owner for seven thousand dollars. This sum, as it appears, was actually paid. As it appears in the proceedings, explanations to this subject are tried to be given; but the charges, with their inferences, stand there as a matter of record, and the proceedings and evidence had on the subject appear lame and barren. No less is it a matter of record, that a lot in the Fourth Ward was bought by that same body for the sum of two thousand six hundred dollars—one thousand three hundred paid immediately, and the balance payable next May, with three per cent. per month; now amounting in all to three thousand dollars, when that same property was purchased on the same day of the sale to the Board for one thousand two hundred dollars. The present Board has stated to us that they offered to the original owner the return of the lot and the money so advanced, if he would release them from the payment of the interest.

Large amounts of money appearing in last year's account, and still larger enhanced by the oral statements of Mr. Collins, are either unaccounted for by vouchers and papers; and all the explanation given for the use of this Committee consisted in statements made from the memory of that gentleman. The books now existing are kept in so vague and loose a manner that it is impossible to gather any distinct account therefrom. Not desirous to cast any reflection upon any one, we merely present matters of fact; and it will be the province of your honorable body to draw conclusions and reference from our arduous labors.

We finally recommend the early passage of a special Act for the regulation, government and reconstruction of the Public School system in Storey county.

All of which is respectfully submitted. H. M. BIEN, Chairman.  
ERASTUS BOND.

I concur in the above report. Not having been present at the sessions of the Committee, it is proper to state that my concurrence is based upon the fact that the substance of the report is sustained by the testimony, under oath, given before said Committee, and by them reported as a portion of the report.

WM. H. CLAGETT.

COPY OF RESOLUTION.

*Resolved*, by the Assembly, the Senate concurring, That a Committee of three (two from the Assembly and one from the Senate), be ap-

pointed by the two Houses, and instructed to proceed to Storey County, with full power to examine the books and papers of the Board of Education of that county, to administer oaths and to send for persons and papers.

We hereby certify that the above resolution was unanimously adopted by the Assembly on the fourth day of February, A. D. one thousand eight hundred and sixty-five, and that Messrs. Bien and Bond were appointed as such Committee.

H. G. PARKER, Speaker *pro tem*.

U. E. ALDEN, Chief Clerk.

We hereby certify that the foregoing resolution was adopted by the Senate February fourth, one thousand eight hundred and sixty-five, by the following vote: ayes, 7; noes, 3; and that W. H. Clagett was appointed on the part of the Senate on said Committee.

J. S. CROSMAN,  
President of the Senate.

L. B. MOORE, Secretary.

By GEO. R. AMMOND, Assistant Secretary of the Senate.

*Expenses of present Storey County Board of Education, from October 30th, 1864, to February 14th, 1865.*

Date.	Purpose.	Amount.
Jan. 23, 1865.	Paid balance of principal on lot in Fourth Ward, Virginia, purchased by previous Board.....	\$1,300 00
Jan. 23, 1865.	Interest on same for previous Board..	418 60
Nov. 2, 1864.	Interest on bond No. 6, held in San Francisco against previous Board...	240 00
Jan. 18, 1865.	Interest on bond No. 6, same as above	240 00
	Total paid by present Board for previous Board	\$2,198 60
	Present Board expenses, salaries.....	6,094 00
	Furniture for eleven schools.....	206 50
	Stationery for eleven schools.....	92 12
	Janitors for eleven schools.....	327 20
	Office rent for Board of Education.....	120 00
	Sundries for eleven schools.....	278 62
	Wood and sawing and packing, two schools, Gold Hill.....	179 00
	Wood and sawing and packing, one school, Flowery.....	129 25
	Wood and sawing and packing, one school, Amer. Flat.....	26 00
	Wood and sawing and packing, seven schools, Virginia.....	491 25
	Water for seven schools, Virginia.....	42 25
	Repairing two schools, Gold Hill.....	747 00
	Repairing seven schools, Virginia.....	152 35
	Repairing one school, Flowery.....	21 00
	Repairing one school, Amer. Flat.....	109 75
	Total.....	\$11,214 89

I certify that the foregoing statement of expenditures, to be a correct transcript from the books in the office of Board of Education, Storey county. No further warrants will be issued until March.

The amount of seven hundred and forty-seven dollars expended for repairs on the Gold Hill schools, should not be regarded as among the current ordinary expenses of the Board. It was expended to render fit to be used in inclement weather the primary school house in Gold Hill, and the house was almost entirely reconstructed; wood enough on hand to last until next winter; no outstanding indebtedness of present Board; two thousand dollars evidenced by bond, issued by previous Board, with interest of two hundred and forty dollars becomes due in June next.

February 14th, 1865.

MICHAEL FLOOD,  
Secretary.

*Disbursements of Storey County Board of Education for the year ending  
October 30th, 1864.*

On what account.	From Dec. 7, 1863, to May 18, 1864.	From May 18 to Oct. 30, 1864.
School lot and buildings.....	\$10,550 00	\$1,250 00
Bonds and coupons redeemed.....	7,360 00	
Salaries .....	6,440 99	6,524 87
Repairs and fitting up school house.....	3,625 69	341 86
Books and stationery.....	376 00	370 45
Fuel and water.....	218 50	279 50
Rents .....	200 00	150 00
Janitors .....	321 00	246 50
Furniture and fixtures for schools.....	240 45	281 28
Advertising and printing.....	190 00	112 50
Taking census 1863.....	200 00	
Taxes due on lots when bought.....	205 20	
Discount on United States notes sold.....	120 62	
Insurance to May, 1865.....		377 30
Loans and interest.....	5,548 25	
Sundries .....	460 35	180 00
	\$36,057 05	\$10,064 26

Old Board.....\$36,057 05

Present Board ..... 10,064 26

\$46,121 31

N. A. H. BALL, Treasurer.

*Memorandum of items under head of Sundries in Annual Report, expended by present Board.*

W. F.	Names and Items.	Amount.
8	C. Appel, duster .....	3 00
49	C. P. Johnson.....	12 00
64	G. Gordon, abstract title lot .....	40 00
66	L. & Allman, horse hire, Pres't.....	26 00
69	McCourt & Flood, expenses examining teachers.....	34 00
101	L. & Allman, buggy hire.....	15 00
		\$130 00

Mr. Smith moved that four hundred and eighty copies of the report be ordered printed, upon which the ayes and noes were called for by Messrs. Lee, Bond, and Hawkins, and the roll called with the following result: Ayes, 17; noes, 14.

Motion to print carried, and so ordered.

Mr. Bond moved that the vote just taken, by which the printing of the report was ordered, be reconsidered now, upon which the ayes and noes were called for by Messrs. Brown, Lee, and Hawkins, and the roll called with the following result: Ayes, 22; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Small, Shackelford, St. Clair, Walter, and Wellington.

And in the negative—

Messrs. Bien, Bond, Cutter, Greeley, Parker, Rigby, Sine, Smith, Toombs, Young, and Mr. Speaker.

The motion to reconsider was carried.

The question being, Shall the report be printed? the ayes and noes were called for by Messrs. Brown, Lee, and Parker, and the roll called with the following result: Ayes, 14; noes, 20—as follows:

Those voting in the affirmative were—

Messrs. Bien, Bond, Cutter, Epstein, Greeley, Parker, Rosenblatt, Rigby, Small, Sine, Smith, Toombs, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Denson, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Shackelford, St. Clair, Walter, and Wellington.

Motion to print was lost.

Mr. Patten gave notice of a motion to reconsider the vote just taken.

Mr. Brown rose to a point of order: that one reconsideration had been had upon the same subject, and therefore a notice of motion to reconsider was out of order.

The Speaker decided the point of order not well taken, as it was not upon the final passage of a bill.

Mr. Brown appealed from the decision of the chair.

And the decision of the chair was sustained.

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

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

The Speaker in the chair.

Roll called, and a quorum present.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz : No. 168, "An Act to extend the time for commencing suits for the collection of delinquent taxes for the year one thousand eight hundred and sixty-five."

Accepted.

Mr. Patten moved that two hundred and forty copies of the report of H. M. Bien, from select committee, be printed.

Mr. Beck moved to indefinitely postpone the motion, upon which the ayes and noes were called for by Messrs. Beck, Lee and Cutter, and the roll called, with the following result: Ayes, 15; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Denson, Dun, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols, Shackelford, and Walter.

And in the negative—

Messrs. Bolan, Bien, Bond, Cutter, Epstein, Greeley, Haskell, Mayhugh, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, Wellington, Young, and Mr. Speaker.

Motion lost.

The question now being, Shall two hundred and forty copies be printed? upon which the ayes and noes were called for by Messrs. Patten, Brown and Beck, and the rolled, with the following result: Ayes, 19; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Bolan, Bien, Bond, Cutter, Epstein, Greeley, Haskell, Lee, Mayhugh, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Denson, Dun, Hinckley, Hawkins, Myrick, McKeeby, Nichols, Shackelford, and Walter.

Motion to print carried, and so ordered.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 16th, 1865. }

*To the Hon. Assembly of Nevada:*

I have just received a dispatch from the Hon. H. G. Worthington, a Representative in Congress, concerning the adoption of the constitutional amendments by Congress. Those amendments, as adopted by Congress, have heretofore been published in the various newspapers of the country. This announcement, I suppose, simply signifies that the President has given his approval to the action of Congress, and it only remains for three-fourths of the States of the Union, through their respective Legislatures, or Conventions called for that purpose, to ratify the action of Congress, in order to rid the nation of the curse of slavery. I would respectfully request that the Legislature of Nevada take immediate steps to ratify the amendments as passed by Congress.

Nothing, I am persuaded, would give greater satisfaction to the great majority of our constituents than to have Nevada enjoy the proud distinction of being the first State to move in the great scheme for rendering this nation truly a nation of freemen.

Very respectfully submitted.

HENRY G. BLASDEL,  
Governor.

On motion of Mr. Epstein, the House took a temporary recess at two o'clock and ten minutes P. M., and at two o'clock and twelve minutes P. M. the House again resumed business, and, on motion, the Governor's message was committed to the Committee on Federal Relations.

Mr. Mayhugh gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to amend an Act to provide for the survey and to establish the western boundary line of this State," approved February seventh, A. D. one thousand eight hundred and sixty-five.

Mr. Bien gave notice that he would, at some future day, ask leave to introduce a bill entitled "An Act to abolish capital punishment in the State of Nevada."

Mr. Walter, pursuant to notice, introduced the following bill entitled "An Act concerning Mining Districts and the Recorders thereof."

Rules suspended, bill read first and second times by title, and referred to the Committee on Mines and Mining Interests.

Mr. Cutter, by unanimous consent, introduced the following bill entitled "An Act for the relief of Alexander Hunter."

Rules suspended, bill read first and second times by title, and Mr. Hawkins moved to refer the bill to special committee of three, upon which the ayes and noes were called for by Messrs. Lee, Parker, and Patten, and the roll called with the following result: Ayes, 11; noes, 22.

Those voting in the affirmative were—

Messrs. Cary, Denson, Dun, Hinckley, Hawkins, Haskell, Mayhugh, Nichols, Shackelford, Walter, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bien, Bond, Cutter, Epstein, Greeley, Lee, Myrick, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Young, and Mr. Speaker.

Motion to refer to a special committee lost.

The question now being, shall the rules be suspended and the bill be considered engrossed for a third reading, upon which the ayes and noes were called for by Messrs. Hawkins, Patten, and Cutter, and the roll called with the following result: Ayes, 19; noes, 15—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bond, Cutter, Epstein, Greeley, Lee, Myrick, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, and Young.

And in the negative—

Messrs. Brown, Cary, Denson, Dun, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Parker, St. Clair, Walter, Wellington, and Mr. Speaker.

Motion to suspend the rules lost, and the bill referred to Committee on Claims.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 16th, 1865. }

To the Hon. the Assembly of Nevada :

I herewith transmit to your honorable body, for your concurrence, conjoint Resolutions No. —, ratifying and confirming the proposed constitutional amendment to the Organic Act of the United States, as adopted by a two thirds vote of Congress.

Respectfully,

GEO. R. AMMOND,

Assistant Secretary Senate.

The Senate concurrent resolution ratifying and confirming the proposed constitutional amendment to the Organic Act of the United States, reported in Senate message, was taken up, and read first time, rules suspended, read second and third times, and placed upon their final passage, and the roll called with the following result : Ayes, 34; noes, 1—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. St. Clair.

Mr. Speaker declared the resolution passed, and ordered returned to the Senate.

Concurrent resolution, requesting the Governor to telegraph resolutions endorsing the proposed constitutional amendment to the Organic Act of the United States, was received from the Senate without a message. Rules suspended, read and unanimously adopted, and ordered returned to the Senate.

On motion of Mr. Young, the House adjourned at two o'clock and forty-five minutes P. M.

---

## SIXTY-EIGHTH DAY.

FRIDAY, February 17th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz : Messrs. Bearss, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Young and Mr. Speaker.

And the following were absent, viz :

Messrs. Beck, Brown, Myrick, St. Clair, Walter and Wellington.

Present, 29; absent, 6.

Indefinite leave of absence was granted Mr. St. Clair.

Leave of absence granted Mr. Walter for one day.



Prayer by the Rev. Mr. Nims.

The journal of yesterday read and approved.

Mr. Rigby, from a select committee, reported as follows:

*Mr. Speaker:*

Your special committee, to whom was referred Assembly Bill No. 16, "An Act to regulate fees and compensation for official and other services in the State of Nevada," ask leave to report that they have had under consideration said bill; have made some progress therewith; but owing to a session of the Third House last evening, it was found impracticable to finish our labors in the time specified by the Assembly, and would respectfully ask further time.

JAS. A. RIGBY,  
Chairman Committee.

Accepted and adopted.

Mr. Bond, from the Committee on Claims, made the following majority report:

*Mr. Speaker:*

The majority of Committee on Claims have had under consideration Assembly Bill No. 173, "An Act for the relief of Alexander Hunter," and directed their chairman to report the bill back to the House without recommendation.

E. BOND, Chairman.

The report accepted, and bill and report placed upon file.

Mr. Mayhugh, from the Committee on Claims, made the following minority report:

*Mr. Speaker:*

The minority of the Standing Committee on Claims, to whom was referred Assembly Bill No. 173, "An Act for the relief of Alexander Hunter," beg leave to report the same back, and recommend that it be laid upon the table.

All of which is most respectfully submitted.

JOHN S. MAYHUGH,  
JAMES W. SMALL.

Report accepted and bill and report placed upon file.

Mr. Hawkins, Chairman of Committee on Internal Improvements, reports that they have had under consideration Senate Bill No. 20, "An Act authorizing the construction of a railroad from Virginia City of Truckee river," made no amendments, and directed their chairman to report the bill to the House and recommend its passage.

Also, Assembly Bill No. 161, "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, recommend its passage without amendment.

C. HAWKINS, Chairman.

Report accepted, and bills placed on file.

Bill No. 161 ordered printed.

Mr. Rosenblatt moved to reconsider the vote by which Assembly Bill No. 161 was ordered printed.

The previous question was called for and sustained.

The main question now being, shall the vote be reconsidered, it was carried and the vote reconsidered.

The question now being, shall the bill be printed, the ayes and noes were called for by Messrs. Parker, Cutter and Hawkins, and the roll called with the following result: Ayes, 9; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Bishop, Cutter, Haskell, Lee, Parker, Toombs, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Bien, Cary, Denson, Dun, Epstein, Greeley, Hincley, Hawkins, Myrick, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Smith, and Wellington.

Mr. Speaker declared the motion to print lost.

Mr. Parker moved to reconsider the vote just taken.

Mr. Rosenblatt arose to a point of order; Mr. Parker voted in the affirmative, therefore could not move a reconsideration.

Mr. Speaker ruled the point of order well taken.

Mr. Parker appealed from the decision of the chair.

Decision of the chair sustained.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 16th, 1865. }

*To the Honorable the Assembly of Nevada:*

I have this day approved Assembly Bill No. 157, "An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander county for the year A. D. one thousand eight hundred and sixty-four.

HENRY G. BLASEDEL,  
Governor.

Mr. Smith, by unanimous consent, introduced the following bill, entitled "An Act to provide for the incorporation of railroad companies in this State, and to define their extent," etc. Rules suspended, bill read first and second times by title, and referred to Committee on Internal Improvements.

The special order of the day, Senate Bill No. 133, entitled "An Act to provide for the government of the State Prison of the State of Nevada," was now taken up, and on motion of Mr. Hawkins the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Hawkins in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate Bill entitled "An Act to provide for the government of the State Prison of the State of Nevada," had gone through therewith in part, had made no amendments thereto, and directed their chairman to report progress to the House, and ask leave to sit again.

Adopted.

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

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Quorum present.

On motion of Mr. Shackelford, the rules were suspended and Senate Bill No. 74, entitled "An Act authorizing County Commissioners to grant franchises for toll roads and bridges within their respective counties," was taken from the file, and on motion of Mr. McKeeby the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act authorizing County Commissioners to grant franchises for toll roads and bridges within their respective counties," had gone through therewith, had made no amendment thereto, and directed their Chairman to report the bill to the House and recommend it to be referred to a select committee of five, with instructions to amend as they deem proper.

Report adopted, and Mr. Speaker appointed as such select committee Messrs. Haskell, Epstein, Rigby, Hawkins and Bishop.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 16th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to return to your honorable body Assembly Bill No. 99, "An Act to provide for the location of lands containing salt," the same having passed the Senate this day without amendment.

I also transmit, for the consideration of your honorable body, Senate bill No. 56, "An Act concerning unlawful holding over of lands, tenements and other possessions."

Also, Senate Bill No. 196, "An Act for the encouragement of mining," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary Senate.

Senate Bill No. 56, entitled "An Act concerning unlawful holding over of lands, tenements and other possessions," just received in Senate message, was taken up, rules suspended, bill read first and second times by title, and referred to the Judiciary Committee.

Senate Bill No. 196, entitled "An Act for the encouragement of mining," reported in Senate message, was taken up, rules suspended, bill read first and second times by title, and referred to Committee on Mines and Mining Interests.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 17th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to return to your honorable

body Assembly Bill No. 68, "An Act to extend the time for commencing suits for the collection of delinquent taxes for the year one thousand eight hundred and sixty-five," the same having been indefinitely postponed by the Senate.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Senate Bill No. 132, entitled "An Act to provide for paying the expense of reporting and publishing the debates and proceedings of the Constitutional Convention, which assembled at Carson City July fourth, one thousand eight hundred and sixty-four," was, on motion of Mr. Bishop, taken from file, and the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Bishop in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act to provide for paying the expense of reporting and publishing the debates and proceedings of the Constitutional Convention, which assembled at Carson City July fourth, one thousand eight hundred and sixty-four," had gone through therewith, had made no amendment thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Rules suspended, bill read a third time, and placed upon its final passage.

The roll was called, with the following result: Ayes, 21; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck and Smith.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Young, the House adjourned at three o'clock and forty minutes P. M.

---

## SIXTY-NINTH DAY.

SATURDAY, February 18th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

- Absent—Messrs. Bolan, Dun, and Hinckley.  
 Present, 32; absent, 3.  
 Leave of absence granted to Messrs. Dun and Hinckley for one day each.  
 Prayer by the Rev. Mr. Nims.  
 The journal of yesterday was read and approved.

## REPORT OF COMMITTEES.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the original as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 99, "An Act to provide for the location of lands containing salt."

C. HAWKINS,  
 Chairman Enrolling Committee.

Accepted.

Mr. St. Clair, chairman of Standing Committee on Contingent Expenses, begs leave to report that they have had the following bills under consideration, find the same correct, and recommend the payment thereof from the contingent fund of the Assembly:

Bill of Glenn & Bro., for five cords of wood.....	\$55 00
Thos. Mowbry, as sworn and duly testified before the Clerk of the Supreme Court, Alfred Helm, for repairing desks, locks, etc.....	10 00

ST. CLAIR, Chairman.

Report accepted and adopted.

## MOTIONS AND RESOLUTIONS.

Mr. Cutter offered the following resolution:

*Resolved*, That the Controller be, and he is hereby, authorized and directed to draw his warrant in favor of H. M. Bien for the sum of one hundred and twenty dollars, for expenses incurred by himself and Mr. Bond, and the compensation of George Tallmadge as Secretary, while acting as a special committee of investigation into the affairs of the common schools of Storey County, payable out of the contingent fund of the Assembly.

Adopted.

On motion of Mr. Bond, the rules were suspended, and Assembly Bill No. 4, entitled "An Act relating to elections, terms of office, time of elections, and terms of office of officers, official duties, misconduct at elections and in office," etc., was taken from the table, and on motion referred to a select committee of five.

Mr. Speaker appointed as such committee Messrs. Bond, Sine, Bishop, Mayhugh, and Cutter.

Also, Bill No. 6 was referred to the same committee.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
 February 17th, 1865. }

To the Hon. the Assembly of Nevada:

I am directed by the honorable the Senate to inform your honorable

body that the Senate do not concur in Assembly amendments to Senate Bill No. 165, and Messrs. Doron, Hutchins, and Winton have been appointed a committee of conference, to act with a like committee on the part of your honorable body to consider said bill.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Mr. Speaker appointed as committee of conference, to confer with a like committee appointed by the Senate, to consider the differences of Senate and Assembly to Senate Bill No. 165, Messrs. Young, Bearss, and Hawkins.

### THIRD READING OF BILLS.

Assembly Bill No. 141, entitled "An Act accepting the provisions of an Act of Congress entitled an Act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, one thousand eight hundred and sixty-two, and amended and approved April fourteenth, one thousand eight hundred and sixty-four, was taken up, read third time, and placed upon its final passage, and the roll called with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 97, entitled "An Act relating to wild game and fish," was taken up, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bishop, Bond, Cary, Denson, Epstein, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 125, entitled "An Act to amend an Act entitled an Act granting to Messrs. Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the Sink of Carson River and Reese River, approved December nineteenth, one thousand eight hundred and sixty-two," approved February eighteenth, one thousand eight hundred and sixty-four, was taken up, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

## GENERAL FILE.

On motion of Mr. Shackelford, the rules were suspended, and Senate Bill No. 63, entitled "An Act to provide for the sixteenth and thirty-sixth sections of the public lands donated by the United States government to the State of Nevada," was taken from the general file, read third time, and placed upon its final passage, and the roll was called with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bolan, Bishop, Bien, Bond, Cary, Denson, Epstein, Greeley, Haskell, Lee, Myrick, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Bill No. 102, entitled "An Act to provide for the formation of corporations for certain purposes," was taken from file, and on motion of Mr. Shackelford the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Shackelford in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill entitled "An Act to provide for the formation of corporations for certain purposes," had gone through therewith in part, had made some amendments thereto, and directed their chairman to report progress to the House, and ask leave to sit again at two o'clock and ten minutes P. M.

Report accepted and adopted.

## REPORTS OF COMMITTEES.

Mr. Young, from the conference committee, reported as follows:

*Mr. Speaker:*

Your committee of conference on Senate Bill No. 165, "An Act to create a secret service fund," beg leave to report that they have met a like committee on the part of the Senate, and cannot agree.

Respectfully,

R. A. YOUNG, Chairman.

Report accepted, and committee discharged.

\*Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: No. 138, "An Act concerning County Recorders and defining their duties." No. 86, "An Act to authorize married women to transact business in their own names as sole traders."

Accepted.

On motion of Mr. Brown, the House took a recess at one o'clock P. M. until two o'clock P. M.

## AFTERNOON SESSION.

2 O'CLOCK, P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum not being present, a call of the House was ordered, and a sufficient number of members having appeared, on mo-

tion, further proceedings under call of the House were dispensed with. Mr. Patten, from a select committee, reported as follows:

*Mr. Speaker :*

Your special committee, to whom was referred the communication of Ormsby County Commissioners for the renting of State building, have had the same under consideration, and ask leave to introduce a bill embodying the views of your committee.

E. PATTEN.

Accepted.

Rules suspended, and the bill reported by the special committee read first and second times by title, and upon motion placed upon file.

On motion of Mr. Hawkins, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 102, as per recommendation of the Committee of the Whole.

Mr. Hawkins in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act to provide for the formation of corporations for certain purposes," had gone through therewith in part, had made some amendments thereto, and directed their chairman to report progress to the House, and ask leave to sit again.

Report adopted.

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

---

## SEVENTY-FIRST DAY.

MONDAY, February 20th, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bien, Bond, Parker, and Rosenblatt.

Present, 31; absent, 4.

Prayer by the Rev. Father Rubi.

The journal of Saturday read and approved.

Mr. Shackelford introduced a memorial to Congress relating to the timber lands of this State."

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

On motion of Mr. Bond, the special committee to whom was referred Assembly Bills Nos. 4 and 6, were allowed a clerk.

Mr. Hinckley offered concurrent resolutions granting leave of absence from the State to James Leffingwell, Sheriff of Lander County.

Read and unanimously adopted.

The following message was received from the Senate:



STATE OF NEVADA, SENATE CHAMBER, }  
February 20th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 42, "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one. Also, Senate Bill No. 207, "An Act requiring the Treasurers of the Board of School Trustees to give bonds," the same having passed the Senate this day.

I am directed to inform your honorable body that the Senate has concurred in Assembly amendments to Senate Bill No. 165, "An Act creating a secret service fund."

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 42, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, reported in Senate message, was taken up, rules suspended, bill read first and second time by title, and referred to Judiciary Committee.

Senate Bill No. 207, entitled "An Act requiring the Treasurers of the Boards of School Trustees to give bonds," also reported in Senate message, was taken up, rules suspended, bill read first and second times by title, and referred to the Committee on Education.

#### INTRODUCTION OF BILLS.

Mr. Lee, by unanimous consent, introduced the following bill, entitled "An Act concerning corporations."

Rules suspended, bill read first time by title, second time by sections, and referred to Committee on Corporations.

Mr. Lee, by unanimous consent, introduced the following bill entitled "An Act in relation to printing the laws of this session."

Bill read first time by sections, rules suspended, read second time by title, and referred to Committee on Public Printing.

Mr. Denson, by unanimous consent, introduced the following bill entitled "An Act to amend an Act to regulate marriage and divorce," approved November twenty eighth, one thousand eight hundred and sixty-one.

Rules suspended, bill read first and second times by title, and referred to the Judiciary Committee.

#### GENERAL FILE.

On motion of Mr. Brown, the rules were suspended, and Assembly Bill No. 102, entitled "An Act to provide for the formation of corporations for certain purposes," was taken from the file, and the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Brown in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act to provide for

the formation of corporations for certain purposes," had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended.

Report adopted.

On motion of Mr. Brown, the House took a recess, at one o'clock and twenty minutes P. M., until two o'clock and thirty minutes P. M.

#### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

#### GENERAL FILE.

Assembly Bill No. 102, entitled "An Act to provide for the formation of corporations for certain purposes," was taken from file, and Mr. Bien moved to recommit the bill to a select committee of three, with special instructions to amend.

Mr. Brown moved to indefinitely postpone the motion.

Mr. St. Clair moved the previous question, which was sustained.

The question now being, Shall the motion to recommit be indefinitely postponed?

Carried.

The question now being, Shall the bill be ordered engrossed?

Carried, and the bill so ordered.

Assembly Bill No. 18, entitled "An Act in relation to the Boards of County Commissioners in the several counties in this State, defining their powers and duties, and other matters in relation thereto," was taken from file.

Mr. Sine moved to lay the bill upon the table.

Lost.

On motion of Mr. Denson, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Smith in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly bill entitled "An Act in relation to the Boards of County Commissioners in the several counties in this State, defining their powers and duties, and other matters in relation thereto," had gone through therewith, and made some amendments thereto, and directed their chairman to report the bill to the House without recommendation.

Accepted, and, on motion, the bill was laid upon the table.

Mr. Cutter moved to suspend the rules and take up Assembly Concurrent Railroad Resolutions, upon which the ayes and noes were demanded by Messrs. Brown, Cutter and Bishop, and the motion was carried by the following vote: Ayes, 25; noes, 10—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Bond, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten and Shackelford.

Mr. Hawkins moved that the resolutions be made the special order for this evening at seven o'clock P. M.

Carried, and so ordered.

On motion of Mr. Lee, the House took a recess at four o'clock P. M., until seven o'clock P. M.

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Parker, a call of the House was ordered.

Roll called, and the following members were absent:

Messrs. Bishop, Bond, Shackelford, Patten, Rigby, Toombs and Walter.

And the Sergeant-at-Arms was despatched for the absentees, who brought them before the bar of the House, and by consent they were admitted to their seats, and, on motion, further proceedings under the call of the House were dispensed with.

The Assembly Concurrent Railroad Resolutions (special order of the day), were now taken up.

Mr. Parker moved the previous question, upon which the ayes and noes were demanded by Messrs. Patten, Brown and Parker, which was sustained by the following vote: Ayes, 19; noes, 16—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bolan, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Small, Sine, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bishop, Bond, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, Patten, Rigby, Shackelford, Smith, Young, and Mr. Speaker.

The main question now being, shall the resolutions pass, the roll was called with the following result: Ayes, 20; noes, 15.

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Dun, Greeley, Haskell, Lee, Myrick, Shackelford, Smith, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the resolution passed, and ordered transmitted to the Senate.

Mr. Patten gave notice of motion to reconsider the vote by which the resolutions passed.

Mr. Parker rose to a point of order, that the vote on the resolutions had once been reconsidered, and therefore was not admissible of a second reconsideration.

Mr. Speaker declared the point of order not well taken, as the former reconsideration was not upon the final passage.

Mr. Parker appealed from the decision of the chair, upon which the

ayes and noes were demanded by Messrs. Brown, Parker and Cutter, and the roll called with the following result: Ayes, 14; noes, 20—as follows:

These voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Dun, Greeley, Haskell, Lee, Myrick, Patten, Shackelford, Smith, and Young.

And in the negative—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, Walter, and Wellington.

The decision of the chair was not sustained.

Mr. Hawkins moved that the clerk be instructed to transmit the resolutions to the Senate to-morrow morning immediately after the roll call.

Carried, and so ordered.

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

---

## SEVENTY-SECOND DAY.

TUESDAY, February 21st, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent, viz:

Messrs. Bearss, Denson, and Rosenblatt.

Present, 32; absent, 3.

Leave of absence granted Mr. Denson for one day.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

By consent of the House, Mr. Patten was allowed to have his name appear as having voted in the negative upon the final passage of the railroad resolution yesterday.

Mr. Mayhugh introduced a petition of Samuel Young and others, relating to the survey of the western boundary line of this State, which was read and referred to the Committee on Counties and County Boundaries.

### REPORTS OF COMMITTEES.

Mr. Haskell, from the Committee on Federal Relations, reported as follows:

*Mr. Speaker:*

The Committee on Federal Relations have had under consideration Concurrent Resolution No. 29, in relation to post offices on the overland

route, and have amended the same by adding another resolution thereto, and directed their chairman to report the same back to the House, with the recommendation that they do pass as amended.

HASKELL, Chairman.

Accepted, and resolutions and report placed upon file.

Mr. Bond, from a special committee, reported as follows:

*To the Hon. the Senate and Assembly of the State of Nevada :*

Your joint committee, appointed to examine the accounts of the State Printer, and to ascertain the cost of printing to date, would report that they have performed the duty assigned them, and would present the following as the result of their investigations :

Total amount of printing, including bills, reports, and blanks, computing folding and stitching at the rate of one per cent. per page on cost of composition for Senate.....	\$2,686 11
For Assembly and State officers.....	1,34 330
	\$4,029 41

Amount, computing folding and stitching at the rate of one sixteenth of one per cent. a page, as follows :

Senate.....	\$2,377 30
Assembly, and State officers.....	1,250 76
	\$3,628 06

Section eleven of the Act creating the office of State Printer, and defining the duties, reads as follows :

“Folding shall also be allowed and charged on every bill and document, and no bill or document not exceeding four pages shall be stitched. When stitching and folding are required on bills or documents ordered by either House, one sixteenth (1-16) of one per cent. per page shall be allowed for such folding and stitching; *provided*, that no folding and stitching shall be allowed on the laws and journals.”

As the above section may be construed so as to compute the folding and stitching at one sixteenth of one per cent. per page upon cost of composition, or one sixteenth of a cent per page, your committee have thought it proper to make their estimate upon both propositions, and leave the decision to both Houses.

By the first calculation, a fair compensation is allowed, while by the latter, not one fourth of the cost actually expended is realized. Your committee would unanimously recommend that the settlement be effected upon the former proposition.

J. W. HAINES,  
Chairman Senate Committee.

E. BOND,  
Chairman Assembly Committee.

Report accepted, and the committee also report the following resolution :

*Resolved*, by the Assembly, the Senate concurring, That section eleven of an Act entitled “An Act to create the office of State Printer, and de-

fine his duties," be, and is hereby, so construed as to allow the printer to charge the sixteenth of one per cent. per page on the cost of composition of such page, for folding and stitching.

Mr. Cutter moved that the report and resolution be referred to the Printing Committee, with instructions to report a bill amendatory of and supplemental to the bill known as the Printer Bill.

Mr. Shackelford moved to indefinitely postpone the motion to refer.

Carried.

Mr. Haskell moved to lay the whole subject matter on the table.

Carried, and so ordered.

#### MOTIONS AND RESOLUTIONS.

Mr. Patten moved to add Mr. Lee to the committee appointed by the House to investigate the affairs of the Storey County Hospital.

Carried.

Mr. Walter moved that the Senate Bill No. 133, entitled "An Act to provide for the Government of the State Prison of the State of Nevada," be made the special order for to-day at two o'clock P. M.

Carried, and so ordered.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 20th, 1865. }

*To the Hon. the Assembly:*

I am directed by the honorable the Senate, to transmit herewith for the consideration of your honorable body, Senate Bill No. 195, entitled "An Act to incorporate the Grand Lodge of Free and Accepted Masons and the Grand Lodge of the Independent Order of Odd Fellows, and their subordinate lodges," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Senate Bill No. 195, entitled "An Act to incorporate the Grand Lodge of Free and Accepted Masons and the Grand Lodge of the Independent Order of Odd Fellows, and their subordinate lodges," as reported in Senate message, was taken up, rules suspended; bill read first and second times by title and referred to a select committee of five to be appointed by the speaker.

#### INTRODUCTION OF BILLS.

Mr. Mayhugh, pursuant to notice, introduced the following bill, entitled: "An Act to amend an Act to authorize the survey and to establish the western boundary line of the State of Nevada," approved February seventh, one thousand eight hundred and sixty-five.

Rules suspended, bill read first and second times by title and referred to the Esmeralda County delegation.

Mr. Shackelford, by unanimous consent, introduced the following bill, entitled "An Act amendatory and supplementary to an Act entitled an Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," passed February ninth, one thousand eight hundred and sixty-five.

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

Mr. Greeley, by unanimous consent, introduced the following bill, entitled "An Act to confirm acknowledgments of deeds and other instruments taken by County Recorders or their deputies."

Rules suspended, bill read first and second times by title and referred to the Judiciary Committee.

#### GENERAL FILE.

On motion of Mr. Smith, the rules were suspended and Senate Bill No. 20, entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee river," was taken from the file, and on motion of Mr. Smith the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Smith in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee river," had gone through therewith in part, had made no amendments thereto and directed their chairman to report progress to the House, and ask leave to sit again.

Report accepted and adopted.

On motion of Mr. Parker, the House took a recess at one o'clock p. m. until two o'clock p. m.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order of the day set for two o'clock p. m. was postponed until three p. m. to-day.

On motion of Mr. Hawkins, the House again resolved itself into Committee of the Whole for the further consideration of Senate Bill No. 20, entitled "An Act authorizing the construction of a railroad from Virginia City to Truckee River."

Mr. Smith in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration, the Senate Bill entitled "An Act authorizing the construction of a railroad from Virginia City to Truckee River," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Bill read a third time and placed on its final passage, and the roll called with the following result: Ayes, 28; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Cutter, Dun, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Hinckley and Toombs.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The special order of the day, Senate Bill No. 133, entitled "An Act to provide for the government of the State Prison of the State of Nevada," was taken up, and Mr. Cutter moved to refer the bill to a select committee of one, with instructions to strike out section six, as amended by the House, and insert the original section, as reported by the Senate.

Mr. Cutter was appointed by the chair as such committee, who forthwith reported the bill back to the House, amended as per instruction.

On motion of Mr. Rosenblatt, the bill was again recommitted to a select committee of one, with instructions to amend by striking out all the amendments to the bill made by the House, and reinstate the bill, as originally introduced by the Senate.

Mr. Rosenblatt was appointed by the chair as such committee, who forthwith reported the bill back to the House, amended as per instructions.

The question now being, Shall the bill pass? the roll was called, with the following result: Ayes, 19; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Cutter, Epstein, Greeley, Nichols, Parker, Patten, Rosenblatt, Shackelford, Sine, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Bolan, Dun, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Rigby, Small, and Smith.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

#### REPORTS.

Mr. Bishop, from the Committee on Public Printing, reports that said committee, to whom was referred Assembly Bill No. 132, entitled "An Act relative to the printing of the laws of this session," have had the same under consideration, and instructed their chairman to report the same back to the House with the recommendation that the same be indefinitely postponed.

Report accepted and bill placed on file.

Assembly Bill No. 132, entitled "An Act relative to the printing of the laws of this session," was taken from the file by consent, and on motion of Mr. Myrick the bill was laid upon the table.

Mr. Hawkins, by unanimous consent, introduced the following bill: entitled "An Act empowering H. M. Bien to administer oaths in certain cases."

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bishop, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs and Wellington.

And in the negative—

Messrs. Brown, Bolan, Haskell, Myrick, St. Clair, Walter and Mr. Speaker.

The Speaker declared the bill duly passed.

On motion of Mr. Cutter, the House adjourned at four o'clock p. m. until Thursday morning at eleven o'clock a. m.



## SEVENTY-FOURTH DAY.

THURSDAY, February 23d, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz : Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, Nichols, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And those absent were :

Messrs. Epstein, Lee, Myrick, McKeeby, Patten, Parker, Rosenblatt, St. Clair, and Shackelford.

Present, 26 ; absent, 9.

Prayer by the Rev. Father Rubi.

Leave of absence granted Mr. Patten for two days, and to Mr. Rosenblatt and Mr. Epstein for one day each.

The journal of Tuesday read and approved.

## REPORTS.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as engrossed, and found the same correctly engrossed, viz :

No. 188, "An Act to empower H. M. Bien to administer oaths in certain cases."

Accepted and bill placed upon file.

Mr. Mayhugh, from the Committee on Mines and Mining Interest, reported as follows :

*Mr. Speaker :*

Your Standing Committee on Mines and Mining Interest, to whom was referred Assembly Bill No. 172, entitled "An Act concerning mining districts, and the Recorders thereof," beg leave to report that they have had the same under consideration, and have made some amendments thereto, and directed their chairman to report the same back and recommend its passage ; and that the usual number of copies be printed, and a copy of the same be placed upon the desk of each member, under the direction of the Sergeant-at-Arms.

All of which is most respectfully submitted.

JOHN S. MAYHUGH,  
Chairman.

Accepted and adopted, and two hundred and forty copies of the bill be ordered printed, and the bill placed upon file.

Mr. Mayhugh, from a special committee composed of the Esmeralda County delegation, reported as follows :

*Mr. Speaker :*

Your special committee, composed of the Esmeralda County delegation, to whom was referred the Assembly Bill No. 185, entitled "An Act to amend an Act to provide for the survey, and to establish the western boundary line of this State, together with the petition of the citizens of

Aurora in relation thereto, beg leave to report that they have had the same under consideration, and have directed their chairman to report the bill back, and recommend its passage.

All of which is respectfully submitted.

JOHN S. MAYHUGH,  
Chairman.

Report accepted, and bill placed upon file.

ASSEMBLY CHAMBER, February 23d, 1865.

*Mr. Speaker :*

Your Committee on Corporations, to whom was referred Assembly Bill No. 146, "An Act to provide for the removal of certain incorporated companies to the State by their own election," have had the same under consideration, and beg leave to report the bill back to the Assembly, and recommend its passage.

A. C. BEARSS,  
Chairman.

Accepted and adopted, and bill placed upon file.

#### INTRODUCTION OF BILLS.

Mr. Rigby, by unanimous consent, introduced the following bill entitled "An Act to authorize A. B. Perkins and his associates to maintain a toll road."

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

Mr. Greeley, by unanimous consent, introduced the following bill, entitled "An Act amendatory to an Act relating to the manner of commencing civil actions," approved December twentieth, one thousand eight hundred and sixty-two.

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

Mr. Cutter, by unanimous consent, introduced the following bill, entitled "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County," approved February fourteenth, one thousand eight hundred and sixty-five.

Rules suspended, bill read a first and second time by title, and referred to the Storey County delegation.

Mr. Young, by unanimous consent, introduced the following bill, entitled "An Act concerning municipal corporations."

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

Mr. Speaker appointed as the committee to whom was referred Senate Bill No. 195, Messrs. Bishop, Parker, Lee, McKeeby, and Bolan.

Mr. Bishop introduced papers relating to the claim of A. Benham against the State for taking census, which was upon motion referred to Committee on Claims.

#### GENERAL FILE.

Senate Bill No. 44, entitled "An Act to provide for organizing and disciplining the militia of the State of Nevada," was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Myrick, McKeeby, Nichols, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Haskell and Mayhugh.

Mr. Speaker declared the bill duly passed and ordered returned to the Senate.

On motion of Mr. Smith, the House took a recess at one o'clock P. M. until two o'clock P. M.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum not being present, a call of the House was ordered.

Roll called, and the following members were absent: Messrs. Bien, Bond, Cutter, Denson, Dun, Hawkins, Myrick, Shackelford, and Toombs.

The Sergeant-at-Arms was dispatched for the absentees, and a sufficient number having been present at the bar of the House to form a quorum, on motion the further proceedings under the call of the House were dispensed with.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, February 23d, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to inform your honorable body, Assembly Concurrent Resolution No. 32, granting leave of absence to James Leffingwell, Sheriff of Lander County, the same having passed the Senate this day, without amendment.

I herewith transmit for the consideration of your honorable body, Senate Bill No. 215, "An Act to provide for the appointment of Notaries Public, and defining their duties," the same having passed the Senate February twenty-first, one thousand eight hundred and sixty-five.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 215, entitled "An Act to provide for the appointment of Notaries Public and defining their duties, reported in Senate message, was taken up.

Mr. Haskell, from the Committee on Federal Relations, reported as follows :

*Mr. Speaker :*

The Committee on Federal Relations have had under consideration Senate Bill No. 37, "An Act to provide for the appointment of Notaries Public and defining their duties," and have made some amendments thereto. This bill came to the Committee with a provision allowing the Governor to appoint as many notaries "as he shall deem expedient," and to remove them at any time he may think proper. Your Committee are not willing to recommend provisions of this kind believing them to

be special in their character, not giving the people a fair show, and placing these important officers too much at the mercy of the Governor for their continuation in office which might, in the hands of the executive, be used for improper purposes.

Your Committee do not presume there is any danger under the rule of our present worthy Chief Magistrate, nevertheless we prefer to see the bill passed without these objectionable features; we recommend the bill as amended be considered in Committee of the Whole.

HASKELL, Chairman.

Report accepted, and the bill and amendments placed on file.

On motion of Mr. Smith, the House resolved itself into Committee of the Whole for consideration of Senate Bills No. 215 and 37, both relating to the appointment of Notaries Public in this State.

Mr. Smith in the chair.

Mr. Chairman reported that the Committee of the Whole, had had under consideration Senate Bill No. 215, "An Act to provide for the appointment of Notaries Public and defining their duties."

Also, Senate Bill No. 37, (bearing the same title) had gone through therewith in part, had made some amendments thereto, and directed their chairman to report progress to the House, and recommend the indefinite postponement of bill No. 215, and ask leave to sit again for further consideration of bill No. 37.

Report of committee adopted.

Bill No. 215 indefinitely postponed.

#### REPORTS.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as ordered engrossed, and found the same correctly engrossed, viz:

Assembly Bill No. 102, "An Act to provide for the formation of corporations for certain purposes."

Accepted, and bill placed upon file.

Mr. Bishop, from the select committee to whom was referred Senate Bill No. 195, entitled "An Act to incorporate the Grand Lodge of Free and Accepted Masons and the Independent Order of Odd Fellows, and their subordinate lodges in this State," reports that said committee have had the said bill under consideration and have come to a favorable conclusion thereon, and directed their chairman to report the same back to the House and recommend its passage without any amendments.

WM. W. BISHOP,  
Chairman Select Committee.

Accepted, and bill placed upon file.

Mr. Denson, from the Judiciary Committee, to which was referred the bill entitled "An Act to confirm acknowledgments of deeds and other instruments taken by County Recorders or their deputies," being Assembly Bill No. 187, report that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House without amendment, and recommend its passage.

The report agreed to, and the bill placed upon file.

Mr. Haskell gave notice of motion to amend Standing Rule of the House No. 1, as follows: Strike out "eleven," and insert in lieu thereof "ten."

On motion of Mr. Haskell, the House adjourned at four o'clock and forty-five minutes P. M., until 10 o'clock A. M. to-morrow.

## SEVENTY-FIFTH DAY.

FRIDAY, February 24th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

And the following were absent:

Messrs. Bolan, Bond, Greeley, Myrick, Parker, Patten, St. Clair, Wellington, Lee, and Denson.

Present, 25; absent, 10.

Leave of absence granted Mr. Denson for one day.

Journal of yesterday was read and approved.

## REPORTS.

Mr. Cutter, from the Storey County delegation, reports as follows:

*Mr. Speaker:*

The Storey County delegation, to whom was referred Assembly Bill No. 191, entitled "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County," respectfully beg leave to report the same back, with the following amendment, and recommend its passage as amended:

Amend section one by striking out the words "per cent. of the total of principal and interest of the warrants named in such bill," and insert in lieu thereof the words "fifty cents on the dollar of the warrants named in such lowest bid (principal and interest being considered.)"

Accepted, and bill placed on file.

On motion of Mr. Cutter, the rules were suspended, and Assembly Bill No. 191, entitled "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County," was taken from file, rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll was called, with the following result: Ayes, 26; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

In the negative—none.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Cutter moved that the rules be suspended, and the vote by which Assembly Bill No. 191 passed, be reconsidered now; upon which the ayes and noes were demanded by Messrs. Smith, Cutter and Haskell, and the roll called, with the following result: Ayes, 14; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Cutter, Epstein, Greeley, Hinckley, Nichols, Rigby, Small, Shackelford, Sine, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bien, Cary, Dun, Haskell, Mayhugh, McKeeby, Rosenblatt, Smith, Toombs, and Walter.

Motion to suspend the rules lost.

Mr. Mayhugh offered concurrent resolution "relating to Indian depredations," which was read the first time by title, second time by section, and referred to the Committee on Federal Relations.

Mr. Haskell offered the following resolution :

*Resolved*, That the Committee on Federal Relations and Committee on Railroads be allowed a clerk for ten days, at five dollars per day.

Adopted.

#### COMMITTEE OF THE WHOLE ON GENERAL FILE.

On motion of Mr. Rosenblatt, the House resolved itself into Committee of the Whole for consideration of Senate Bill No. 37, entitled "An Act to provide for the appointment of Notaries Public," partially considered yesterday.

Mr. Speaker in the chair.

Mr. Chairman reported the bill back to the House amended, and recommended the passage of the bill as amended.

Also, Assembly Bill No. 102, entitled "An Act to provide for the formation of corporations for certain purposes." The committee would recommend the passage of the bill without amendment.

Also, Assembly Bill No. 86, entitled "An Act to authorize married women to transact business in their own names as sole traders;" would recommend its passage without amendment.

Also, Assembly Bill No. 69, entitled "An Act to provide for the publication of the laws of the first session of the Nevada State Legislature." The committee would recommend its indefinite postponement.

Also, Assembly Bill No. 177, entitled "An Act to provide for the payment of rent for the use of the capitol buildings for the year one thousand eight hundred and sixty-four." The committee have made no amendments thereto, and recommend that the bill be made the special order for Tuesday, February twenty-eighth, at two o'clock p. m.

Also, Assembly Bill No. 185, entitled "An Act to amend an Act entitled an Act to authorize the survey, and to establish the western boundary line of the State of Nevada." The committee have made no amendments, and recommend its passage.

Also, that the committee ask leave to sit again for further consideration of bills on general file, at one o'clock and thirty minutes p. m.

Report of committee adopted.

On motion of Mr. Young, the House took a recess at twelve o'clock m. until one o'clock and thirty minutes p. m.

#### AFTERNOON SESSION.

1:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

#### GENERAL FILE.

Assembly Bill No. 151, entitled "An Act to provide for the incorpora-

tion of railroad companies, and the management of the affairs thereof, and other matters relating thereto," was taken from file, and on motion placed at the bottom of the file.

Senate Bill No. 195, entitled "An Act to incorporate the Grand Lodge of Free and Accepted Masons, and the Grand Lodge of the Independent Order of Odd Fellows, and their subordinate lodges in the State," was taken from file, read a third time, and placed upon its final passage, and the roll was called with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cary, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Concurrent Resolution, relating to establishing post offices on the overland mail route, was taken from file, rules suspended, considered engrossed, read a third time, and placed upon their final passage, and the roll called, with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cary, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 146, entitled "An Act to provide for the removal of certain incorporated companies to this State by their own election," was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: ayes, 22; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Dun, Epstein, Greeley, Hawkins, Hinckley, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 187, entitled "An Act to confirm acknowledgments of deeds and other instruments taken by County Recorders or their deputies," was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Dun, Epstein, Greeley, Hinckley, Hawkins, Mayhugh, McKeeby, Nichols, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

The Speaker declared the bill duly passed and ordered transmitted to the Senate.

Assembly Bill No. 102, entitled "An Act to provide for the formation of corporations for certain purposes," was taken from file, read a third

time and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Dun, Epstein, Greeley, Hinckley, Hawkins, Mayhugh, McKeeby, Nichols, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington and Mr. Speaker.

Mr. Speaker declared the bill duly passed and ordered transmitted to the Senate.

Assembly Bill No. 86, entitled “An Act to authorize married women to transact business in their own names as sole traders,” was taken from the file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 17; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bishop, Bond, Cary, Dun, Epstein, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Bolan, Cutter, Greeley, Sine, and Smith.

Mr. Speaker declared the bill lost.

Mr. Bond gave notice of motion to reconsider the vote by which Assembly Bill No. 86, was lost.

Mr. Hawkins gave notice of motion to amend Standing Rule No. 35 of the House.

#### INTRODUCTION OF BILLS.

Mr. Rishop, by unanimous consent, introduced the following bill, entitled “An Act to provide for the payment of the attachees of the late Constitutional Convention.”

Rules suspended, bill read a first and second time by title, and on motion of Mr. Bishop the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill entitled “An Act to provide for the payment of the attachees of the late Constitutional Convention, had gone through therewith, had made some amendments thereto, and directed the Chairman to report the bill to the House and recommend its passage.

Report adopted.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Sine, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed and ordered transmitted to the Senate.

On motion of Mr. McKeeby, the file of bills laid upon the table was now taken up, and on motion of Mr. Cutter, the resolution “relating to revising the Constitution of the State,” was taken from file, and Mr. Bond moved to indefinitely postpone the resolution, upon which the ayes and noes were demanded by Messrs. Dun, Cutter, and Bishop, and



the roll called with the following result: Ayes, 13; noes, 15—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bolan, Bien, Bond, Cary, Greeley, Myrick, Nichols, Shackelford, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Rosenblatt, Rigby, Small, Sine, Smith, and Toombs.

Motion to indefinitely postpone lost.

Mr. Haskell moved that the resolution be referred to the Committee on Federal Relations.

Mr. Hawkins moved to lay the motion on the table.

Carried.

The previous question was called for and sustained, and the main question now being, Shall the resolution pass? resolution read a third time, and placed upon its final passage, and the roll called with the following result, Ayes, 10; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cutter, Dun, Hawkins, Myrick, Mayhugh, Rosenblatt, Small, and Sine.

And in the negative—

Messrs. Beck, Bolan, Bien, Bond, Cary, Hinckley, Haskell, McKeeby, Nichols, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the resolution lost.

Assembly Concurrent Resolution No. 25, relating to the State bonds, was taken from file and indefinitely postponed.

Assembly Bill No. 60, entitled "An Act to prohibit the carrying of concealed weapons," together with the substitute therefor, was taken from file, and on motion indefinitely postponed.

Senate Bill 117, entitled "An Act authorizing the State Treasurer to appoint watchmen, and fixing their compensation," was taken from file, and on motion was indefinitely postponed.

Senate Bill No. 76, entitled "An Act authorizing the payment of expenses incurred in telegraphing State Constitution," was taken from file, and on motion of Mr. Myrick, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Myrick in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate bill entitled "An Act authorizing the payment of expenses incurred in telegraphing State Constitution," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report adopted.

The previous question was demanded and sustained.

The main question now being, Shall the [bill] pass? it was read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bolan, Cutter, Small, Shackelford, Sine, Smith, Walter, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

#### REPORTS.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act to provide for the payment of the attachees of the late Constitutional Convention."

Accepted.

Mr. Bishop, from the Judiciary Committee, reported as follows:

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred Senate Bill No. 42, entitled "An Act to amend an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one; and also Senate bill No. 56, entitled "An Act concerning unlawful holding over of lands, tenements and other possessions," have had the same under consideration, and instructed their chairman to report the same back to the Assembly, and recommend their passage.

Respectfully submitted.

WM. W. BISHOP,  
Chairman.

Bills and report placed upon file.

Mr. McKeeby, from the Judiciary Committee, reported as follows:

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred Assembly Bill No. 150, entitled "An Act declaring the evidence of possessory rights," have had said bill under consideration, and directed their chairman to report the bill back to the Assembly, and recommend its indefinite postponement.

Also, have had the following bills under consideration, and instructed their chairman to report the same back to the Assembly, and recommend their passage, to-wit:

Assembly Bill No. 153, entitled "An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," approved February fourth, one thousand eight hundred and sixty-five.

Assembly Bill No. 190, entitled "An Act amendatory to an Act relating to the manner of commencing civil actions," approved December twentieth, one thousand eight hundred and sixty-two.

Assembly Bill No. 41, entitled "An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State."

Assembly Bill No. 152, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

Assembly Bill No. 149, entitled "An Act concerning District Attorneys," and

Assembly Bill No. 167, entitled "An Act concerning District Court Reporters of the various judicial districts of this State,"  
All of which is respectfully submitted.

L. C. McKEEBY,  
Chairman.

Accepted, and the bills placed upon file.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
February 24th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate, to transmit to your honorable body, Senate Bill No. 231, which has this day passed the Senate ; ayes, 13 ; noes, 0.

Also, have this day passed Assembly Bill No. 188, "An Act empowering H. M. Bien to administer oaths in certain cases ;" ayes, 10 ; noes, 2.

Respectfully,  
L. B. MOORE,  
Secretary of Senate.

Senate Bill No. 231, entitled "An Act to amend section two hundred and nineteen of an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November twenty-ninth, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title and referred to the Judiciary Committee.

Pursuant to notice, Mr. Haskell moved to amend Standing Rule of the House No. 1, by striking out the word "eleven," and inserting in lieu thereof the word "ten."

Carried, and so amended.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
CARSON CITY, February 23d, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 99, "An Act to provide for the location of lands containing salt."

H. G. BLASDEL,  
Governor.

Mr. Cutter offered Concurrent Resolution relating to appointing a committee to take into consideration the question of amending the Constitution of the State, which was read and adopted and ordered transmitted to the Senate.

Mr. Speaker appointed as such committee on the part of the House Messrs. Lee, Cutter, Bishop, Brown, Wellington and Sine, to which, on motion, Mr. Tozer was added.

Senate Bill No. 42, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result : Ayes, 26 ; noes, 4—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Myrick, Mayhugh, Mc-

Keeby, Rosenblatt, Rigby, Small, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Dun, Nichols, and Smith.

Mr. Speaker declared the bill duly passed and ordered returned to the Senate.

On motion of Mr. Cutter, the House adjourned at four o'clock and thirty minutes P. M. until ten o'clock P. M. to-morrow.

## SEVENTY-SIXTH DAY.

SATURDAY, February 25th, 1865.

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

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Brown, Bien, Cary, Dun, Epstein, Greeley, Hinckley, Hawkins, Lee, Myrick, McKeeby, Nichols, Rigby, Small, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent, viz:

Messrs. Beck, Bolan, Bishop, Bond, Cutter, Denson, Haskell, Mayhugh, Parker, Patten, Rosenblatt, Smith, and St. Clair.

Present, 22; absent, 13.

Prayer by the Rev. Father Rubi.

The journal of yesterday was read and approved.

Leave of absence was granted Mr. Denson for one day.

On motion of Mr. Sine, the Assembly Bill No. 14, entitled "An Act to provide for the election of Presidential Electors, Members of Congress, and State and County officers, and to preserve the purity of elections," was referred to the select committee to whom was referred the Register Bill.

Pursuant to notice, Mr. Cutter moved to reconsider the vote by which Assembly Bill No. 191 passed; carried, and the vote reconsidered, and on motion of Mr. Cutter, the bill was recommitted to a select committee with instructions to amend as follows: "In the consideration of any bid or bids made in pursuance of the provisions of this Act, the County Commissioners shall give a preference to bids on first class warrants over and above the lowest bid on second class warrants of fifty cents on the dollar, taking the principal and interest of the second class warrant or warrants named in such lowest bid as the basis upon which to compute the said fifty per centum."

Mr. Cutter was appointed by the Speaker as such committee, who forthwith reported the bill back to the House amended as per instructions.

Bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 28; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The following message was received from the Secretary of State :

DEPARTMENT OF STATE,  
CARSON CITY, NEVADA, February 23d, 1865. }

*Gentlemen of the Nevada Legislature :*

I have the honor to transmit herewith the inclosed bills, which have been examined and approved by the Board of Examiners as just claims against the State, and for the payment of which no appropriations have been made.

Very respectfully,  
C. N. NOTEWARE,  
Secretary of the Board of Examiners.

Accepted, and the message referred to the Committee on Claims.  
Mr. Bond, from a select committee, reported as follows :

*Mr. Speaker :*

Your committee to whom was referred Assembly Bill No. 26, beg leave to report the same back with amendments, and recommend its passage.

Accepted, and the bill and report placed upon file.

Mr. Hawkins, pursuant to notice, now moved to amend the standing rule of the House, No. 34, as follows: Insert after the word "use," in first line, "with or without recommendation to the House."

Lost.

Mr. Bond, pursuant to notice, now moved to reconsider the vote by which Assembly Bill No. 86 was lost.

Carried, and vote reconsidered.

The previous question was demanded and sustained, and the main question now being, Shall the bill pass? the roll was called with the following result: Ayes, 21; noes, 10—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Bishop, Bond, Cary, Dun, Epstein, Hinckley, Lee, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr Speaker.

And in the negative—

Messrs. Bearss, Beck, Bolan, Cutter, Denson, Greeley, Hawkins, Myrick, Mayhugh, and McKeeby.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Hawkins, from the Standing Committee on Enrollment, has carefully compared the following entitled bill with the engrossed bill as passed by the two Houses, and found it correctly enrolled, and that the same was on the twenty-fourth instant delivered to the Governor for his approval, viz: Assembly Bill No. 188, "An Act to empower H. M. Biento administer oaths in certain cases."

Also, correctly enrolled and handed to the Secretary of State, Assembly Concurrent Resolution granting leave of absence from the State to James Leffingwell, Sheriff of Lander County.

Accepted.

The following message received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, February 24th, 1865. }

*To the Hon. the Assembly :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, the following bills, which passed the Senate this day, viz :

First. Senate Bill No. 204, "An Act supplemental to an Act entitled an Act to provide for the carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada," approved February fourteenth, one thousand eight hundred and sixty-five.

Second. Senate Bill No. 219, "An Act to amend an Act of the Legislature of the State of Nevada, entitled an Act concerning the courts of justice of this State and judicial officers," approved January twenty-sixth, one thousand eight hundred and sixty-five.

Third. Senate Bill No. 13, "An Act to amend an Act entitled an Act to regulate the settlement of estates of deceased persons," approved November twenty-ninth, one thousand eight hundred and sixty-one.

Fourth. Senate Bill No. 131, "An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State."

Fifth. Senate Bill No. 158, "An Act to create a Fire Department Fund."

Sixth. Senate Bill No. 104, "An Act concerning trade marks and names."

Seventh. Senate Bill No. 228, "An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act to amend an Act to regulate proceedings in the courts of justice in this Territory," approved February twentieth, one thousand eight hundred and sixty-four.

"Memorial and joint resolution relative to town lots in the State of Nevada."

All of which is respectfully submitted. GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 204, entitled "An Act supplemental to an Act entitled an Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of the State of Nevada," approved February fourteenth, one thousand eight hundred and sixty-five, reported in Senate message, was taken up, rules suspended, bill read a first and second time by title, rules further suspended, and read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 219, entitled "An Act to amend an Act of the Legislature of the State of Nevada entitled an Act concerning the courts of justice of the State and judicial officers," approved January twenty-sixth, one thousand eight hundred and sixty-five, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 13, entitled "An Act to amend an Act entitled an Act to regulate the settlement of estates of deceased persons," approved November twenty-ninth, one thousand eight hundred and sixty-one, reported in Senate message, was taken up.

Rules suspended, bill read first and second time by title, rules further suspended, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 131, entitled "An Act prescribing the mode of maintaining and defending possessory actions on public Lands in this State," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title and referred to the Judiciary Committee.

Senate Bill No. 158, entitled "An Act to create a Fire Department Fund," reported in Senate message, was taken up.

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

Senate Bill No. 104, "An Act concerning trade marks and names," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title and referred to the Committee on Trade and Manufactories.

Senate Bill No. 228, entitled "An Act to amend an Act of the Legislative Assembly of the Territory of Nevada entitled an Act to amend an Act to regulate proceedings in the courts of justice of this Territory," approved February twentieth, one thousand eight hundred and sixty-four reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Carey, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate memorial and joint resolution, relating to town sites in the

State of Nevada, reported in Senate message, was taken up, rules suspended, resolution read a first and second time by title, rules further suspended, resolutions read a third time, and placed upon their final passage, and the roll called with the following result: Ayes, 22; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, Shackelford, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bien, Lee, Sine, and Walter.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Bishop, the House took a recess at eleven o'clock and thirty-five minutes A. M. until one o'clock P. M.

#### AFTERNOON SESSION.

1 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 25th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have this day approved Assembly Bill No. 188, "An Act empowering H. M. Bien to administer oaths in certain cases."

H. G. BLASDEL,  
Governor.

On motion of Mr. Smith, the House adjourned at 1 o'clock and ten minutes P. M. until four o'clock Monday morning.

---

#### SEVENTY-EIGHTH DAY.

MONDAY, February 27th, 1865.

House met pursuant to adjournment at four o'clock A. M.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Brown, Bien, Bishop, Bond, Dun, Greeley, Hinckley, Hawkins, Haskell, Leo, Myrick, Nichols, Parker, Patten, Rosenblatt, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following members were absent, viz:

Messrs. Beck, Cary, Cutter, Denson, Epstein, McKeeby, Rigby, Small, Smith, St. Clair, Bolan, and Mayhugh.

Present, 23; absent, 12.



On motion, the reading of the journal was dispensed with until eleven o'clock A. M.

Mr. Bien moved a call of the House.

Carried.

The Sergeant-at-Arms was dispatched for the absentees, viz: Messrs. Beck, Bolan, Cary, Cutter, Denson, Epstein, Mayhugh, McKeeby, Rigby, Small, and Smith.

On motion, the Sergeant-at-Arms was furnished with a warrant for the arrest of Messrs. Smith, Bolan, Cutter, Denson, Epstein, Mayhugh, and Small.

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

By request, Mr. Bien officiated as chaplain.

On motion of Mr. Hawkins, the absentees who are in town were fined their *per diem* for this day, to be withheld by the Sergeant-at-Arms, and paid by him into the Sanitary Fund, after deducting his fees.

#### PRESENTATION OF PETITION.

Mr. Bishop presented a petition from citizens of Storey County, residents of Gold Hill, in reference to the division of Storey County, which was read and referred to the Committee on Counties and County Boundaries.

#### GENERAL FILE.

Senate Bill No. 37, entitled "An Act to provide for the appointment of Notaries Public, and defining their duties," was taken from file, read a third time, and passed by the following vote: Ayes, 25; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, Nichols, Parker, Rosenblatt, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed and ordered transmitted to the Senate.

Mr. Lee asked to have his name recorded as protesting against the passage of the bill.

On motion of Mr. Shackelford, the House took a recess at six o'clock and twenty minutes A. M. until eleven o'clock A. M.

House reassembled at eleven o'clock A. M.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The journal of Saturday was read and approved.

Mr. Cutter moved to rescind the vote by which the members were fined the amount of their *per diem* this morning.

Carried, and so ordered.

Leave of absence granted Mr. Small for one day.

#### REPORTS.

Mr. Parker, from the Committee of Ways and Means, reported as follows:

*Mr. Speaker:*

The Committee of Ways and Means to whom was referred Assembly Bill No. 160, entitled "An Act to regulate and enforce the collection of delinquent taxes," have had the same under consideration and would

recommend that the same be amended by striking out "or which shall hereafter become" in section one, and the words "and hereafter at the same time" in section six, and refer the same to the Assembly, and recommend its passage as amended.

Accepted, and bill and report placed upon file.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, February 27th, 1865. }

*To the Hon. the Assembly:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 237, "An Act concerning the compensation of jurors in the District Courts of this State," the same having passed the Senate February twenty-fifth, one thousand eight hundred and sixty-five.

All of which is respectfully submitted. GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 237, entitled "An Act concerning the compensation of jurors in the District Courts of this State," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and referred to the Judiciary Committee.

\* Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as ordered engrossed, and found the same correctly engrossed, viz:

No. 29, "An Act to provide for the removal of certain incorporated companies to this State by their own election.

No. 187, "An Act to confirm acknowledgments of deeds and other instruments taken by County Recorders or their deputies."

Concurrent Resolutions No. 35, in relation to the appointment of a committee to take into consideration the amending of the Constitution of the State.

Accepted.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, February 27th, 1865. }

*To the Hon. the Assembly of Nevada:*

It affords me pleasure to announce to your honorable body the receipt of a telegram from Hon. E. M. Stanton, Secretary of War, giving the welcome intelligence that Wilmington has been captured by Union arms, and is again under the old flag.

Very respectfully submitted.

H. G. BLASDEL,  
Governor.

GENERAL FILE.

Assembly Bill No. 41 was taken from file and placed at bottom of file.

Assembly Bill No. 149, entitled "An Act concerning District Attorneys," was taken from file, and on motion of Mr. Haskell the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Toombs in the chair.

Mr. Chairman reported that the Committee of the Whole had had un-

der consideration the Assembly bill entitled "An Act concerning District Attorneys," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House and ask leave to sit again.

Report adopted and leave granted.

#### INTRODUCTION OF BILLS.

Mr. Rosenblatt, by unanimous consent, introduced the following bill entitled "An Act to render effective and to legalize certain elections made in the State of Nevada on the eighth day of November, one thousand eight hundred and sixty-four."

Rules suspended, bill read a first and second time by title and referred to the Judiciary Committee.

#### GENERAL FILE.

On motion of Mr. Walter, the House resolved itself into Committee of the Whole for consideration of bills on general file.

Mr. Toombs in the chair.

Assembly Bill No. 161, entitled "An Act to provide for the incorporation of railroad companies and the affairs thereof, and other matters relating thereto," was taken from file, and the committee would recommend that the bill be printed before taken into consideration.

Assembly Bill 173, entitled "An Act for the relief of Alexander Hunter," was taken from file," and the committee would recommend that the bill be laid upon the table.

Assembly Bill No. 26, entitled "An Act for the relief of John A. Benham," was taken from file, read through, and laid on the table.

Assembly Bill 190, entitled "An Act amendatory of an Act relating to the manner of commencing civil actions," approved December twentieth, one thousand eight hundred and sixty-two, was taken from file, read, and recommend that the bill be ordered engrossed for a third reading.

Assembly Bill No. 150, entitled "An Act declaring the evidence of possessory rights," was taken from the file, read, and the committee would recommend that the bill be referred to a select committee of three, with instructions to amend.

Assembly Bill No. 167, entitled "An Act concerning District Court Reporters of the various judicial districts in this State," was taken from file, read, made no amendments thereto, and, on motion, the committee arose, with leave to sit again.

Report of committee adopted.

On motion of Mr. Epstein, the House took a recess, at one o'clock P. M., until two o'clock and thirty minutes P. M.

#### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker appointed as a select committee, to whom was referred Assembly Bill 150, Messrs. Bishop, Rigby and Sine.

#### GENERAL FILE.

On motion of Mr. Cutter, the House resolved itself into Committee of the Whole for consideration of the bills on general file.

Mr. Speaker in the chair.

The further consideration of Assembly Bill No. 167, entitled "An Act concerning District Court Reporters of the various judicial districts in the State," was resumed, had gone through therewith, had made no amendments thereto, and recommended that the bill be indefinitely postponed.

Assembly Bill No. 149, entitled "An Act concerning District Attorneys," was taken from file, read, amended, and committee recommended the passage of the bill as amended.

Report of the committee adopted, and Bill No. 149 ordered engrossed for third reading.

Assembly Bill No. 153 was ordered engrossed for a third reading.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 190, "An Act amendatory of an Act relating to the manner of commencing civil actions," approved December twentieth, one thousand eight hundred and sixty-two.

Accepted.

Senate Bill No. 56, entitled "An Act concerning unlawful holding over of lands, tenements or other possessions," was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Brown, the House adjourned at four o'clock p. m.

---

## SEVENTY-NINTH DAY.

TUESDAY, February 28th, 1865.

House met pursuant to adjournment.

Mr. Speaker *pro tem.* in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bien, Bishop, Denson, Greeley, Hinckley, Haskell, Smith, Lee, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Walter, Wellington, Young, and Mr. Speaker.

And the following members were absent, viz:

Messrs. Bolan, Bond, Cary, Cutter, Dun, Epstein, Hawkins, Myrick, Small, Smith, St. Clair, and Toombs.

Present, 23; absent, 12.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Leave of absence was granted to Messrs. Dun, Cary, and Brown, for one day.

REPORTS.

Mr. Denson, from the Judiciary Committee, reported as follows:

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred Assembly Bill No. 116, entitled "An Act amendatory of an Act entitled an Act in relation to County Treasurers," approved November twenty-ninth, one thousand eight hundred and sixty-one, have had the same under consideration, and directed their chairman to report the same back to the House, and recommend its indefinite postponement.

They have also considered Assembly Bill No. 164, entitled "An Act to amend an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," and directed the same to be reported back to the House, and its indefinite postponement recommended on the ground that there is now a law of a similar character in force.

Your committee have also considered Assembly Bill No. 205, entitled "An Act to render effective and to legalize certain elections made in the State of Nevada on the eighth day of November, one thousand eight hundred and sixty-four," and regarding the provisions of the said bill to be unnecessary, they report the same back to the House, and recommend its indefinite postponement.

Also, Assembly Bill No. 162, entitled "An Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, have had the said bill under consideration, and directed their chairman to report the same back to the House, without recommendation.

They have also considered Assembly Bill No. 192, entitled "An Act concerning municipal corporations," and directed the same to be reported back without recommendation.

Also, Senate Bill No. 231, entitled "An Act to amend section two hundred and nineteen of an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, have had the same under consideration, and amended the first section thereof by inserting the words "sewing machines" after the word "bedsteads," in the seventeenth line, and they have directed their chairman to report the said bill to the house, and recommend its passage as amended.

Your committee have had under consideration Senate Bill No. 131, entitled "An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State," and amend the same as follows, to-wit: Insert a new section after section six, in the following words:

"Section Seven. All lands in this State shall be deemed and regarded as public lands, until the legal title is known to have passed upon [from] the Government to provide [private] individuals or parties."

Change the number of section seven of the said bill so as to make the same read "section eight," and they have directed the said bill to

be reported back to the House, with a recommendation that it be passed as amended.

All of which is respectfully submitted.

S. C. DENSON,  
Chairman.

Accepted, and bills and reports placed upon file.

Mr. Patten, from a select committee, reported as follows :

*Mr. Speaker :*

Your committee, to whom was referred Assembly Bill No. 135, "An Act to divide Storey County, and create the county of Gold Hill," have had the same under consideration, and directed their chairman to report the bill back without recommendation.

E. PATTEN, Chairman,  
B. H. NICHOLS.

Accepted, and bill placed upon file.

Mr. Haskell, from the Committee on Federal Relations, reported as follows :

*Mr. Speaker :*

The Committee on Federal Relations have examined Assembly Bill No. 180, "A memorial to Congress in relation to timber lands," and come to the conclusion that the object of said memorial is proper and just, and therefore have directed their chairman to report them back to the House, recommending their passage.

HASKELL,  
Chairman.

Accepted, and bill placed upon file.

Mr. Bearss, from the Committee on Corporations, reported as follows :

*Mr. Speaker :*

The Committee on Corporations have had under consideration Assembly Bill No. 181, "An Act concerning corporations," and have directed their chairman to report the same back to the Assembly without amendment, and recommend its passage.

Accepted, and bill placed on file.

A. C. BEARSS,  
Chairman.

#### MOTIONS AND RESOLUTIONS.

Mr. Haskell moved that when the Assembly Concurrent Railroad Resolutions are returned from the Senate to the House, they be withheld from the Enrolling Committee until an investigation can be had in the matter of fraud alleged therein.

Mr. Brown moved to indefinitely postpone the motion.

Upon which the ayes and noes were demanded by Messrs. Brown, Lee and Cutter, and the roll called with the following result: Ayes, 19; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Cary, Cutter, Denson, Epstein, Hinekley, Hawkins, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Sine, St. Clair, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Dun, Greeley, Haskell, Lee, Patten, Shackelford, Smith, Young, and Mr. Speaker.  
 Motion to indefinitely postpone carried.

Mr. Patten moved that a committee of five be appointed by the chair to take into consideration the matter of interpolation of all bills passed this session.

Carried.

The Speaker appointed as such committee Messrs. Bishop, Sine, Rigby, Young, and Walter.

#### REPORTS.

Mr. Hawkins, Chairman of Committee on Internal Improvements, reports that they have had under consideration Assembly Bill No. 81, "An Act authorizing I. C. Bateman, C. S. Van Gorder, and H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the Divide, between Gold Hill and Virginia, in Storey County, to Empire City, in Ormsby County, and directed their chairman to report the bill back to the House and recommend its passage.

Also, Assembly Bill No. 189, "An Act to authorize A. B. Perkins, and his associates, to maintain a toll road," report favorably on the same, and recommend its passage.

Also, Assembly Bill No. 174, "An Act to provide for incorporation of railroad companies in this State, and define their extent," etc., report said bill back to the House without any recommendation.

Also, Assembly Bill No. 86, "An Act amendatory and supplementary to an Act entitled an Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," passed February ninth, one thousand eight hundred and sixty-five, and directed their chairman to report said bill back to the House without recommendation.

CYRIL HAWKINS,  
 Chairman.

Accepted, and bills placed upon file.

Mr. Bishop, from a select committee, reports as follows:

*Mr. Speaker:*

The select committee to whom was referred the subject of registration of the names of electors, etc., have had the same under consideration, and have directed their chairman to report the accompanying bill, entitled "An Act to provide for the registration of the names of electors, and for the ascertainment by proper proof of the persons who shall be entitled to the rights of suffrage," and recommend the passage of the same.

WM. W. BISHOP,  
 Chairman Select Committee.

Accepted, and the rules were suspended, bill read a first and second time by title, and, on motion, made the special order of the day at three o'clock P. M.

#### INTRODUCTION OF BILLS.

Mr. Bearss, by unanimous consent, introduced the following bill, entitled "An Act to amend an Act entitled an Act to create the county of Nye."

Rules suspended, bill read a first and second time by title and referred to Committee on Counties and County Boundaries.

## REPORT.

Mr. Rigby, from a select committee, reported as follows:

*Mr. Speaker:*

Your committee to whom was referred Assembly Bill No. 16, "An Act to regulate fees and compensation for official and other services in the State of Nevada," have had the same under consideration, made various amendments thereto, report the same back and recommend its passage as amended.

Accepted, and bill placed upon file.

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

## AFTERNOON SESSION.

1:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

## SENATE MESSAGES.

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, February 27th, 1865. }

*To the Hon. the Assembly:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 242, "An Act to provide for policemen in unincorporated cities, towns and villages," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Senate Bill No. 242, entitled "An Act to provide for policemen in unincorporated cities, towns and villages," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title and referred to the Committee on Counties and County Boundaries.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, February 28th, 1865. }

*To the Hon. the Assembly:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 128, "An Act to provide revenue for the support of the Government of the State of Nevada," the same having passed the Senate February twenty-seventh, one thousand eight hundred and sixty-five.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.



Senate Bill No. 128, entitled "An Act to provide revenue for the support of the Government of the State of Nevada," reported in Senate message, was taken up, and, on motion, it was made the special order for this evening at seven o'clock P. M.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, February 28th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate, to return to your honorable body "Assembly Bill No. 146, "An Act to provide for the removal of certain incorporated companies to this State by their own election," the same having passed the Senate this day without amendment.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, February 28th, 1865. }

*To the Hon. the Assembly :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 241, "An Act declaratory of the law of this State concerning mining customs, usages and regulations," the same having passed the Senate this day.

I return to your honorable body Assembly Bill No. 86, "An Act to authorize married women to transact business in their own name as sole traders," the same having been indefinitely postponed by the Senate.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 241, entitled "An Act declaratory of the law of this State concerning mining customs, usages and regulations," reported in Senate message, was taken up.

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

#### GENERAL FILE.

Assembly Bill No. 190, entitled "An Act amendatory to an Act relating to the manner of commencing civil actions," approved December twentieth, one thousand eight hundred and sixty-two, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result : Ayes, 20 ; noes, 3—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Lee, Nichols, Parker, Rigby, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Haskell and McKeeby.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Smith introduced a remonstrance from a portion of the citizens of Storey County, relating to the division of the Storey County.

Mr. Young introduced a remonstrance from a portion of the citizens of Storey County, relating to the division of Storey County, both petitions were read and referred to the Committee on Counties and County Boundaries.

On motion of Mr. Bond, the House resolved itself into Committee of the Whole for consideration of Assembly Bill No. 177, entitled "An Act to provide for the payment of rent for the use of the capitol building for the year one thousand eight hundred and sixty-four," (special order for the day.)

Mr. Bond in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 177 (as above read), had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Accepted and adopted.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage.

Mr. Tozer moved to refer the bill to a select committee with instructions to amend by striking out "five thousand dollars," and inserting "three thousand dollars," upon which the ayes and noes were demanded by Messrs. Patten, Smith and Toombs, and the roll called with the following result: Ayes, 9; noes, 21—as follows:

Those voting in the affirmative were—

Messrs. Bolan, Bond, Greeley, Haskell, Mayhugh, Sine, Smith, Toombs, and Young.

And in the negative—

Messrs. Bearss, Beck, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, St. Clair, Walter, Wellington, and Mr. Speaker.

Motion lost.

Mr. Tozer moved to refer the bill to a select committee, with instructions to amend by striking out "five thousand dollars," and insert "three thousand five hundred dollars;" upon which the ayes and noes were called for by Messrs. Cutter, Bishop and McKeeby, and the roll called, with the following result: Ayes, 11; noes, 21—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Cutter, Greeley, Mayhugh, Smith, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bishop, Bond, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Wellington, and Young.

Motion lost.

Mr. Toombs moved to refer the bill to a select committee, with instructions to amend by striking out "five thousand dollars," and insert "four thousand dollars;" upon which the ayes and noes were called for by Messrs. Toombs, McKeeby and Denson, and the roll called, with the following result: Ayes, 15; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Cutter, Dun, Greeley, Hinckley, Hawkins, Lee, Mayhugh, Rosenblatt, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bolan, Bishop, Bond, Cary, Denson, Epstein, Haskell, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, St. Clair, and Young.

Motion lost.

Mr. Smith called for the previous question, which was sustained; and the main question now being, Shall the bill pass? and the roll was called, with the following result: Ayes, 9; noes, 18—as follows:

Those voting in the affirmative were—

Messrs. Cary, Denson, Dun, Epstein, Parker, Patten, Rosenblatt, Rigby, and Shackelford.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bond, Cutter, Greeley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, and Smith.

Mr. Speaker declared the bill lost.

Mr. McKeeby gave notice of motion to reconsider the vote just taken, by which Assembly Bill No. 177 was lost.

The special order set for three o'clock p. m. to-day, was postponed until ten o'clock a. m. to-morrow morning.

Senate messages were in order, and Mr. Tozer moved to suspend the rules, and postpone that order of business for one hour.

Mr. Hawkins moved the previous question, which was sustained; and the main question being, Shall the rules be suspended, and the order of business be postponed? which was lost.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
February 28th, 1865. }

*To the Hon. Assembly of Nevada:*

I am directed by the honorable the Senate to return to your honorable body Assembly concurrent railroad resolutions, introduced by Mr. Epstein, the same having passed the Senate, without amendment, February twenty-seventh, one thousand eight hundred and sixty-five.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

STATE OF NEVADA, SENATE CHAMBER, }  
February 28th, 1865. }

*To the Hon. the Assembly:*

I am directed by the honorable the Senate to return to your honorable body Assembly Concurrent Resolution No. 29, in relation to postoffices on the overland route, the same having passed the Senate, amended as follows: After the word "Churchill," in the ninth line, insert the words "and Egan Cañon, Lander County."

I also transmit herewith, for the consideration of your honorable body, Senate Bill No. 26, "An Act to incorporate the town of Gold Hill," the same having passed the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

The question now being upon concurring in Senate amendments to Assembly Concurrent Resolution No. 29, the roll called, with the following result: Ayes, 32; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeyby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the amendments concurred in, and the resolutions ordered enrolled.

Senate Bill No. 26, entitled "An Act to incorporate the town of Gold Hill," reported in Senate message, was taken up, rules suspended, bill read a first and second time by title, and referred to a select committee comprised of Messrs. Tozer, Greeley and Bishop.

On motion of Mr. Young, the House took a recess, at four o'clock and thirty minutes p. m., until seven o'clock p. m.

### EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and a quorum present.

On motion of Mr. Cutter, a call of the House was ordered, and the roll called, and the following members were absent, viz: Messrs. Shackelford, Young, Tozer, Toombs, Epstein, Myrick, Patten, and Mayhugh, and the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the House, and, by consent, admitted to their seats; and, on motion, further proceedings under the call of the House was dispensed with.

The special order of the day, the Revenue Bill, was taken up, and, on motion of Mr. Tozer, the rule requiring the reading of the bill in the Committee of the Whole was suspended.

On motion of Mr. Sine, the bill was made the special order for tomorrow evening, at seven o'clock p. m.

On motion of Mr. Rosenblatt, the House adjourned at nine o'clock p. m.

---

### EIGHTIETH DAY.

WEDNESDAY, March 8th, 1865.

House met pursuant to adjournment.

Mr. Parker, Speaker *pro tem.*, in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeyby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent—

Messrs. Bolan, Bond, Cutter, Greeley, Myrick, Rosenblatt, and Small.  
Present, 28; absent, 7.

Leave of absence was granted to Mr. Small, St. Clair, and Greeley, for one day each.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

Mr. Tozer, by unanimous consent, introduced the following resolution :

WHEREAS, the words "by telegraph" were added to a set of Concurrent Resolutions, known as the Epstein Railroad Resolutions by certain members of the Assembly, under a misapprehension of their parliamentary rights, and as said addition makes no material difference regarding the subject matter of such resolutions, therefore, be it resolved, that the enrolled copy of said resolutions be considered the same as the original, and as such, passed this House.

The question being upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Sine, Toombs, and Patten, and the roll called with the following result : Ayes, 23 ; noes, 3—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Hinkley, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Haskell, Patten, and St. Clair.

Mr. Speaker declared the resolution adopted.

Mr. McKeeby, by unanimous consent, introduced the following bill entitled "An Act concerning roads and highways."

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

#### REPORTS.

Mr. Epstein, from the Standing Committee on Trade and Manufactures, to whom was referred the bill entitled "An Act concerning trade marks and names," report that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their chairman to report the same to the House without amendments and recommend its passage.

The report agreed to, and the bill placed upon file.

Mr. Sine, from a select committee, reported as follows :

*Mr. Speaker :*

Your committee to whom was referred Assembly [Bill] No. 150, entitled "An Act declaring the evidence of possessory rights," introduced by Mr. Rigby, beg leave to introduce a substitute and recommend its passage.

E. P. SINE, Chairman.

Accepted, and bill and substitute placed on file.

Mr. Mayhugh, from the Committee on Mines and Mining Interests, reported as follows :

*Mr. Speaker :*

Your Standing Committee on Mines and Mining Interests, to whom was referred Senate Bill No. 241, entitled "An Act declarative of the

laws of this State concerning mining customs, usages and regulations," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back without amendment and recommend that the bill do pass.

All of which is respectfully submitted.

JOHN S. MAYHUGH,  
Chairman.

Accepted, and bill placed upon file.

Mr. Tozer, from a select committee, reported as follows :

*M. Speaker :*

The select committee to whom was referred Senate Bill No. 26, "An Act to incorporate the town of Gold Hill," beg leave to report that they have had the same under consideration, and now report the same back to the House and recommend its passage.

C. W. TOZER,  
Of the Committee.

Report accepted, and bill placed upon file.

Mr. St. Clair, from the Standing Committee on Contingent Expenses, begs leave to report that the committee have had the following bills under consideration, find them correct and recommend the payment of the same, as follows :

H. G. Parker, Expense Committee on Hospital, Virginia...	\$ 65 00
John G. Fox, stationery.....	140 25
Glenn Bro., wood..	44 00
T. G. Smith, carriage and horse hire for Com'e to Virginia..	50 00
All of which is respectfully submitted.	

J. A. ST. CLAIR,  
Chairman.

Accepted and adopted.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following enrolled resolutions with the engrossed resolutions, as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Secretary of State, viz :

Assembly Concurrent Resolution No. 29, asking for certain Post-offices on overland route.

Also, Assembly Concurrent Resolution No. —, Railroad Resolutions.

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the original, as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval :

Assembly Bill No. 146, "An Act to provide for the removal of certain incorporated companies to this State by their own election."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

On motion of Mr. Patten, the Assembly Bill No. 135, entitled "An

Act to divide Storey county and create the county of Gold Hill," was taken from the file, and, on motion, made the special order for Friday, March third, at two o'clock p. m.

The special order of the day, Assembly Bill No. 206, entitled "An Act to provide for the registration of the names of electors, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage," was taken up, and, on motion of Mr. Brown, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Brown in the chair.

Mr. Chairman reports that the Committee of the Whole had had under consideration the Assembly Bill No. 206 (as above read), had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report adopted.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Denson, Dun, Epstein, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. McKeeby, pursuant to notice, now moved to reconsider the vote by which Assembly Bill No. 177, entitled "An Act to provide for the payment of rent for the use of the capitol building for the year one thousand eight hundred and sixty-five," was lost.

Carried, and vote reconsidered.

Mr. McKeeby moved to refer the bill to a select committee of one, with instructions to amend as follows: Reinstate the following words, which were stricken out yesterday, to-wit: "And in the rear of the Senate chamber for county offices."

Carried, and so ordered.

Also refer to the same committee to strike out "five thousand dollars" and insert "three thousand dollars;" upon which the ayes and noes were demanded by Messrs. Epstein, Smith and Rosenblatt, and the roll called, with the following result: Ayes, 5; noes, 23—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bond, Haskell, Sine, and Smith.

And in the negative—

Messrs. Beck, Brown, Bishop, Cary, Denson, Dun, Epstein, Hinckley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Motion lost.

The question now being on referring the bill to the same select committee, with instructions to amend as follows: Strike out "five thousand dollars," and insert "four thousand dollars" in lieu thereof; upon which the ayes and noes were demanded by Messrs. McKeeby, Denson and Walter, and the roll called, with the following result: Ayes, 24; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Cary, Denson, Dun, Epstein, Hinckley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bond, Haskell and Sine.

Carried, and Mr. McKeeby appointed as such committee.

On motion of Mr. Tozer, Senate Bill No. 26, entitled "An Act to incorporate the town of Gold Hill," was taken from file and made the special order for Thursday, at ten o'clock A. M.

Mr. McKeeby, from a select committee reported, Assembly Bill No. 177 back to the House, amended, as per instructions, and the rules were suspended, bill considered engrossed, read a third time and passed: Ayes, 26; noes 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

The title of the bill was amended as follows: "An Act to provide for the payment of rent, for the use of the Capitol building, for the year one thousand eight hundred and sixty-five, and to reimburse Ormsby County, for the amount expended in preparing said building for the occupation of the Legislature and State officers."

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Brown, the rules were suspended, and Senate Bill No. 241, entitled "An Act declaratory of the law of this State concerning mining customs, usages and regulations," was taken from the file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 27; noes 1—as follows.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Bond, Assembly Bill No. 26, entitled "An Act for the relief of John A. Benham," was taken from the table and on motion of Mr. Bishop, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Parker in the chair.

Mr. Chairman reported, that the Committee of the Whole had had under consideration Assembly Bill, entitled "An Act for the relief of John A. Benham," had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House, without recommendation.

Mr. Bearss moved that the bill be indefinitely postponed, upon which the ayes and noes were demanded by Messrs. Patten, Brown and Bishop, and the roll was called with the following result: Ayes, 12; noes, 14—as follows:

Those voting in the affirmative were—



Messrs. Bearss, Brown, Bolan, Dun, Lee, Mayhugh, Patten, Shackelford, Sine, Smith, Walter, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bien, Bishop, Bond, Cary, Denson, Hinckley, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, and Wellington.

Motion to indefinitely postpone lost.

Mr. Sine moved to suspend the rules, and consider the bill engrossed for a third reading and its final passage.

Carried, and so ordered.

Bill read a third time and the roll called with the following result: Ayes, 15; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Bond, Cary, Denson, Hinckley, Hawkins, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, and Wellington.

And in the negative—

Messrs. Bearss, Brown, Bolan, Dun, Lee, Mayhugh, Patten, Shackelford, Sine, Smith, Walter, and Mr. Speaker.

Mr. Speaker declared the bill lost.

Mr. Bond gave notice of motion to reconsider the vote just taken, by which Assembly Bill No. 26 was lost.

Mr. Dun also gave notice of motion to reconsider the vote just taken.

On motion of Mr. Bolan, the House took a recess at one o'clock and thirty minutes P. M., until two o'clock and thirty minutes P. M.

#### AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called and a quorum present.

On motion of Mr. Myrick, the Senate was requested to return to the House Senate Bill No. 241.

On motion of Mr. Shackelford, Assembly Bill No. 186, entitled "An Act amendatory and supplemental to an Act entitled an Act to authorize the Washoe Turnpike Company to maintain their toll road and branches," passed February ninth, one thousand eight hundred and sixty-five, was taken from the file, and Mr. Cutter moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. Cutter, Hawkins and Bond.

Pending which, a call of the House was ordered, and the roll called, and the following members were present, to wit:

Messrs. Bearss, Haskell, Denson, Bien, Nichols, Patten, and Sine, and the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the House, and by consent admitted to their seats, and, on motion, further proceedings under the call of the House were dispensed with.

The question now being, Shall the bill be indefinitely postponed? the roll was called with the following result: Ayes, 10; noes, 20—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bond, Cutter, Dun, Epstein, Hawkins, Haskell, Parker, and Rosenblatt.

And in the negative—

Messrs. Beck, Brown, Bishop, Cary, Denson, Hinckley, Lee, Myrick, McKeeby, Nichols, Patten, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Motion to indefinitely postpone was lost.

Mr. Hawkins moved to recommit the bill to the Judiciary Committee, with instructions to report to-morrow morning.

Lost.

On motion of Mr. Beck, the bill was ordered engrossed for a third reading.

Mr. Myrick gave notice of motion to reconsider the vote by which Senate Bill No. 241 passed.

On motion of Mr. Rosenblatt, the Sergeant-at-Arms was requested to repair the skylight.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 1st, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 191, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County," approved February fourteenth, one thousand eight hundred and sixty-five, the same having passed the Senate February twenty-eighth, one thousand eight hundred and sixty-five, without amendment.

I transmit herewith, for the consideration of your honorable body, Senate Bill No. 245, "An Act to amend an Act concerning juries," approved February eighth, one thousand eight hundred and sixty-five, the same having passed the Senate February twenty-eighth, one thousand eight hundred and sixty-five.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 245, entitled "An Act to amend amend an Act concerning juries," approved February eighth, one thousand eight hundred and sixty-five, reported in Senate message, was taken up.

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

The following message were received from the Senate :

STATE OF NEVADA, }  
SENATE CHAMBER, March 1st, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate, to return to your honorable body, Assembly Bill No. 26, "An Act to authorize the County Commissioners of Esmeralda county, to build or purchase a building for a court house and jail," the same having passed the Senate this day without amendment.

Also, to return to your honorable body Senate Bill No. 241, "An Act declaratory of the law of this State concerning mining customs, usages and regulations."

I am also directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 20, "An Act authorizing the construction of a railroad from Virginia City to the Truckee river," the same having passed the Senate this day notwith-

standing the objections of his excellency the Governor, by the following vote: Ayes, 13; noes, 3.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

The question now being, Shall the vote be reconsidered by which Senate Bill No. 20, entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee River?"

Vote reconsidered, and the question now being, Shall the bill pass, notwithstanding the objection of the Governor?

On motion of Mr. Haskell, the bill was made the special order for Thursday, March second, at eleven o'clock A. M.

Mr. Young introduced concurrent resolution relating to postoffices in Surprise Valley.

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

Mr. Haskell, from a select committee reported as follows:

*Mr. Speaker:*

The select committee, to whom was referred Senate Bill No. 74, "An Act authorizing County Commissioners to grant franchises for toll roads and bridges within their respective counties," beg leave to report the same back to the House without amendment, and recommend it be re-committed to the Committee of the Whole.

The committee believe it to be almost the unanimous opinion that some amendments, restricting the unlimited powers extended to those who may construct roads or bridges under this law, are absolutely necessary, but failing to agree upon the proper ones to make the law what it should be, and put it in a form likely to meet approval, the committee have made the above recommendation, thinking by such a course satisfactory amendments will be agreed upon.

HASKELL,  
Chairman.

Bill and report placed upon file.

On motion of Mr. Patten, the House took a recess at four o'clock and fifteen minutes P. M., until seven o'clock P. M., this evening.

#### EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Leave of absence was granted Mr. Woodworth, Sergeant-at-Arms, for this evening.

The special order of the day, Senate Bill No. 128, entitled "An Act to provide revenue for the support of the government of the State of Nevada," was taken up, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 22; noes, 4— as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cutter, Denson, Dun, Epstein, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Haskell, Mayhugh, Rosenblatt, and Smith.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 149, "An Act concerning District Attorneys;" No. 153, "An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," approved February fourth, one thousand eight hundred and sixty-five.

Accepted.

On motion of Mr. Smith, the House adjourned at nine o'clock P. M.

---

## EIGHTY-FIRST DAY.

THURSDAY, March 2d, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Patten, Rigby, Shackelford, Sine, Rosenblatt, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Nichols and Small.

Present, 33; absent, 2.

Indefinite leave of absence was granted Mr. Small.

Prayer by the Rev. Mr. White.

The journal of yesterday was read and approved.

The rules were suspended, and pursuant to notice, Mr. Bishop introduced the following bill entitled "An Act authorizing the constructing of a railroad from Virginia City to Carson river."

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

The special order of the day, Senate Bill No. 26, entitled "An Act to incorporate the town of Gold Hill," was taken up, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0.

Those voting in the affirmative were—

Messrs. Brown, Bien, Bishop, Bond, Cary, Dun, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Special order of the day, Senate bill entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckett River," was taken up, and the question being, shall the bill pass notwithstanding the objections of the Governor? on motion of Mr. Bishop a call of the

House was ordered, roll called and the following members were absent, viz :

Messrs. Haskell, Epstein, Cutter, Rosenblatt, and Rigby, and the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the [House], and by consent admitted to their seats, and on motion, further proceedings under the call were dispensed with.

The question again being, Shall the [bill] pass notwithstanding the objections of the Governor? the roll was called with the following result: Ayes, 29; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Greeley and Walter.

Two-thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Patten, from the Committee on Counties and County Boundaries, reported as follows:

*Mr. Speaker:*

Your Standing Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 242, entitled "An Act to provide for the appointment of policemen in unincorporated cities, and towns, and villages," beg leave to report that they have [had] the same under consideration, and have directed their chairman to report the same back, and recommend that the following words be stricken out of section six (6), commencing on line second (2), after the words "to wit," "appoint one or more policemen in such unincorporated cities, towns and villages, and shall." And also add the accompanying section to said bill, to be known as section nine (9), and recommend that said bill do pass as amended.

All of which is respectfully submitted.

EDMOND PATTEN,  
Chairman.

Accepted, and bill and report placed on file.

Mr. Patten also reported Assembly Bill No. 207, "An Act to amend an Act to create the county of Nye," have had the same under consideration, and directed their chairman to report the same back and recommend its passage.

E. PATTEN,  
Chairman.

Accepted, and bill placed upon file.

On motion of Mr. Patten, Assembly Bill No. 207, entitled "An Act to amend an Act entitled an Act to create the county of Nye," was taken from file.

Rules suspended, bill considered engrossed, read a third time, and, on motion, the vote by which the rules were suspended, and the bill ordered engrossed for a third reading, was reconsidered, and the bill was referred to a special committee of five, with instructions to report to-morrow; and Mr. Speaker appointed as such committee Messrs. Bearss, Walter, St. Clair, Hinckley and Haskell.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as ordered engrossed, and found the same correctly engrossed, viz: Assembly Bill No. 186, "An Act amendatory and supplementary to an Act entitled an Act to authorize the Washoe Turnpike Company to maintain their toll road and branches;" also, 185, "An Act to amend an Act to authorize the survey and to establish the western boundary line of the State of Nevada," approved February seventh, one thousand eight hundred and sixty-five.

Accepted.

Mr. Myrick moved to reconsider the vote by which Senate Bill No. 241, entitled "An Act declaratory of the laws of this State concerning mining usages, customs and regulations," passed.

The previous question was called for and sustained, and the main question now being, Shall the vote be reconsidered? upon which the ayes and noes were demanded by Messrs. Brown, Patten and Haskell, and the roll called, with the following result: Ayes, 19; noes, 13—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Denson, Epstein, Hinckley, Hawkins, Lee, Myrick, Parker, Patten, Rosenblatt, Rigby, Shackelford, St. Clair, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bond, Cary, Cutter, Dun, Greeley, Mayhugh, Nichols, Sine, Smith, Toombs, Walter, and Wellington.

Motion to reconsider carried, and so ordered, and the bill made the special order for Friday, March third, at seven o'clock p. m.

Rules suspended, and Mr. Bond, from a select committee, reported as follows:

*Mr. Speaker:*

Your special committee, to whom was referred Assembly Bill No. 14, "An Act to provide for the election of Presidential Electors, Members of Congress, and State and County Officers, and to preserve the purity of elections," have had the same under consideration, and directed their chairman to report back a printed copy, with amendments thereto, and recommend that it be accepted by the House as the original bill, and pass as amended.

E. BOND,  
Chairman.

Accepted, and bill placed upon file.

Mr. Dun, pursuant to notice, moved to reconsider the vote by which Assembly Bill No. 26, entitled "An Act for the relief of John A. Benham," was lost.

Mr. Brown moved to indefinitely postpone the motion.

Mr. Lee called for the previous question, which was sustained.

The question now being, Shall the motion be indefinitely postponed? upon which the ayes and noes were demanded by Messrs. Rosenblatt, Brown and Bond, and the roll called, with the following result: Ayes, 13; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Dun, Greeley, Lee, Mayhugh, Shackelford, Sine, St. Clair, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bien, Bishop, Bond, Cutter, Denson, Epstein, Hinckley, Hawkins, Myrick, Nichols, Parker, Patten, Rosenblatt, Rigby, Smith, Toombs, Wellington, and Young.

Motion to indefinitely postpone lost.

The main question now being, Shall the vote be reconsidered?

Carried, and so ordered.

Mr. Bond moved that the bill be placed upon its final passage, and the previous question was called for and sustained. The main question now being, Shall the bill pass?

Roll called with the following result: Ayes, 19; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Hawkins, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Brown, Bolan, Dun, Greeley, Lee, Mayhugh, Patten, Shackelford, Sine, Smith, St. Clair, Walter, and Mr. Young.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Cutter, by unanimous consent, introduced the following bill entitled "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Virginia, Storey County," approved January twenty-seventh, one thousand eight hundred and sixty-five.

Rules suspended, bill read a first and second time by title, and referred to the Storey County delegation.

On motion of Mr. Mayhugh, the House took a recess, at one o'clock p. m. until two o'clock, p. m.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

#### REPORTS.

Mr. Hawkins reports, that the Standing Committee on Enrollment have carefully compared the following entitled bills with the Engrossed Bills as passed by the two Houses and found them correctly enrolled, and that the same were this day delivered to the Governor for his approval, viz: Assembly Bill No. 36, "An Act to authorize the County Commissioners of Esmeralda County to build or purchase a building for a court house and jail."

Also, Assembly Bill No. 191, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County," approved February fourteenth, one thousand eight hundred and sixty-five.

C. HAWKINS,

Chairman Enrolling Committee.

Report accepted.

Mr. Hawkins, Chairman of Committee on Internal Improvements, reports, that they have had under consideration Assembly Bill No. 214, "An Act authorizing the construction of a railroad from Virginia to Carson River."

Also, Assembly Bill No. 112, "An Act concerning roads and highways," have made no amendments thereto, and directed their chairman to report favorable on said bills to the House, and recommend their passage.

Accepted, and bills placed upon file.

Mr. Beck reports, that the Standing Committee on Engrossment, have carefully compared the following entitled House Bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 177, "An Act to provide for the payment of rent for the use of the Capitol buildings, for the year one thousand eight hundred and sixty-five, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers."

Also, No. 206, "An Act to provide for the registration of the names of Electors, and for the ascertainment by proper proofs of the persons who shall be entitled to the right of suffrage."

Report accepted.

Leave of absence granted Messrs. Brown and Nichols for one day each.

Mr. Cutter, from Storey County delegation, reported as follows:

*Mr. Speaker:*

The Storey County delegation, to whom was referred Assembly Bill No. —, entitled "An Act to amend an Act entitled an Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, one thousand eight hundred and sixty-five, respectfully beg leave to report the same back without amendment and recommend its passage.

W. M. CUTTER,  
Chairman.

Accepted, and bill placed upon file.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 2d, 1865. }

*To the Hon. the Assembly:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, the following bills:

First—Senate Bill No. 235 "An Act in relation to corporations," the same having passed the Senate February twenty-eighth, one thousand eight hundred and sixty-five.

Second—Senate Bill No. 249, "An Act supplemental to, and amendatory of, an Act to provide for carrying out in part the provisions of section seven, article seventeen of the Constitution of the State of Nevada," passed March first, one thousand eight hundred and sixty-five.

Third—Senate Concurrent Resolution, "relative to the establishment of a mail route from Carson City, Ormsby County, to Dayton, in Lyon County," passed March first.

Fourth—Senate Bill No. 96, "An Act to provide pay for the members and attendees of the two late Constitutional Conventions, etc., passed March first.

Fifth—Assembly Concurrent Resolution No. 22, to procure the establishment of a tri-weekly mail from Carson City, in this State, to American City, in Storey County," passed March first, without amendment.



Sixth—Senate Bill No. 136, "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers," passed March first, one thousand eight hundred and sixty-five.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 235, "An Act in relation to corporations," as reported in Senate message, was taken up, read a first and second time by title and referred to the Standing Committee on Corporations.

Senate Bill No. 249, entitled "An Act supplemental to, and amendatory of an Act, to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada," reported in Senate message, was taken up, read a first and second time by title, rules suspended and bill referred to the Committee on Claims.

Senate Concurrent Resolution, "relative to the establishment of a mail route from Carson City, Ormsby County, to Dayton, in Lyon County," reported in Senate message, was taken up.

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

Senate Bill No. 96, entitled "An Act to provide pay for members and attendees of the two late Constitutional Conventions, etc.," reported in Senate message, was taken up.

Rules suspended, bill read first and second times by title and referred to the Committee on Claims.

Assembly Concurrent Resolution No. 22 reported in Senate message, was taken up and ordered enrolled.

Senate Bill No. 136, entitled, "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to the Committee on Counties and County Boundaries.

#### INTRODUCTION OF BILLS.

Mr. Toombs, by unanimous consent, introduced the following bill, entitled "An Act granting to S. B. Hunt, and his associates, the right to maintain a toll road."

Rules suspended, bill read a first and second time by title and placed upon file.

Mr. Myrick, by unanimous consent, introduced the following bill, entitled "An Act to establish the standard of weights and measures."

Rules suspended, bill read a first and second time by title and placed upon file.

#### GENERAL FILE.

Assembly Bill No. 185, entitled "An Act to amend an Act to authorize the survey, and to establish the western boundary line of the State of Nevada," approved February seventh, one thousand eight hundred and sixty-five, was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Cary, Cutter, Denson, Dun, Ep-

stein, Greeley, Hinckley, Hawkins, Lee, Myrick, Mayhugh, McKeeby, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 186, entitled "An Act amendatory of, and supplemental to, an Act entitled an Act authorizing the Washoe Turnpike Company to construct and maintain their toll road and branches," was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 10; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Beck, Cary, Greeley, Hinckley, Myrick, McKeeby, Rigby, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bolan, Bishop, Cutter, Denson, Dun, Epstein, Hawkins, Lee, Parker, Patten, Rosenblatt, Shackelford, Sine, St. Clair, Toombs, and Wellington.

Mr. Speaker declared the bill lost.

Mr. Bishop gave notice of motion to reconsider the vote just taken, by which Assembly Bill No. 186 was lost.

Assembly Bill No. 149, entitled "An Act concerning District Attorneys," was taken from file, read a third time, and Mr. Rigby moved that the bill be recommitted to a select committee of one, with special instructions to amend as follows: In the county of Storey, strike out the words "two thousand dollars," and insert in lieu thereof the words "five hundred dollars."

Carried, and Mr. Rigby appointed by the chair as such committee, who forthwith reported the bill back to the House, amended as per instructions.

On motion of Mr. Haskell, the vote by which the bill was recommitted to a select committee, was reconsidered.

The previous question was called for and sustained, and the main question now being upon striking out "five hundred dollars," and inserting "two thousand dollars."

Lost.

Mr. Young moved to strike out "five hundred dollars" and insert "one thousand five hundred dollars."

Carried.

Mr. Brown moved to refer to a special committee of one, with instructions to amend by striking out, in the bill where it refers to Humboldt County, the words "one thousand dollars," and inserting in lieu thereof the words "seven hundred and fifty dollars."

Mr. St. Clair moved to refer to a select committee of one, to amend by striking out in the bill, where it relates to Churchill County, the words "one thousand dollars," and insert "five hundred dollars."

Carried, and Mr. Young appointed as such committee, who forthwith reported the bill back to the House, amended as per instructions.

The previous question was called for and sustained, and the main question now being, Shall the bill pass? and the roll was called, with the following result: Ayes, 28; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick,

Mayhugh, McKeoby, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 153, entitled "An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 24; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hawkins, Lee, Myrick, Mayhugh, McKeoby, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

And in the negative—Mr. Haskell.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 162, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, and recommitted to the Judiciary Committee.

Assembly Bill No. 192, entitled "An Act concerning municipal corporations," was taken from file, and, on motion, indefinitely postponed.

Senate Bill No. 231,, entitled "An Act to amend section two hundred and nineteen of an Act entitled An Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-nine, one thousand eight hundred and sixty-one, was taken from file, together with the amendments of committee, and, on motion, the amendments were adopted.

Bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 25; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Haskell, Myrick, McKeoby, Nichols, Rosenblatt, Rigby, Shackelford, Sine, Walter, Young, and Mr. Speaker.

And in the negative—Mr. Smith.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Memorial No. 180, "relating to the timber lands of this State," was taken from file and made the special order for Friday evening next at 8 o'clock P. M.

Assembly Bill No. 181, entitled "An Act concerning corporations," was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, roll called with the following result: Ayes, 23; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Lee, McKeoby, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Walter, Young, and Mr. Speaker.

And in the negative—Messrs. Haskell and Myrick.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 81, entitled "An Act authorizing I. C. Bateman, L. U. Colbath, C. H. Vangorder, N. H. A. Mason, and their associates and

assigns, to construct and maintain a toll road from the Divide, between Virginia City and Gold Hill, in Storey County, to Empire City, in Ormsby County, was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 26; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rigby, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Parker, Rosenblatt, Shackelford, and St. Clair.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 16, entitled "An Act to regulate fees and compensation for official and other services," was taken from file, and, on motion, made the special order for this evening at seven o'clock P. M.

On motion of Mr. Hawkins, the House took a recess at five o'clock P. M., until seven o'clock P. M.

#### EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem.*, in the chair.

Roll called, and quorum present.

The special order of the day was postponed temporarily.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 2d, 1865. }

*To the Hon. Assembly of Nevada:*

I am directed by the honorable the Senate, to return to your honorable body Assembly Bill No. 85, "An Act for the protection of agricultural lands, and to preserve the purity of water," the same having passed the Senate amended as follows: Strike out, in section one, lines thirteen, fourteen and fifteen, the words "Provided, that nothing in this Act shall apply to those engaged in working ores," and insert the same at the end of the section. In section two, strike out the words "or district."

I transmit herewith, for the consideration of your honorable body, Senate Bill No. 270, "An Act concerning the payment of county warrants," the same having passed the Senate.

Also, Senate Bill No. 194, "An Act to amend an Act, and supplementary to an Act, entitled an Act to incorporate the city of Austin," approved February twentieth, one thousand eight hundred and sixty-four, the same having passed the Senate.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 194, entitled "An Act to amend an Act and supplementary to an Act entitled an Act to incorporate the city of Austin," approved February twentieth, one thousand eight hundred sixty-four," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to the Lander County delegation.

On motion, the House resolved itself into Committee of the Whole for consideration of Assembly Bill No. 16, entitled "An Act to regulate fees and compensation for official and other services," (the special order of the day).

Mr. Parker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 16 (as above read), had gone through therewith, had made some amendments thereto, and directed their Chairman to report the bill to the House without recommendation.

Report accepted.

Mr. Hawkins moved that the bill be indefinitely postponed, upon which the ayes and noes were called for by Messrs. Hawkins, Young and Bishop, and the roll called, with the following result: Ayes, 4; noes, 25—as follows:

Those voting in the affirmative were—

Messrs. Bishop, Hawkins, St. Clair, and Toombs.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, McKeeby, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Walter, Wellington, Young, and Mr. Speaker.

Motion to indefinitely postpone lost.

Mr. Cutter moved that the rules be suspended, bill considered engrossed for a third reading.

Carried, and the bill read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 23; noes, 6:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Lee, Myrick, Parker, Patten, Rosenblatt, Rigby, Smith, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Hawkins, Haskell, McKeeby, Shackelford, St. Clair, and Toombs.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Bond, the House adjourned at ten o'clock and thirty minutes p. m.

---

## EIGHTY-SECOND DAY.

FRIDAY, March 3d, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Bolan, Small, and St. Clair.

Present, 32; absent, 2.

Prayer by the Rev. Mr. White.

The journal of yesterday read and approved.

Mr. Sine, from the Lander County delegation, reported as follows :

*Mr. Speaker :*

Your committee, to whom was referred Senate Bill No. 194, "An Act to amend an Act and supplementary to an Act entitled an Act to incorporate the city of Austin," approved February twentieth, one thousand eight hundred and sixty-four, beg leave to report the same back, and recommend its passage.

E. P. SINE,  
Chairman.

Accepted, and bill placed upon file.

The following message was received from the Kansas Legislature :

Concurrent Resolutions in regard to the Overland Travel, and the Settlers upon the Frontier :

WHEREAS: The Indian massacres which occurred upon the border of our State, during the summer and fall of 1864, and which are now being re-enacted by the hostile tribes of Indians upon the overland route to California, Nevada and New Mexico, and the Territories of Colorado and Idaho, interfere with and retard the settlement and development of the mineral resources of those Territories, and interrupt the Overland Mail communications to and from the Pacific and the Territories of Colorado and Idaho; and

WHEREAS: The military force upon said route is entirely inadequate and insufficient to chastise the hostile tribes of Indians, and to keep them from committing their murderous attacks upon emigrants to those territories and the Pacific States, and to keep the line of communication open from the Missouri river, in the State of Kansas, to said States of California and Nevada, and the Territories of Colorado and Idaho, and New Mexico; and

WHEREAS: It is necessary to the northern and western portion of our State that the hostile tribes of Indians be prevented, if possible, from committing their murderous attacks upon our frontier settlers and the overland travel; therefore, be it

*Resolved,* By the House of Representatives of the State of Kansas, the Senate concurring therein, that the Secretary of War be, and is hereby, requested to place a sufficient military force in the hands of Major General Curtis, commanding this Department, to enable him to give sufficient and ample protection to the frontier of Kansas, and the Overland and Santa Fe routes.

*Resolved,* That the Secretary of State be instructed to forward copies of this Preamble and Resolutions to the Secretary of War and our Senators and Representative in Congress.

*Resolved,* That the Secretary of State be, and he is hereby, requested to forward a certified copy of these concurrent resolutions to the Legislatures of the States of Missouri, Iowa, Nevada, and California, and to the Legislatures of the Territories of Nebraska, Colorado, Montana, Washington, and Utah, with a view of inducing their honorable and respective bodies to take similar action as is indicated in these resolutions.

Passed by both Houses.

S. B. EMMERT,  
Chief Clerk.

I, R. A. Barker, Secretary of State, do hereby certify that the above is a true and correct copy of a concurrent resolution, the original of which is on file in my office. In testimony whereof, I have set my hand and affixed the official seal of my office, this twenty-first day of January, A.D., one thousand eight hundred and sixty-five.

R. A. BARKER,  
Secretary of State.

Referred to the Committee on Federal Relations.

Mr. Toombs introduced a petition of P. B. Hazeltine, and other citizens of Lyon County, remonstrating against the repeal of the Specific Contract Act, which was read and placed upon file.

Mr. Mayhugh, from the Committee on Mines and Mining Interests, reported as follows:

*Mr. Speaker:*

Your Standing Committee on Mines and Mining Interests, to whom was referred Senate Bill No. 196, entitled "An Act for the encouragement of Mining," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back with the following amendment, to be added to section three (3) of said bill after the word "equitable," on the last line of said section, and recommend its passage as amended.

All of which is most respectfully submitted.

JOHN S. MAYHUGH,  
Chairman.

Accepted, and bill and report placed on file.

Mr. Smith introduced petitions from citizens of Storey County, remonstrating against division of Storey County.

Read, and placed upon file.

Mr. Bishop introduced a memorial from the Board of Education of Storey County, and, on motion, the memorial, together with evidence taken by the investigating committee appointed by the House to investigate the affairs of the Storey County Board of Education, was ordered printed.

Mr. Parker, from the Committee on Ways and Means, reported as follows:

*Mr. Speaker:*

The Committee on Ways and Means, to whom was referred Senate Bill No. 158, entitled "An Act to create a Fire Department Fund;"

Also, Assembly Bill No. 147, entitled "An Act amendatory of and supplemental to an Act entitled an Act to provide for the assessing and collecting county and territorial revenue," have had the same under consideration, have come to a favorable conclusion, and beg leave to report the same to the Assembly and recommend their passage.

H. G. PARKER,  
Chairman.

Accepted, and bill placed on file.

Senate Bill No. 270, "An Act concerning the payment of county warrants," reported in yesterday's Senate message, was taken up.

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

Assembly Bill No. 85, entitled "An Act for the protection of agricul-

tural lands and to preserve the purity of water," reported in yesterday's Senate message, was taken up, and the question now being, Shall the House concur in the Senate amendments?

Amendments concurred with, and bill ordered enrolled.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 2d, 1865. }

*To the Hon. the Assembly :*

I am directed to transmit to your honorable body, Senate Bill No. 271, "An Act to repeal an Act entitled an Act to provide for the election of Probate Judges and Prosecuting Attorneys and define their duties," approved December nineteenth, A. D. one thousand eight hundred and sixty-two, approved February twentieth, A. D. one thousand eight hundred and sixty-four, which passed the Senate to-day—ayes, 11 ; noes, 0.

Yours, respectfully,

L. B. MOORE,  
Secretary of the Senate.

Senate Bill No. 271, entitled "An Act to repeal an Act entitled an Act to provide for the election of Probate Judges and Prosecuting Attorneys and defining their duties," approved December nineteenth, one thousand eight hundred and sixty-two, reported in Senate message, was taken up.

Rules suspended, bill read a first time by title, second time by sections, and, on motion, laid upon the table.

Mr. Epstein, by unanimous consent, introduced the following bill, entitled "An Act concerning roads and highways,"

Rules suspended, bill read a first and second time by title, and placed on file.

Mr. Bond, by unanimous consent, introduced the following bill, entitled "An Act to authorize the County Commissioners of Storey County to purchase a building suitable for a court house."

Rules suspended, bill read a first and second time by title, and referred to the Storey County delegation.

Mr. Patten, by unanimous consent, introduced the following bill, entitled "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in the county of Ormsby."

Rules suspended, bill read a first and second time by title, and, upon motion, was placed upon file.

On motion of Mr. Denson, Senate Bill No. 131, and Assembly Bill No. 150, was taken from file and recommended to a select committee of three comprised of Messrs. Denson, Sine and Rigby.

#### GENERAL FILE.

Assembly Bill No. 160, entitled "An Act to regulate and enforce the collection of delinquent taxes," was taken from file, read a third time, amendments of committee adopted, and the roll called with the following result : Ayes, 17 ; noes, 9—as follows :

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Cary, Denson, Dun, Greeley, Hawkins, Myrick, McKeoby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, and Walter.

And in the negative—



Messrs. Bond, Hinckley, Lee, Mayhugh, Sine, Smith, Toombs, Young, and Mr. Speaker.

Mr. Speaker declared the bill lost.

Mr. McKeeby gave notice of motion to reconsider the vote just taken, by which Assembly Bill No. 160 was lost.

Mr. Bearss, from a select committee, reported as follows :

The special committee, to whom was referred Assembly Bill No. 207, "An Act to amend an Act entitled an Act to create the county of Nye," respectfully report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their chairman to report the bill back to the Assembly, and recommend its passage, with certain amendments thereto attached.

A. C. BEARSS,  
Chairman Special Committee.

Accepted, and bill placed upon file.

Assembly Bill No. 14, entitled An Act to provide for the election of Presidential Electors, members of Congress, and State and County officers, and to preserve the purity of elections," was taken from file, and, on motion of Mr. Hinckley, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Hinckley in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 14, (as above read) had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage.

Report adopted, rules suspended, bill considered engrossed, read a third time, and the roll called with the following result: Ayes, 28; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Bearss, the House took a recess at one o'clock P. M. until two o'clock P. M.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

House reassembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

On motion of Mr. Bearss, the special order of the day was temporarily postponed, and Assembly Bill No. 207, entitled "An Act to create the county of Nye," was taken from file, amendment of committee adopted.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter,

Denson, Dun, Greeley, Hinckley, Lee, Myrick, Mayhugh, Patten, Rosenblatt, Rigby, Shackelford, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Leave of absence granted to Messrs. St. Clair and Nichols, for one day each.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the originals, as ordered engrossed, and found the same correctly engrossed, viz :

No. 181, "An Act concerning corporations."

No. 149, "An Act concerning District Attorneys."

No. 81, "An Act authorizing I. C. Bateman, L. U. Colbath, C. H. Van Gorder, N. H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the Divide, between Virginia City and Gold Hill, in Storey County, to Empire City, in Ormsby County."

No. 25, "An Act for the relief of John A. Benham."

Accepted.

The special order of the day, Assembly Bill No. 135, entitled "An Act to divide Storey County, and create the county of Gold Hill," was taken up, and, on motion of Mr. Rosenblatt, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Rosenblatt in the chair.

Mr. Chairman reported that the Committee of the Whole have had under consideration the Assembly bill entitled "An Act to divide the county of Storey, and create the county of Gold Hill," have gone through therewith, made no amendments thereto, and have directed their chairman to report the bill to the House without recommendation.

Report accepted, and Mr. Bishop moved that the rules be suspended, bill considered engrossed for a third reading and final passage; upon which the ayes and noes were demanded by Messrs. Bond, Parker and Cutter, and the roll called, with the following result: Ayes, 25; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bolan, Bien, Bishop, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Lee, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bond, Cary, Haskell, and Young.

Carried, and so ordered.

The question now being, Shall the bill pass?

Bill read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 15; noes, 19—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Denson, Greeley, Hawkins, Haskell, Myrick, Nichols, Parker, Rosenblatt, Sine, St. Clair, and Walter.

And in the negative—

Messrs. Brown, Bolan, Bien, Bond, Cary, Cutter, Dun, Epstein, Hinckley, Lee, Mayhugh, McKeeby, Patten, Rigby, Shackelford, Smith, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill lost.

The rules were suspended, and the following Senate message was read:

STATE OF NEVADA, SENATE CHAMBER,  
CARSON CITY, March 3d, 1865. }

*To the Hon. the Assembly :*

I have the honor to transmit herewith Senate Bill No. —, "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," which passed the Senate this day—ayes, 15; noes, 0,

GEO. R. AMMOND,  
Assistant Secretary.

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, March 3d, 1865. }

*To the Hon. the Assembly :*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 262, "An Act to provide for the payment of the outstanding indebtedness of Humboldt County."

Also, Senate Bill No. 221, "An Act in relation to the election of Representatives in Congress."

Also, Senate Bill No. 220, "An Act prescribing the manner of electing United States Senators."

Also, Assembly Bill No. 111, "An Act to exempt the homestead and other property from forced sale in certain cases," the same having been amended by the Senate as follows: Amend section one by striking out the words "the passage of this Act," and insert "November thirteenth, A. D. one thousand eight hundred and sixty-one." Amend section three as follows: Strike out the words "while the said sum is thus deposited," and insert "and." Add the following, to be an additional section:

"Sec. 9. In all cases wherein an amount or sum is stated in this Act, the same shall be held and regarded as so much money in gold coin," the same having passed as thus amended.

Also, Senate Bill No. 265, "An Act to repeal an Act creating the office of Coroner in the county of Storey."

Also, Senate Bill No. 267, "An Act to repeal an Act to incorporate the Washoe Agricultural, Mining and Mechanical Society," approved December nineteenth, one thousand eight hundred and sixty-two, and an Act amendatory thereof, approved February twentieth, one thousand eight hundred and sixty-four.

Also, Assembly bill No. 61, "An Act defining the rights of husband and wife," amended as follows, Strike out the words "a former," in third line from bottom of third section, and insert in lieu thereof the words "any subsequent." Also, in sixth section, strike out all after the word "thereof," in fourth line from bottom, the same having passed thus amended.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

STATE OF NEVADA, SENATE CHAMBER, }  
March 3d, 1865. }

*To the Hon. the Assembly :*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Concurrent Resolution No. —, in relation to rec-

tifying clerical omissions in Senate Bill No. 42, having unanimously passed the Senate this day.

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and, on motion of Mr. Cutter, the rules were further suspended, and the bill considered engrossed for a third reading and its final passage.

Carried, and so ordered.

Mr. Denson moved the previous question, which was sustained, and the main question now being, Shall the bill pass?

Bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 31; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Dun, Denson, Epstein, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following resolutions with the resolutions passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Secretary of State, viz: Assembly Concurrent Resolution No. 22, asking establishment of a tri-weekly mail from Carson to American City.

CYRIL HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Senate Concurrent Resolution in reference to rectifying clerical omission in Senate Bill No. 42, which was read and unanimously adopted.

Senate Bill No. 194, entitled "An Act to amend an Act, and supplementary to, an Act entitled an Act to incorporate the city of Austin," approved February twentieth, one thousand eight hundred and sixty-four, was taken from file, and made the special order for this evening at seven o'clock and five minutes P. M.

The following message were received from the Governor:

EXECUTIVE DEPARTMENT, CARSON CITY, }  
March 3d, 1865. }

*To the Assembly of Nevada:*

I have this day approved Assembly Bill No. 146, "An Act to provide for the removal of certain incorporated companies by their own election."

Also, Assembly Bill No. 192, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County," approved February fourteenth, one thousand eight hundred and sixty-five.

H. G. BLASDEL,  
Governor.

Senate Bill No. 196, entitled "An Act for the encouragement of mining," was taken from file, and made the special order for Saturday morning at ten o'clock and fifteen minutes A. M.

On motion of Mr. Rosenblatt, the House took a recess at five o'clock and fifteen minutes P. M. until seven P. M.

### EVENING SESSION.

House re-assembled at seven P. M.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Special order of the day, Senate Bill No. 214, entitled "An Act declaratory of the law of this State concerning mining customs, usages, and regulations," was taken up, and Mr. Brown moved to refer the bill to a special committee of one, with instructions to amend as follows: Strike out "section two," and insert new section, as follows: "Mining ground and the right thereto, or any undivided interest in such ground may be forfeited, abandoned, or lost, in accordance with the mining rules, regulations, or customs of the district, independent of the common law rule of forfeiture or abandonment of real estate."

Carried, and Mr. Brown was appointed as such committee, who forthwith reported the bill back to the House amended, as per instruction.

Mr. Hawkins moved to recommit the bill to a special committee of one, with instructions to amend as follows: Strike out in section three after the word "claims," in line two, the words "now pending, or which may," and insert in line three after the word "hereafter," the word "two."

Upon which the ayes and noes were demanded by Messrs. Rosenblatt, Cutter, and Patten, and the roll called with the following result: Ayes, 9; noes, 20—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bolan, Bishop, Epstein, Hawkins, Myrick, Parker, Shackelford, and Young.

And in the negative—

Messrs. Bearss, Brown, Bond, Cutter, Denson, Dun, Greeley, Hincley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rigby, Sine, Smith, Walter, Wellington, and Mr. Speaker.

Motion to reconsider lost.

The question now being, Shall the bill pass?

Bill read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 24; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Bond, Cutter, Denson, Dun, Greeley, Hincley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bolan, Epstein, Hawkins, Myrick, Rosenblatt, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The special order of the day was temporarily postponed.

Mr. Shackelford now moved to reconsider the vote by which Assembly Bill No. 186 was lost.

Carried, and the bill placed upon file.

Mr. Epstein gave notice of motion to reconsider the vote by which Assembly Bill No. 135 was lost.

The special order of the day, Senate Bill No. 194, entitled "An Act to amend an Act, and supplementary to an Act entitled an Act to incorporate the city of Austin," approved February twentieth, one thousand eight hundred and sixty-four, was taken up, and Mr. Rosenblatt moved to suspend the rules, consider the bill engrossed for a third reading and its final passage, bill read a third time and placed upon its final passage, and the roll called, with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bishop, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The special order of the day, memorial to Congress relating to timber lands in this State, was temporarily postponed.

Mr. Cutter, by unanimous consent, introduced the following bill entitled "An Act to transfer certain funds."

Rules suspended, bill read first and second time by title, and referred to the Committee of the Whole.

Mr. Speaker in the chair, who reported the bill back to the House, and recommend its passage.

Rules further suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called, with the following result: Ayes, 25; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, and Mr. Speaker.

And in the negative—Mr. Smith.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Bond, from the Committee on Claims, reported as follows: The Committee on Claims, to whom was referred Senate Bill No. 96, "An Act to provide pay for the members and attachees of the two late Constitutional Conventions," etc., have had the same under consideration, and report the same back, with the recommendation that it be indefinitely postponed.

They have also had under consideration Assembly Bill No. 219, "An Act to provide pay for the members and attachees of the two late Constitutional Conventions," and directed their chairman to report the same back without recommendation.

E. BOND,  
Chairman.

Accepted, and bill placed upon file.

Mr. Denson, from a special committee, reported as follows:

*Mr. Speaker:*

The special committee to which was referred Senate Bill No. 131, "An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State," beg leave to report the same back

to the House and recommend that it be amended by inserting the word "legally" after the word "now," in line one, section one, and passed.

Respectfully submitted.

SAM. C. DENSON,  
Chairman.

Your committee have also considered substitute to Assembly Bill No. 150, "An Act declaring the evidence of possessory rights," and report the same back with the recommendation that it be passed as amended by this committee.

Respectfully submitted.

DENSON,  
Chairman.

Accepted, and bill and report placed upon file.

The special order of the day, memorial to Congress relating to timber lands in this State, was taken up, and referred to a select committee, comprising Messrs. Shackelford and Sine.

On motion of Mr. Patten, Senate Bill No. 242, entitled "An Act to provide for policemen in unincorporated towns and villages," was taken from file, and made the special order for Saturday, March fourth, at two o'clock P. M.

On motion of Mr. Bishop, Assembly Bill No. 158, entitled "An Act authorizing the construction of a railroad from Virginia City to Carson River," was taken from file.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 29; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. McKeeby moved to take up the general file.

Carried.

Mr. Shackelford, from a select committee, reported "Memorial to Congress relating to timber lands," back to the House amended, and recommend its passage.

Bill placed upon file.

#### GENERAL FILE.

Assembly Bill No. 116, entitled "An Act amendatory of an Act entitled an Act in relation to County Treasurers," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, and, on motion, indefinitely postponed.

Assembly Bill No. 205, entitled "An Act to render effective and to legalize certain elections made in the State of Nevada on the eighth day of November, one thousand eight hundred and sixty-four, was taken from the file, and, on motion, indefinitely postponed.

Assembly Bill No. 222, entitled "An Act granting to S. B. Hunt, and his associates and assigns, the right to construct and maintain a toll road," was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll was called with the following result: Ayes, 29; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Denson.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 230, "An Act to transfer certain funds."

Accepted.

Assembly Bill No. 164, entitled "An Act to amend an Act to regulate proceedings in civil cases in courts of justice of the Territory of Nevada," was taken from file, and, on motion, indefinitely postponed.

Assembly Bill No. 89, entitled "An Act to authorize A. B. Perkins, and his associates, to maintain a toll road," was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 25; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bolan, Bien, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Parker, Patten, Rosenblatt, Rigby, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Denson, McKeeby, Nichols, Shackelford, and Sine.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Smith gave notice of motion to reconsider the vote just taken, by which Assembly Bill No. 89 passed.

Assembly Bill No. 212, entitled "An Act concerning roads and highways," was taken from file.

Rules suspended, bill considered engrossed, and read a third time.

Mr. McKeeby moved to recommit the bill to a special committee of one, with instructions to amend by adding two new sections.

Carried, and Mr. McKeeby appointed as such committee, who forthwith reported the bill back, amended as per instructions.

The question now being, Shall the bill pass?

The roll was called with the following result: Ayes, 26; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—Mr. Wellington.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 225, entitled "An Act concerning roads and highways," was taken from file, and, on motion, indefinitely postponed.

Assembly Bill No. 228, entitled "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in the county of Ormsby," was taken from file.



Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 26; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hineley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Denson.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 215, entitled “An Act to amend an Act entitled to provide for the payment of the outstanding indebtedness of Virginia, Storey County,” was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bien, Bishop, Bond, Cutter, Denson, Dun, Epstein, Greeley, Hawkins, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The rules were suspended and the following bills were read a first and second time by title, to wit:

Senate Bill No. 262, entitled “An Act to provide for the payment of the outstanding indebtedness of Humboldt County,” and placed upon file.

Senate Bill No. 221, entitled “An Act in relation to the election of Representatives in Congress,” was placed upon file.

Senate Bill No. 220, entitled “An Act prescribing the manner of electing United States Senators,” placed upon file.

Senate Bill No. 265, entitled “An Act to repeal an Act creating the office of Coroner in the county of Storey,” and placed upon file.

Senate Bill No. 267, entitled “An Act to incorporate the Washoe Agricultural, Mining and Mechanical Society,” approved December nineteenth, one thousand eight hundred and sixty-two; and an Act amendatory thereof, approved February twentieth, one thousand eight hundred and sixty-four, placed on file.

Assembly Bill 111, entitled “An Act to exempt the homestead and other property from forced sale in certain cases,” reported in Senate message, was taken up, and the question being upon concurring in Senate amendments, amendments concurred with, and bill ordered enrolled.

Assembly Bill No. 61, entitled “An Act defining the rights of husband and wife,” reported in Senate message, was taken up, and the question being upon concurring in Senate amendments, carried, and amendments concurred in, and bill ordered enrolled.

On motion of Mr. Patten, Assembly Bill No. 172, entitled “An Act concerning mining districts, and the Records thereof,” was taken from file, and made the special order for Monday, March sixth, at seven o'clock P. M.

Mr. Denson, from the Judiciary Committee, reported Senate Bills Nos. 245, 237 and 63 back to the House, and recommend that they be placed upon file.

Senate Bill No. 104, entitled "An Act concerning trade marks and names," was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 20; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cutter, Denson, Dun, Hinckley, Haskell, Lee, Myrick, Nichols, Parker, Patten, Rigby, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill passed, and ordered transmitted to the Senate.

Mr. Patten, from Committee on Counties and County Boundaries, reported back to the House Senate Bill No. 133, and bill placed upon file.

On motion of Mr. Bishop, the House adjourned at ten o'clock and forty-five minutes P. M.

---

## EIGHTY-THIRD DAY.

SATURDAY, March 4th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called, and the following members were present, viz:

Messrs. Beck, Brown, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following members were absent, viz:

Messrs. Bearss, Bolan, Bond, Patten, Rosenblatt, Rigby, and Small.

Present, 28; absent, 7.

Prayer by Rev. Mr. White.

Journal of yesterday read and approved.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 189, "An Act to authorize A. B. Perkins, and his associates, to maintain a toll road."

No. 228, "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road, in the county of Ormsby."

No. 222, "An Act granting to S. B. Hunt, and his associates, the right to maintain a toll road."

No. 214, "An Act authorizing the construction of a railroad from Virginia City to Carson river."

No. 238, "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation."

Report accepted.

The special order of the day, Senate Bill No. 196, entitled "An Act for the encouragement of mining," together with the amendments of the committee.

Amendments adopted.

Bill read a third time, and placed upon its final passage, and the roll called with the following result; Ayes, 25; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck and Shackelford.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Hawkins, by unanimous consent, introduced the following bill, entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation."

Rules suspended, bill read a first and second time by title, rules further suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 26; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, and Young.

And in the negative—

Mr. Brown and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 215, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January second, one thousand eight hundred and sixty-five.

No. 16, "An Act to regulate fees and compensation for official and other services."

Accepted.

Mr. Cutter, pursuant to notice, now moved to reconsider the vote by which Assembly Bill No. 189, entitled "An Act to authorize A. B. Perkins, and his associates, to construct and maintain a toll road," passed.

Mr. Myrick moved to indefinitely postpone the motion to reconsider.

Carried, and so ordered.

On motion of Mr. St. Clair, Senate Bill No. 74, entitled "An Act authorizing County Commissioners to grant franchises for toll roads and bridges within their respective counties," was taken from file, and, on motion of Mr. Lee, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Lee in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate Bill No. 74, as above read, had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House without recommendation.

Report adopted.

Mr. Bishop moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. Brown, Dun and Bishop, and the roll called, with the following result: Ayes, 13; noes, 18—as follows:

Those voting in the affirmative were:

Messrs. Beck, Bishop, Cutter, Hawkins, Lee, Myrick, Mayhugh, Parker, Patten, Rosenblatt, Smith, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Brown, Bien, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, McKeeby, Nichols, Rigby, Shackelford, Sine, St. Clair, Walter, Wellington, and Young.

Motion to indefinitely postpone lost.

On motion of Mr. Hinckley, the bill was made the special order for Monday, March sixth, at ten o'clock and fifteen minutes A. M.

In honor of the inauguration of President Lincoln, Mr. St. Clair moved that the House do now take a recess until two o'clock P. M.

Carried unanimously, and accordingly, at twelve o'clock and fifteen minutes P. M., the House took a recess until two o'clock P. M.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called and a quorum present.

Special order of the day, Senate Bill No. 242, entitled "An Act to provide for policemen in unincorporated cities, towns and villages," together with amendments of committee, was taken up, amendments adopted, read a third time, and, on motion, referred to a select committee of one to amend.

Mr. Mayhugh was appointed as such committee.

On motion of Mr. Bond, Assembly Bill No. 182 was taken from the table and placed upon file.

Mr. Bishop offered the following resolution :

*Resolved*, That the sum of one hundred and eighty dollars is hereby appropriated, out of the contingent fund of the Assembly, and the Sergeant-at-Arms is hereby authorized to draw his warrant on the Controller for the same, in favor of H. G. Parker, Speaker *pro tem* of the Assembly, the same being for extra compensation for services as Speaker *pro tem*.

Adopted.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 4th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate to return to your honorable body, Assembly Bill No. 26, "An Act for the relief of John A. Benham, the same having passed the Senate this day without amendment.

I am also directed to return to your honorable body Assembly Bill No. 165, "An Act defining the duties and fixing the salary of the Governor's Private Secretary," with Senate substitute therefor, the said substitute having passed the Senate March 2d.

I am also directed by the honorable Senate to return to your honorable body, Assembly Bill No. 153, "An Act entitled an Act to amend an Act empowering the Governor to appoint Commissioners of Deeds and to define their duties," approved February fourth, one thousand eight hundred and sixty-five, the same having passed the Senate this day without amendment.

I am further directed to transmit herewith, for the consideration of

your honorable body, Senate Bill No. 250, "An Act to encourage enlistments and provide bounties and extra pay for our volunteer soldiers," etc.

Also, Senate Bill No. 272, "An Act to provide for the payment of the outstanding indebtedness of the town of Gold Hill."

Also, Senate Bill No. 244, "An Act to establish an agricultural and mechanical college in Washoe County, in this State."

Also, Senate Bill No. 214, "An Act to grant B. S. Mason, E. Taylor, their associates and assigns, the right to construct and maintain a toll road in Esmeralda and Nye counties."

Also, Senate Bill No. 187, "An Act to provide for the appointment of a State Geologist, to define his duties, and making an appropriation for payment of his services," etc.

Also, Senate Joint Union Resolutions No. 1, all of which passed March third, one thousand eight hundred and sixty-five.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Assembly Bill No. 165, entitled "An Act defining the duties and fixing the salary of the Governor's Private Secretary, together with the Senate substitute therefor, reported in Senate message, was taken up, and the question now being upon the adoption of the substitute, carried, and substitute bill adopted.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 30; noes 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 272, entitled "An Act to provide for the payment of the outstanding indebtedness of the town of Gold Hill," in Storey county, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and upon motion placed upon file.

Senate Bill No. 244, entitled "An Act to establish an agricultural and mechanical college in Washoe County in this State," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to the Committee on Education.

Senate Bill No. 214, entitled "An Act to grant B. S. Mason, E. Taylor, their associates and assigns, the right to construct and maintain a toll road in Esmeralda and Nye counties, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and upon motion placed upon file.

Senate Bill No. 187, entitled "An Act to provide for the appointment of a State Geologist, to define his duties, and making an appropriation for payment of his services," etc., reported in Senate message, was taken up, and, on motion, indefinitely postponed.

Rules suspended, and Senate Bill No. 214, entitled "An Act to grant

B. S. Mason, E. Taylor, their associates and assigns, the right to construct and maintain a toll road in Esmeralda and Nye counties," was taken from file.

Rules suspended, bill read a third time, and placed upon its final passage. Roll called, with the following result: Ayes, 26; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Denson, Hinckley, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate joint Union resolutions, reported in Senate message, was taken up.

Rules suspended, read a first and second time by title; rules further suspended, resolutions read a third time, and placed upon their final passage—and the roll called, with the following result: Ayes, 32; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young and Mr. Speaker.

Mr. Speaker declared the resolutions passed, and ordered returned to the Senate.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the original, as passed by the two Houses, and found the same correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 26, "An Act for the relief of John A. Benham."

Accepted.

Rules suspended, and Assembly Bill No. 46, entitled "An Act granting to J. B. McClure and John Eaves the right to construct and maintain a toll road in Churchill County," was taken from file, and, on motion, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 46, as above read, had gone through therewith, and made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 26; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bond, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Denson.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 230, entitled "An Act to encourage enlistments, and to provide bounties, and extra pay for our volunteer soldiers," etc., reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported, that the Committee of the Whole had had under consideration the Senate Bill No. 250, (as above read) had gone through therewith, had made no amendments thereto, and directed their Chairman to report the bill to the House without recommendation.

Report adopted.

Mr. Hinckley moved to recommit the bill to the Committee on Military and Indian Affairs. Lost.

The question now being, Shall the bill pass?

Carried.

Bill read a third time, and the roll called with the following result: Ayes, 21; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cutter, Dun, Hawkins, Haskell, Myrick, Mayhugh, Nichols, Patten, Rosenblatt, Shackelford, Smith, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Brown, Cary, Denson, Hinckley, McKeeby, Rigby, Sine, St. Clair, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter moved that Standing Rule of the House No. 56 be temporarily suspended, and the vote by which Senate Bill No. 250 passed be reconsidered at this time, upon which the ayes and noes were demanded by Messrs. Rosenblatt, Cutter, and Patten, and the roll called with the following result: Ayes, 17; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Bond, Cutter, Dun, Epstein, Greeley, Hawkins, Haskell, Myrick, Mayhugh, Nichols, Parker, Patten, Toombs, Wellington, and Young.

And in the negative—

Messrs. Beck, Brown, Bolan, Bien, Denson, Hinckley, McKeeby, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Walter, and Mr. Speaker.

Motion to suspend Rule 56 lost.

Mr. Rosenblatt gave notice of motion to reconsider the vote by which Senate Bill No. 250 passed.

STATE OF NEVADA, SENATE CHAMBER, }  
March 4th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have the honor to return to your honorable body Assembly Bill No. 189, "An Act to authorize A. B. Perkins and his associates to maintain a toll road," the same having passed the Senate this day by the following vote: Ayes, 12; noes, 3.

Also, Assembly Bill No. 81, "An Act authorizing I. C. Bateman, C. H.

Van Gorder, N. H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the divide between Virginia City and Gold Hill, in Storey County, to Empire City, in Ormsby County," the same having passed the Senate this day by the following vote: Ayes, 11; noes, 7.

I am also directed to transmit for the consideration of your honorable body Senate Joint Resolution passed by the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Mr. Hawkins reports that the Standing Committee on Enrollment, have carefully compared the following enrolled bill with the engrossed bill as passed by the two Houses, and found the same correctly enrolled, and have transmitted the same to his Excellency the Governor, viz: "An Act to authorize I. C. Bateman and others, to construct a toll road," etc.

Accepted.

Senate Joint Resolution, "relating to the inauguration of President Lincoln," reported in Senate message, were taken up.

Rules suspended, resolution read a first and second time by title, and the rules further suspended, resolutions read a third time and placed upon their final passage, and the roll called with the following result: Ayes, 14; noes 18—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Bond, Cary, Cutter, Epstein, McKeeby, Rigby, Sine, Smith, and Young.

And in the negative—

Messrs. Brown, Denson, Dun, Greeley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Shackelford, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the resolutions lost.

Mr. Patten gave notice of motion to reconsider the vote just taken by which the resolutions was lost.

On motion of Mr. Sine, Senate Bill No. 131, entitled "An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State," together with the amendments of the committee was taken from file.

Amendments adopted, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 31; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Haskell offered Concurrent Resolution, "relating to the removal of Camp Nye."

Mr. McKeeby moved to lay the resolution on the table.

Carried, and so ordered.

Mr. Cutter reports, that the Standing Committee on engrossment, have carefully compared the the following entitled House Bills, with the original as ordered engrossed, and found the same correctly engrossed,



viz: No. 207, "An Act to amend an Act entitled an Act to create the county of Nye."

Accepted.

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

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

The Speaker in the chair.

Roll called, and a quorum present.

By unanimous consent, Mr. Walter introduced the following bill, entitled "An Act authorizing A. Coffman, Wm. McKay, Alexander McKay and E. Haynes, and their associates, to construct and maintain a toll road."

Rules suspended, bill read a first and second time by title, rules further suspended, bill considered engrossed, read a third time and placed upon its final passage.

Roll called with the following result: Ayes, 20; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bond, Cary, Cutter, Dun, Hinckley, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rosenblatt, Rigby, Smith, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Bolan.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

By unanimous consent, Mr. Bond introduced the following bill, entitled "An Act providing offices for certain State officers."

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

Mr. Bond, from the Committee on Claims, reported as follows:

*Mr. Speaker:*

The Committee on Claims, to whom was referred Senate Bill No. 249, "An Act supplemental to and amendatory of an Act to provide for carrying out in part the provisions of section seven, article seventeen of the Constitution of the State of Nevada," approved February fourteenth, one thousand eight hundred and sixty-five;

Also, Senate Bill No. 270, "An Act concerning the payment of county warrants, have had the same under consideration, and have directed their chairman to report the same back to the House and recommend their passage.

Also, have instructed their chairman to introduce "An Act to provide for the payment of certain territorial printing."

E. BOND, Chairman.

Report accepted.

Rules suspended, bill read a first and second time by title, and, upon motion, placed upon file.

Assembly Bill No. 173, entitled "An Act for the relief of Alexander Hunter," was taken from the table and placed upon file.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 4th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the honorable the Senate, to return to your honorable body, Assembly Bill No. 222, "An Act granting to S. B. Hunt, and his associates, the right to maintain a toll road," the same having passed without amendment.

Also, Senate Bill No. 152, an Act of the Legislative Assembly of the Territory of Nevada, entitled "An Act to authorize S. M. Luther, his associates and assigns, the right to construct a toll road."

Also, Assembly Bill No. 214, "An Act to authorize the construction of a railroad from Virginia City to Carson river," the same having passed without amendment.

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 152, entitled an Act of the Legislative Assembly of the Territory of Nevada, entitled "An Act to authorize T. M. Luther, his associates and assigns, the right to construct a toll road," reported in Senate message, was taken up."

Rules suspended, bill read a first and second time by title and rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 3—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bond, Cutter, Dun, Hinckley, Haskell, Lee, Myrick, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bolan, Cary, and Nichols.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Haskell, the Concurrent resolutions "relating to the removal of Camp Nye," were taken from the table and referred to the Committee on Federal Relations.

Mr. Cary reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found the same correctly enrolled, and that the same was this day delivered to the Governor for his approval: Assembly Bill No. 189, "An Act to authorize A. B. Perkins, and his associates, to maintain a toll road."

Accepted.

On motion of Mr. Bond, Assembly Bill No. 100, entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe," was taken from file, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 21; noes, 2—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bond, Cutter, Dun, Epstein, Hinckley, Haskell,

Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Shackelford, Rigby, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bolan and Cary.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Assembly Bill No. 221, entitled "An Act to establish a standard of weights and measures," was taken from file.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 20; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bond, Cutter, Dun, Epstein, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 4th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 228, "An Act to authorize John Ford to construct a toll road," the same having passed the Senate without amendment.

I also transmit herewith, for the consideration of your honorable body, Senate Bill No. 77, "An Act authorizing A. B. Cutler and W. J. Westerfield, and their assigns, to construct a toll road," the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 77, entitled "An Act authorizing A. B. Cutler and W. J. Westerfield, and their assigns, to construct a toll road," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title; rules further suspended, bill read a third time, and, on motion, committed to the Humboldt delegation to amend.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
CARSON CITY, March 4th, 1865. }

*To the Hon. the Assembly:*

I am directed to transmit herewith, for the consideration of your honorable body, Senate Bill No. —, providing for the appointment of a State Geologist, etc., the same having passed the Senate this day.

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill entitled "An Act providing for the appointment of a State Geologist," etc., reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to the Committee of Education.

Assembly Bill No. 219, entitled "An Act to provide pay for members and attachées of the late Constitutional Conventions," was taken from file, and on motion the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Rigby in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 219, as above read, had gone therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called, and Mr. Cutter moved that the declaration of the vote be postponed until Monday, at ten o'clock and thirty minutes.

Carried, and so ordered.

Those voting in the affirmative were—

Messrs. Beck, Bond, Cary, Cutter, Dun, Epstein, Hinckley, Lee, McKeeby, Myrick, Patten, Rigby, Shackelford, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bolan, Haskell, and Smith.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: No. 45, "An Act granting to J. B. McClure and John Eaves the right to construct and maintain a toll road in Churchill County."

Accepted.

Mr. Hinckley reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the originals as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Governor, for his approval, viz:

Assembly Bill No. 214, "An Act authorizing the construction of a railroad from Virginia City to Carson River."

Also, Assembly Bill No. 222, "An Act granting to S. B. Hunt and his associates the right to maintain a toll road."

J. L. HINCKLEY,  
Of the Enrolling Committee.

Report accepted.

Mr. Dun, from the Humboldt County delegation, reported Senate Bill No. 77 back to the House without amendment.

Report accepted, and bill placed upon its final passage, and the roll called, with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bond, Cary, Cutter, Dun, Epstein, Hinckley, Hawkus, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Hawkus reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found it correctly enrolled; and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 223, "An Act to authorize John Ford and his

associates and assigns, to construct and maintain a toll road in the county of Ormsby."

Mr. Bolan, from the joint investigating committee, reported (including all the packages of papers referred to in the report) as follows:

REPORT OF JOINT COMMITTEE ON INVESTIGATION OF TERRITORIAL BOOKS AND ACCOUNTS.

*To the Hon. the Assembly of the State of Nevada:*

Your committee, appointed in connection with a similar committee from the Senate, to investigate the books and accounts of the Territorial officers, beg leave to respectfully submit the following partial report, and ask leave of the Assembly to continue the investigation until the same may have been completed. When your committee entered upon the discharge of their duties, they found the books and papers in such a state of confusion (especially in the Auditor's department) as to at once satisfy them of the arduous task imposed upon them, and more especially from the fact that no previous Legislature had made any report from which to obtain statistics or data, thereby making it necessary to commence at the first entry in the books, and go through, in detail, all the transactions of the different departments during the existence of the Territorial organization. This your committee determined to do, and at once engaged the services of two experts in bookkeeping, who have been busily employed in the work for several weeks, and are striving to complete the entire report previous to the adjournment of the Legislature.

Package marked No. 1 contains full statistics of the gross receipts from the different counties, together with the gross expenses of collecting the same, and the various funds to which they were appropriated; also, an abstract of the same. Package No. 1 contains much food for reflection in an investigation into the causes of such a vast difference in the expenses of the different counties in assessing and collecting the revenues, varying as they do from ten to fifty per cent. on the gross amounts collected.

Package No. 2 contains statistics of the school fund; receipts and expenditures of the same.

Package No. 3 contains receipts from and expenditures of the State prison, showing the amounts expended for each year, and the fact that in eight months after the purchase of the same the amount of expenses under the Board of Commissioners was nearly equal in amount to the former two years expenses under contract, while the receipts from the same source in proportion fall far below what might be justly expected.

Package No. 4 contains accounts of the Supreme Judges, and exhibits the fact that they have withdrawn from the treasury considerable over the amount due them for services.

Package No. 5 contains receipts and expenditures of State Library, and a mere glance at it will suffice to prove that a great many lawyers are practicing in our State who have not complied with the law in this respect.

No. 6 contains statistics of receipts from District Court Clerks.

No. 7 contains receipts from toll roads; also, a complete list of all franchises granted by the various Legislatures, showing the fact that out of sixty-five franchises granted to toll roads and bridges, only sixteen have complied with the law requiring them to pay two per cent. of the gross receipts into the treasury, for the benefit of the school fund. On this

subject your committee would recommend immediate action by the Legislature, in order to secure the school fund, from these various roads, the amount due.

Package No. 8 contains statistics concerning the military fund; and in this connection your committee would report that at present there is in the State treasury \$16,095, while only seven warrants have been paid, to the amount of \$3,780, none of which have as yet been paid, owing to the fact that the law of last session regulating this fund provided for the issuing and sale of bonds, and in consequence of the inability of the Treasurer to effect a sale of these bonds none were issued; consequently none of the warrants issued upon the funds were paid.

Your committee would suggest the passage of a law requiring all business relating to the State in the department of the Treasury, to first pass through the Controller's office, in order that proper vouchers may be obtained; also, that the committee, or Board of Directors of the State Prison shall deposit with the Controller full and complete vouchers for all warrants drawn by them on the Treasurer.

Previous to the close of the session your committee will be able to report further progress in the investigation.

Respectfully submitted.

JAS BOLAN, Chairman,  
JNO. E. W. CARY,  
J. L. HINCKLEY.

COUNTY RECEIPTS AND EXPENDITURES.

*Gross Receipts from Ormsby County.*

PACKAGE NO. 1.

Date.	Amount.
May 19th, 1862.....	\$282 80
August 11th, 1862.....	182 03
December 26th, 1862.....	514 11
December 26th, 1862.....	1,811 45
January 15th, 1863.....	1,459 07
November 17th, 1863.....	681 66
January 23d, 1864.....	4,252 45
April 22d, 1864.....	1,210 73
July 25th, 1864.....	385 56
October 21st, 1864.....	60 49
Total amount collected.....	\$10,840 35
Expense collecting same.....	968 47
Net proceeds to Territory.....	\$9,871 88
General Fund .....	\$8,946 19
Federal Fund.....	917 86
Soldiers' Fund.....	783
	\$9,871 88

*Gross receipts from Esmeralda County.*

Date.	Amount.
February 8th, 1863.....	\$2,605 70
July 14th, 1863.....	1,768 58
July 14th, 1864.....	50 00
Total amount collected....	\$4,424 28
Expenses collecting same.....	1,013 31
Total.....	\$3,410 97
General Fund.....	\$3,395 57
Soldiers Fund.....	15 40
	\$3,410 97

*Gross receipts from Douglas County.*

Date.	Amount.
August 16th, 1862.....	\$16 17
December 24th, 1862.....	1,035 45
February 6th, 1864.....	2,483 13
March 16th, 1864.....	265 39
May 10th, 1864.....	365 98
July 25th, 1864.....	100 26
October 30th.....	456 00
Total receipts from Douglas.....	\$4,720 38
Expenses collecting same.....	1,571 94
Total.....	\$3,148 44
General Fund.....	\$2,947 61
Federal Fund.....	200 83
	\$3,148 44

*Gross Receipts of Humboldt County.*

Date.	Amount.
December 12th, 1862.....	\$ 336 92
February 10th, 1862.....	175 22
April 20th, 1863.....	91 44
October 16th, 1863.....	259 61
April 21st, 1864.....	2 44
October 21st, 1864.....	1,234 84
October 11th, 1864.....	172 48
October 11th, 1864.....	120 49
October 11th, 1864.....	80 33
Total receipts from Humboldt.....	\$2,473 77
Expenses collecting same.....	1,483 02
Total.....	\$1,551 71
General Fund.....	\$1,502 30
Federal Fund.....	37 28
Soldiers' Fund.....	12 13
	\$1,551 71

*Gross Receipts from Lander County.*

Date, etc.	Amount.
October 30th, 1864, total receipts.....	\$6,453 65
Total expenditures collecting the same.....	1,748 59
General Fund.....	\$4,685 06



*Gross Receipts from Washoe County.*

Date.	Amount.
December 4th, 1862.....	\$2,822 06
February 18th, 1863.....	639 09
May 11th, 1863.....	633 85
July 23d, 1863.....	433 96
July 23d, 1863.....	11 30
February 3d, 1864.....	49 54
February 3d, 1864.....	6,056 60
March 10th, 1864.....	1,751 71
June 15th, 1864.....	782 94
July 18th, 1864.....	624 62
September 25th, 1864.....	234 86
September 25th, 1864.....	7 84
September 25th, 1864.....	5 23
Total receipts from Washoe.....	\$14,053 60
Total expense collecting same.....	1,883 63
Total.....	\$12,169 97
General Fund.....	\$11,426 62
Federal Fund.....	738 53
Soldiers' Fund.....	4 82
	\$12,169 97

*Gross Receipts from Lyon and Churchill Counties.*

Date.	Amount.
November 24th, 1862.....	\$1,242 56
December 26th, 1862.....	2,475 80
February 9th, 1863.....	863 40
April 8th, 1863.....	309 50
July 22d, 1863.....	104 95
July 22d, 1863.....	76 92
January 15th, 1864.....	3,812 28
February 5th, 1864.....	1,796 67
March 14th, 1864.....	1,197 07
April 21st, 1864.....	350 00
May 15th, 1864.....	493 52
July 23d, 1864.....	76 92
Total receipts from Lyon and Churchill counties.....	\$12,804 59
Total expense collecting same.....	3,217 36
Total.....	\$9,587 23
General Fund.....	\$8,928 73
Federal Fund.....	658 50
	\$9,587 23

*Gross Receipts and Expenditures of Storey County.*

Date.	Amount.
March 19th, 1862.....	\$32 14
August 14th, 1862.....	95 66
November 21st, 1862.....	14,945 02
January 15th, 1863.....	1,829 74
April 13th, 1863.....	2,495 30
August 29th, 1863.....	1,679 38
November 21st, 1863.....	1,009 98
January 21st, 1864.....	27,013 44
February 3d, 1864.....	20,192 31
April 23d, 1864.....	8,105 21
August 29th, 1864.....	2,277 34
August 29th, 1864.....	114 28
October 15th, 1864.....	98 83
October 15th, 1864.....	166 87
October 30th, 1864.....	165 94
October 30th, 1864.....	127 58
October 30th, 1864.....	85 05
October 15th, 1864.....	111 25
Total receipts.....	\$80,545 32
Total expenses.....	9,506 33
Total.....	\$71,038 99
General Fund.....	\$67,401 84
Federal Fund.....	3,565 88
Military Fund.....	71 27
	\$71,038 99

## RECAPITULATION.

*Gross Receipts and Expenditures.*

Counties.	Amount.
Ormsby County.....	\$10,840 35
Esmeralda County.....	4,424 28
Douglas County.....	4,720 38
Lander County.....	6,433 65
Humboldt County.....	3,034 73
Washoe County.....	14,053 60
Lyon and Churchill Counties.....	12,804 59
Storey County.....	80,545 32
Total.....	\$136,856 90

*Total Expenditures as follows :*

Counties.	Amount.
Ormsby County.....	\$968 47
Esmeralda County.....	1,013 31
Douglas County.....	1,571 94
Humboldt County.....	1,483 02
Lander County.....	1,748 59
Washoe County.....	1,883 63
Lyon and Churchill Counties.....	3,217 36
Storey County.....	9,506 33
Total.....	\$21,392 65
General Fund.....	\$109,233 92
Federal Fund.....	6,118 88
Soldiers' Fund.....	111 45
	\$115,464 25

## PACKAGE NO. 2.

*Receipts to School Fund.*

What Source.	Amount.
From General Fund.....	\$5,218 71
From Toll Roads.....	7,830 70
From Fines and forfeitures.....	1,023 17
From Civil Commissions.....	360 00
Total amount received.....	\$14,432 58
Expenditures.....	14,181 76
On hand and turned over to Wm. Rhoads, State Treasurer.	\$250 82

*Amount Drawn on School Fund as follows :*

Date.	Amount.
August 1st, 1863.....	\$930 07
August 31st, 1863.....	483 19
December 2d, 1863.....	2,244 84
December 31st, 1863.....	646 78
February 13st, 1864.....	619 77
January 1st, 1864.....	2,227 27
July 9th, 1864.....	2,507 93
September 1st, 1864.....	599 06
October 30th, 1864.....	1,093 20
Total amount drawn.....	\$14,181 76

*School Warrants Issued.*

No.	Name and County.	Amount.
1.	To F. A. Ent, Washoe County.....	\$346 00
2.	To C. A. Power, Lyon County.....	255 07
3.	To Torreson, Ormsby County.....	329 00
4.	To Treasurer Storey County.....	363 19
5.	To John Church & Co., Printing.....	60 00
6.	To J. T. Goodman & Co.....	60 00
7.	To Power, Lyon and Churchill Counties.....	475 90
8.	To Torreson, Ormsby County.....	611 71
9.	To Treasurer Storey County.....	1,157 23
10.	To F. A. Ent, Washoe County.....	646 78
11.	To Wilson, Douglas County.....	217 00
12.	To Wilson, Douglas County.....	402 77
14.	To Torreson, Ormsby County.....	1,157 50
15.	To E. Rhoades, Esmeralda County.....	342 10
16.	To Wilson, Douglas County.....	727 67
17.	To Holcomb, Humboldt County.....	599 06
18.	To Power, Lyon and Churchill Counties.....	832 60
19.	To Treasurer Storey County.....	1,675 33
20.	To Ent, Washoe County.....	1,093 20
21.	To John Church & Co., Printing.....	65 00
22.	To J. M. Dawley, Lander County.....	734 45
23.	To E. A. Fargo, Storey County.....	1,114 52
24.	To John Wagner, Ormsby County.....	396 62
25.	To E. Rhoades, Esmeralda County.....	40 78
26.	To P. S. Windham, Washoe County.....	131 15
27.	To Wilson, Douglas County.....	87 30
28.	To W. A. Hulcomb, Humboldt County.....	71 87
29.	To J. M. Dawley, Lander County.....	88 09
30.	To E. H. Dean, Lander County.....	89 87
	Total.....	\$14,181 76

*School Fund Receipts.*

Date.	Source.	Amount.
December 30th, 1863.....	General Fund.....	\$889 45
May 1st, 1863.....	General Fund.....	257 62
July 22d, 1863.....	Fines and Forfeitures.....	1,023 17
November 2d, 1863.....	General Fund.....	85 43
November 2d, 1863.....	Toll Roads.....	3,031 17
December 3d, 1863.....	Toll Roads.....	242 39
January 5th, 1864.....	Civil Commissions.....	360 00
January 5th and 7th, 1864.	Toll Roads.....	856 58
Jan'y 9th and 10th, 1864.	Toll Roads.....	284 88
Feb'y 9th and 10th, 1864.	Toll Roads.....	427 99
February 27th, 1864.....	Toll Roads.....	129 73
February 29th, 1864.....	Toll Roads.....	55 26
April 1st, 1864.....	Toll Roads.....	5 37
April 13th, 1864.....	Toll Roads.....	34 85
April 16th, 18th and 19th.	Toll Roads.....	394 81
April 23d, 1864.....	Toll Roads.....	261 00
April 30th, 1864.....	General Fund.....	3,747 86
May 10th, 1864.....	Toll Roads.....	46 08
May 21st, 1864.....	Toll Roads.....	97 36
July 7th, 1864.....	Toll Roads.....	89 58
July 8th, 1864.....	Toll Roads.....	44 07
July 9th, 12th and 13th...	Toll Roads.....	347 17
July 18th, 1864.....	Toll Roads.....	101 73
July 26th, 27th and 30th..	Toll Roads.....	237 98
September 14th, 1864.....	Toll Roads.....	353 72
October 3d, 1864.....	Toll Roads.....	13 77
October 5th, 1864.....	Toll Roads.....	101 86
October 21st and 24th, '64	Toll Roads.....	422 53
October 30th, 1864.....	Toll Roads.....	250 82
October 30th, 1864.....	General Fund.....	239 35
	Total .....	\$14,432 58

## PACKAGE NO. 3.

*State Prison Account 1862-63-64.*

Date.	Name and number of Warrant.	Amount.
1862.		
Feb. 17.	A. Curry, Warrant No. 2.....	\$1,000 00
May 1.	A. Curry, Warrant No. 87.....	1,000 00
June 11.	A. Curry, Warrant No. 113.....	500 00
July 1.	A. Curry, Warrant No. 126.....	500 00
Aug. 8.	A. Curry, Warrant No. 135.....	500 00
Sep. 8.	A. Curry, Warrant No. 141.....	500 00
Sep. 12.	A. Curry, Warrant No. 145.....	500 00
Nov. 10.	A. Curry, Warrant No. 160.....	500 00
Dec. 5.	A. Curry, Warrant No. 167.....	50000
1863.		
Jan. 2.	A. Curry, Warrant No. 300.....	500 00
Feb. 6.	A. Curry, Warrant No. 326.....	714 28
Feb. 28.	A. Curry, Warrant No. 334.....	714 28
April 1.	A. Curry, Warrant No. 354.....	714 28
May 4.	A. Curry, Warrant No. 370.....	714 28
June 8.	A. Curry, Warrant No. 373.....	714 28
July 1.	A. Curry, Warrant No. 376.....	714 28
Aug. 1.	A. Curry, Warrant No. 394.....	714 28
Sept. 1.	A. Curry, Warrant No. 407.....	714 28
Oct. 1.	A. Curry, Warrant No. 416.....	714 28
Oct. 31.	A. Curry, Warrant No. 436.....	714 28
Dec. 1.	A. Curry, Warrant No. 457.....	714 28
Dec. 31.	A. Curry, Warrant No. 472.....	714 28
1864.		
Feb. 1.	A. Curry, Warrant No. 517.....	714 28
March 1.	A. Curry, Warrant No. 658.....	714 28
		<u>\$15,999 82</u>

## State Prison Account—(Continued.)

March 3.	J. Neeley Johnson, Legal S.....	500 00
Mrh. 17.	Coal, Warrant No. 674 .....	28 00
April 1.	W. W. Ross, Prison Commissioner No. 690.....	1,470 00
April 6.	W. W. Ross, " " No. 695.....	29 75
April 19.	W. W. Ross, " " No. 703.....	56 75
April 29.	W. W. Ross, " " No. 709.....	66 25
May 2.	W. W. Ross, " " No. 715.....	1,745 58
May 5.	W. W. Ross, " " No. 720.....	570 89
May 10.	W. W. Ross, " " No. 721.....	98 63
May 14.	W. W. Ross, " " No. 722.....	383 28
May 14.	W. W. Ross, " " No. 723.....	351 00
May 14.	W. W. Ross, " " No. 724.....	254 00
May 14.	W. W. Ross, " " No. 725.....	553 68
May 21.	W. W. Ross, " " No. 728.....	58 75
May 30.	W. W. Ross, " " No. 729.....	62 50
June 4.	W. W. Ross, " " No. 737.....	1,676 44
July 8.	J. H. Kinkead, No. 752.....	1,074 17
Aug. 2.	P. Carr, No. 757.....	252 42
Aug. 2.	P. Carr, No. 758.....	42 56
Aug. 2.	P. Carr, No. 759.....	150 97
Aug. 4.	P. Carr, No. 762.....	821 87
Sept. 1.	P. Carr, No. 796.....	401 90
Sept. 1.	P. Carr, No. 794.....	100 00
Sept. 1.	P. Carr, No. 793.....	100 00
Sept. 1.	P. Carr, No. 791.....	142 00
Sept. 1.	P. Carr, No. 792.....	91 02
Sept. 1.	P. Carr, No. 790.....	262 91
Sept. 14.	P. Carr, No. 797.....	27 00
Sept. 30.	P. Carr, No. 805.....	96 00
Oct. 7.	P. Carr, No. 831.....	79 56
Oct. 7.	P. Carr, No. 830.....	100 00
Oct. 7.	P. Carr, No. 829.....	100 00
Oct. 7.	J. H. Kinkead, Warrant No. 828.....	133 09
Oct. 7.	P. Carr, Warrant No. 827.....	297 72
Oct. 7.	P. Carr, Warrant No. 826.....	353 89
Oct. 7.	P. Carr, Warrant No. 852.....	140 90
Oct. 7.	P. Carr, Warrant Nos. 856 and 857.....	100 00
Oct. 7.	P. Carr, Warrant No. 858.....	100 00
Oct. 7.	P. Carr, Warrant No. 853.....	445 37
Oct. 7.	P. Carr, Warrant No. 851.....	30 25
Oct. 7.	P. Carr, Warrant No. 847.....	527 50
Oct. 7.	P. Carr, Warrant No. 849.....	85 31
Oct. 7.	P. Carr, Warrant No. 850.....	372 46
Total receipts for 1864.....		\$14,334 15
		\$538 15
Excess of expenditures.....		\$13,796 00

*Receipts from State Prison.*

Date.	Name and Source.	Amount.
April 2, 1864	Gardner & Klaning, for rent.....	\$100 00
April 9, 1864	Warren & Baker, for stone furnished.....	25 00
May 2, 1864	G. & K., for rent.....	100 00
May 2, 1864	Labor of prisoners to A. Dake.....	3 80
May 6, 1864	Sale of stone.....	18 60
May 21, 1864	Board of J. T. Colby.....	16 00
Aug. 2, 1864	Rent of prison and sale of stone.....	250 75
Oct. 7, 1864	Sale of stone.....	23 00
	Total.....	\$538 15

## PACKAGE NO. 4.

*Judges' Salaries.*

Name, etc.	Amount.
P. B. Locke, salary from October 14th, 1863, to December 5th, 1865 (5th not included), one year, one month and twenty-one days, at \$4,200 per year.	
Amount due for salary.....	\$4,795 00
Amount drawn per warrant account.....	5,600 00
Due the Territory from Locke.....	\$805 23

*Judge Locke's Compensation—Warrants drawn for the following amounts.*

Warrants.	Amount.
Warrant No. 469 for.....	\$ 816 66
Warrant No. 494 for.....	594 86
Warrant No. 516 for.....	350 00
Warrant No. 654 for.....	350 00
Warrant No. 688 for.....	350 00
Warrant No. 731 for.....	700 00
Warrant No. 770 for.....	1,050 00
Warrant No. 838 for.....	638 71
Warrant No. — for.....	700 00
Total amount drawn.....	\$5,600 23
Total amount of salary appropriated by law.....	4,795 00
Amount overdrawn.....	\$805 23



*Judge H. M. Jones' Compensation—Warrants drawn for the following amounts.*

Warrants.	Amount.
Warrant No. 110 for.....	\$ 430 80
Warrant No. 139 for.....	371 61
Warrant No. 171 for.....	264 34
Warrant No. 308 for.....	54 33
Warrants Nos. 284, 285, 286, 277, 288, 289, 290 and 291, \$500 each.....	4,000 00
Warrant No. 317 for.....	198 92
Warrants Nos. 355, 356, 357, 358, \$200 each.....	800 00
Warrants Nos. 395 and 365.....	366 66
Warrants Nos. 391, 392 and 393.....	1,050 00
Warrants Nos. 409, 410 and 411.....	338 00
Total amount drawn.....	\$7,874 66
Amount of salary allowed by law.....	8,738 33
Amount due Judge Jones on salary.....	\$863 67

*Judge Turner's Compensation—Warrants drawn as follows.*

Warrants.	Amount.
Warrant No. 108 for.....	\$ 430 80
Warrant No. 140 for.....	371 61
Warrant No. 172 for.....	264 34
Warrant No. 310 for.....	54 33
Warrants Nos. 185, 187, 189 and 193, \$500 each.....	2,000 00
Warrants Nos. 274, 276, 278 and 280, \$500 each.....	2,000 00
Warrant No. 316 for.....	175 59
Warrant No. 318 for.....	46 67
Warrant No. 352 for.....	678 30
Warrants Nos. 389 and 390 for.....	1,050 00
Warrant Nos. 432 and 433 for.....	1,050 00
Warrant No. 485 for.....	1,050 00
Warrant No. 694 for.....	1,050 00
Warrant No. 762 for.....	1,050 00
Warrant No. 825 for.....	1,050 00
Warrant No. 854 for.....	338 70
Warrant No. 351 for.....	500 00
Warrant No. — for.....	700 00
Total amount drawn.....	\$13,860 34
Amount salary due by law.....	13,556 67
Amount overdrawn and due Territory.....	\$303 67

The last amount (\$700) was obtained from the State Treasurer, in order to make the account complete, and show the full amount drawn by the late Judge Turner.

*Compensation of Judge North—Warrants drawn for the following amounts.*

Warrants.	Amount.
Warrant No. 470 for.....	\$1,236 00
Warrant No. 749 for.....	1,050 00
Warrant No. 687 for.....	1,050 00
Warrant No. 804 for.....	1,050 00
Warrant No. 855 for.....	338 70
Warrant No. — for.....	700 00
Total amount drawn.....	\$5,424 70
Amount salary due.....	5,145 00
Amount overdrawn by Judge North.....	\$279 70

The last amount (\$700) was obtained from the State Treasurer, in order to make the account complete, and show the full amount drawn as salary by the late Judge North.

*Recapitulation.*

Name, etc.	Amount.
Amount overdrawn by Turner.....	\$303 67
Amount overdrawn by North..	279 70
Amount overdrawn by Locke .....	805 23
Total.....	\$1,388 60
Amount due from Territory to Jones.....	863 67
Amount due the Territory.....	\$524 93

*Judge Mott's Compensation—Warrants drawn for the following amounts.*

Warrants.	Amount.
Warrant No. 109 for.....	\$ 430 80
Warrant No. 138 for.....	371 61
Warrant No. 170 for.....	264 34
Warrant No. 309 for.....	54 33
Warrants Nos. 186, 184, 188 and 192, \$500 each.....	2,000 00
Warrants Nos. 275, 277, 279, 281 and 282, \$500 each.....	2,500 00
Warrant No. 313 for.....	422 25
Warrant No. 347 for.....	500 00
Warrant No. 348 for.....	550 00
Warrants Nos. 401 and 402 for.....	1,166 66
Warrant No. 413 for.....	851 66
Total amount drawn.....	\$9,111 65
Total amount salary.....	9,111 67
Total amount due Mott.....	02

PACKAGE NO. 7.

Page	Franchises Granted.	Date of Passage.
LAWS OF 1861.		
90.	Kingsbury & McDonald.....	Nov. 27th, 1861.
92.	Nightingale, Ayres & Co.....	Nov. 27th, 1861.
264.	Humboldt River Ferry Company.....	Nov. 29th, 1861.
266.	Virginia City to Steamboat Valley.....	Nov. 29th, 1861.
292.	Virginia City to Truckee Meadows, Geiger & Co....	Nov. 29th, 1861.
298.	Carson Toll Bridge, Dayton, Comstock & Co.....	Nov. 29th, 1861.
312.	Desert Creek to Esmeralda, Dickson & Co.....	Nov. 28th, 1861.
LAWS OF 1862.		
1.	Kingsbury & Co., in Lake Valley (void.....	Dec. 2d, 1862.
2.	Roberts' Toll Bridge, Dayton.....	Dec. 2d, 1862.
4.	Nightingale & Co., Peavine to Humboldt.....	Dec. 2d, 1862.
16.	Nightingale & Co., Peavine to Humboldt.....	Dec. 12th, 1862.
19.	Junction House to bound'y of Lake Co., Myron & Co.	Dec. 17th, 1862.
20.	Carson, King's Cañon and Lake Bigler, Helm & Co.	Dec. 17th, 1862.
23.	American Flat Company, Waters & Co.....	Dec. 17th, 1862.
31.	Virginia and Gold Hill Tunnel Co., Mitchell & Co...	Dec. 17th, 1862.
35.	Empire City to Clear Creek.....	Dec. 19th, 1862.
36.	Sink of Carson to Reese River, Job & Penrod.....	Dec. 19th, 1862.
40.	Clear Creek to Lake Bigler, Walton & Co.....	Dec. 19th, 1862.
42.	Dayton to Desert Creek, Stuart & Co.....	Dec. 19th, 1862.
47.	Lathrop's Ranch to Hot Springs, Naileigh & Co.....	Dec. 19th, 1862.
48.	Toll Bridge, Humboldt River, Comstock & Co.....	Dec. 19th, 1862.

## PACKAGE No. 7—(Continued).

Page	Franchises Granted.	Date of passage.
49.	Aurora to Big Meadows, Hawkins & Co.....	Dec. 19th, 1862.
51.	Carson to Empire, Forsyth & Co.....	Dec. 19th, 1862.
61.	Gold Hill to Empire City, Armstrong & Co.....	Dec. 19th, 1862.
63.	Washoe to Lake Bigler, Brown & Co.....	Dec. 19th, 1862.
74.	Lake View House to Ophir Road, Brooks & Co.....	Dec. 19th, 1862.
75.	Washoe City to Lake Bigler, Alford & Co.....	Dec. 19th, 1862.
81.	Genoa to Teasdale's Ranch, Boyd & Co.....	Dec. 19th, 1862.
88.	Toll Bridge, Carson River, Ellen Redman & Co.....	Dec. 19th, 1862.
103.	Carson Valley to Wheeler's Ranch, Vansyckle & Co.	Dec. 19th, 1862.
104.	Toll Bridge, Carson River, Steth & Co.....	Dec. 19th, 1862.
114.	Carson to Halfway House, McDonald & Co.....	Dec. 20th, 1862.
122.	Stout's Bridge to Sink of Humboldt, Evans & Co....	Dec. 20th, 1862.
124.	Toll Bridge, East Walker River, Lyon & Co.....	Dec. 20th, 1862.
125.	Como to Empire City, Vanwinkle & Co.....	Dec. 20th, 1862.
173.	Toll Bridge, East Walker River, G. W. Marsh.....	Dec. 20th, 1862.
179.	Carson to Virginia and Washoe Railroad, Perkins & Co.....	Dec. 20th, 1862.

## LAWS OF 1864.

1.	Teasdale's to Slinkard's, Bryan & Co.....	Feb. 9th, 1864.
2.	Castle Rock to Truckee Meadows, Kell's Co.....	Feb. 19th, 1864.
4.	Desert Wells to Reese River Stations, Brickell & Co.	Feb. 9th, 1864.
5.	Double Springs to Dickson's Road, Rissue & Co.....	Feb. 18th, 1864.
7.	Upper Austin to Geneva, Luther & Co.....	Feb. 18th, 1864.
8.	Genoa to Como, J. W. Haines & Co.....	Feb. 18th, 1864.
9.	Toll Bridge, Old River, St. Clair & Co.....	Feb. 20th, 1864.
10.	Virginia City to Race Track, Gardiner & Co.....	Feb. 19th, 1864.
11.	Austin to Colorado River, Welty & Co.....	Feb. 19th, 1864.
13.	Madeline Plains to Puebla City, Harmon & Co.....	Feb. 20th, 1864.
14.	Gregory's Cañon to Lake Bigler, Ash & Co.....	Feb. 20th, 1864.
15.	Aurora to Adobe Valley, Dexter & Co.....	Feb. 20th, 1864.
16.	Cañon City to Austin, Haynes & Co.....	Feb. 20th, 1864.
17.	Harris' Station to Carson Lake, Latson.....	Feb. 20th, 1864.
18.	Italian Station to Sink of Smith's Creek, Ganung & Co	Feb. 18th, 1864.
20.	Carson to Empire City, A. Curry.....	Feb. 9th, 1864.
20.	Wellington's Station to Austin, Wellington & Co....	Feb. 16th, 1864.
22.	Como to Empire City, Hunter & Co.....	Feb. 20th, 1864.
23.	Double Springs to Dutch Valley, Olds & Co.....	Feb. 16th, 1864.
25.	Big Creek to Smoky Valley, Morton & Co.....	Feb. 18th, 1864.
27.	Peavine Creek to San Antonia, Falkner & Co.....	Feb. 20th, 1864.
27.	Montrose to Santa Fe District, Powell & Co.....	Feb. 19th, 1864.
29.	Silver City to American City, Martin & Co.....	Feb. 20th, 1864.
30.	Austin Grade to Amador City, Haynes & Co.....	Feb. 20th, 1864.
31.	Oregon Mill to Springer's Cañon, Martin & Co.....	Feb. 20th, 1864.
32.	Dayton to Como, Pollock & Co.....	Feb. 20th, 1864.
33.	Sand Springs to Reese River, Moore & Co.....	Feb. 19th, 1864.
35.	Merrimac Grade to Marble Station, Steiner & Co....	Feb. 20th, 1864.

*Receipts from Toll Roads.*

1863.	Name of Road, etc.	Amount.
April 1...	American Flat toll road.....	\$ 716 03
April 1...	Washoe toll road.....	71 95
April 1...	Kingsbury & McDonald road.....	2,535 65
April 1...	Devil's Gate toll road.....	2,058 29
April 1...	Carson and Esmeralda road.....	38 67
April 1...	Hartshorn Ferry.....	1 30
April 1...	Roberts—Dayton toll bridge.....	50 00
April 1...	Washoe Turnpike Company—Ophir road.....	1,757 21
April 1...	Clear Creek and Lake Bigler—Walton road.....	95 90
April 1...	Virginia and Carson River—Gould & Curry.....	428 09
April 1...	Virginia and Gold Hill toll road.....	171 33
April 1...	Henness Pass road.....	588 06
April 1...	Boyd's toll road.....	55 26
April 1...	Seth's bridge.....	64 88
April 1...	Old's toll road.....	3 98
April 1...	Aurora—Big Meadow.....	34 85
	Sum total.....	\$8,671 45

*Military Fund.*

Date.	Warrants.	Amount.
Oct. 18...	Warrant No. 1, H. P. Russell.....	\$ 130 00
Oct. 18...	Warrant No. 2, H. P. Russell.....	600 00
Oct. 18...	Warrant No. 3, H. P. Russell.....	1,190 00
Oct. 18...	Warrant No. 4, H. P. Russell.....	250 00
Oct. 18...	Warrant No. 5, H. P. Russell.....	450 00
Oct. 18...	Warrant No. 6, H. P. Russell.....	500 00
Oct. 18...	Warrant No. 7, H. P. Russell.....	660 00
	Total amount of warrants issued.....	\$3,780 00

None of these warrants have been paid.

January 4, 1864, Commission received from Adjutant General, \$54 00.

## PACKAGE NO. 8.

*Attorney's Licenses—Appropriated to the Library Fund.*

Date.	Licenses.	Amount.
March 29th, 1862.....	Amount paid.....	\$10 00
April 23d, 1862.....	Amount paid.....	10 00
May 30th, 1862.....	Amount paid.....	20 00
June 3d, 1862.....	Amount paid.....	10 00
June 10th, 1862.....	Amount paid.....	10 00
December 9th, 1862.....	Amount paid.....	10 00
December 16th, 1862.....	Amount paid.....	10 00
December 17th, 1862.....	Amount paid.....	10 00
December 31st, 1862.....	Amount paid.....	10 00
February 21st, 1863.....	Amount paid.....	30 00
August 11th, 1863.....	Amount paid.....	10 00
August 14th, 1863.....	Amount paid.....	10 00
August 18th, 1863.....	Amount paid.....	10 00
October 5th, 1863.....	Amount paid.....	10 00
October 12th, 1863.....	Amount paid.....	10 00
October 21st, 1863.....	Amount paid.....	10 00
November 17th, 1863.....	Amount paid.....	10 00
November 27th, 1863.....	Amount paid.....	40 00
December 3d, 1863.....	Amount paid.....	10 00
December 26th, 1863.....	Amount paid.....	10 00
January 1st, 1864.....	Amount paid.....	10 00
January 11th, 1864.....	Amount paid.....	120 00
January 20th, 1864.....	Amount paid.....	20 00
January 21st, 1864.....	Amount paid.....	10 00
January 28th, 1864.....	Amount paid.....	20 00
February 1st, 1864.....	Amount paid.....	10 00
February 19th, 1862.....	Amount paid.....	10 00
March 3d, 1864.....	Amount paid.....	10 00
April 25th and 26th, 1864.....	Amount paid.....	20 00
June 30th, 1864.....	Amount paid.....	10 00
		\$500 00
October 16th, 1864.....	Cash paid Hackett for fitting up Library room.....	\$132 00
	Amount turned over to State Treasurer.....	\$368 00

*Funds Received from First, Second and Third Judicial District Courts.*

Date.	Name and District.	Amount.
March 6th.....	Hanson, First District.....	\$215 00
March 6th.....	Helm, Second District.....	170 00
March 6th.....	James, Third District.....	70 00
May 30th.....	Hanson, First District.....	350 00
May 30th.....	Helm, Second District.....	350 00
May 30th.....	James, Third District.....	205 00
September 1st..	Hanson, First District.....	330 00
September 1st..	Helm, Second District.....	510 00
September 1st..	James, Third District.....	215 00
December 4th..	James, Third District.....	120 00
December 9th..	Hanson, First District.....	395 00
December 9th..	Helm, Second District.....	280 00
December 22d..	Helm, Second District.....	50 00
January 8th...	Hanson, First District.....	65 00
January 8th...	James, Third District.....	50 00
Amount received during operation of law...		\$3,375 00

Reports accepted and placed upon file.

The rules were suspended, and Mr. Tozer moved that four hundred and eighty copies of the report, and accompanying papers, be printed in pamphlet form.

Carried, and so ordered.

Mr. Mayhugh, by unanimous consent, introduced the following bill, entitled "An Act to authorize A. P. Benton, and his associates, to maintain a toll road in the counties of Lyon and Churchill."

Rules suspended, bill read a first and second time by title, rules further suspended, considered engrossed, read a third time and placed upon its final passage; roll called with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bond, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Senate Bill No. 136, 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 taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bond, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Bolan, by unanimous consent, introduced the following bill, entitled "An Act in relation to toll roads and bridges."

Rules suspended, bill read a first and second time by title, rules further suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Beck, Bond, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Mayhugh, by unanimous consent, introduced the following bill, entitled "An Act to compel all barbers, or hairdressers, to close their places of business on the Sabbath day."

Rules suspended, bill read a first and second time by title, and, on motion, the bill was indefinitely postponed.

Mr. Haskell wished his name to appear upon the journal as protesting against the action of the House in indefinitely postponing the above bill.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act to provide for the election of Presidential Electors, Members of Congress and State and County officers, and to preserve the purity of elections."

Accepted.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 4th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 153, "An Act to authorize H. R. Whitehill and John O. Donnell to construct and maintain a toll road," the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary of Senate.

Senate Bill No. 153, above reported, was taken up.

Rules suspended, bill read a first and second time by title; rules further suspended, bill read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 21; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bond, Carey, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Nichols, Rigby, Shackelford, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Bill No. 28, entitled "An Act to amend an Act creating Boards of County Commissioners and define their duties and powers," taken from file, and, on motion, indefinitely postponed.

Senate Bill No. 265, entitled "An Act to repeal an Act creating the



office of Coroner in Storey County," was taken from file, read a third time, and, on motion, laid upon the table.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 4th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to return to your honorable body Assembly Bill No. 46, "An Act granting J. B. McClure and John Eaves the right to construct and maintain a toll road," the same having been amended by adding the following section :

"Section Seven. The franchise hereby granted shall be deemed to be forfeited if its location shall in any manner interfere with any public highway;" the same having passed as amended.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Assembly Bill No. 46, as above reported, was taken up, and Senate amendments concurred in.

Senate Bill No. 220, entitled "An Act prescribing the manner of electing United States Senators," was taken from file, read a third time, and placed upon its final passage; and the roll was called, with the following result: Ayes, 20; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Cary, Cutter, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Nichols, Parker, Rigby, Shackelford, Smith, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Bond, the House adjourned at ten o'clock and forty-five minutes p. m.

---

## EIGHTY-FIFTH DAY.

MONDAY, March 6th, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Cary, Cutter, Denison, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent,

Messrs. Bond, McKeeby, Nichols, and St. Clair.

Present, 31; absent, 4.

Prayer by the Rev. Mr. Bien.

The journal of Saturday read and approved.

Mr. Beck reports that the Standing Committee on Engrossment have

carefully compared the following entitled House bills with the originals' as ordered engrossed, and found the same correctly engrossed, viz :

No. 212, "An [Act] concerning roads and highways."

Also, No. 221, "An Act to establish a standard of weights and measures."

Also, No. 100, "An Act authorizing a toll road from Washoe Valley to Lake Tahoe."

Also, an Act authorizing A. Cauffman, Wm. McKay, Alexander McKay and E. H. Haines to establish and maintain a toll road.

H. H. BECK.

Accepted.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Governor for his approval, viz :

Assembly Bill No. 85, "An Act for the protection of agricultural lands and preservation of water."

Also, Assembly Bill No. 153, "An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," approved February fourth, one thousand eight hundred and sixty-five.

Also, Assembly Bill No. 111, "An Act to exempt the homestead and other property from forced sale in certain cases."

C. HAWKINS,

Chairman Enrolling Committee.

Accepted.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as ordered engrossed, and found the same correctly engrossed, viz :

No. 248, "An Act to authorize A. P. Benton, and his associates, their heirs and assigns, to construct and maintain a toll road and bridge in the counties of Lyon and Churchill."

No. 219, "An Act to provide pay for the members and attachees of the two late Constitutional Conventions."

No. 249, "An Act in relation to toll roads and bridges."

Accepted.

Mr. Parker, from the Committee on Ways and Means, reported as follows :

*Mr. Speaker :*

The Committee on Ways and Means, to whom was referred Assembly Bill No. 245, entitled "An Act providing offices for certain State officers," have had the same under consideration, have come to a favorable conclusion thereon, and beg leave to report the same to the Assembly and recommend its passage.

H. G. PARKER,

Chairman.

Accepted, and bill placed upon file.

Mr. Bearss, from the Committee on Corporations, reported Assembly Bill No. 145 back to the House and recommend the indefinite postponement of the bill.

Carried, and the bill indefinitely postponed.

The special order of the day was temporarily postponed.

On motion of Mr. Cutter, Assembly Bill No. 173, entitled "An Act for

the relief of Alexander Hunter," was taken from file, and the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair, who reported the bill back to the House with some amendments, and recommend the passage of the bill as amended.

Report accepted.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Smith, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

On motion of Mr. Bien, the Senate Bill No. 249, entitled "An Act supplemental to, and amendatory of, an Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of the State of Nevada," approved February eighteenth, one thousand eight hundred and sixty-five, was taken from file, read a third time, and placed [upon] its final passage; and the roll called, with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Mayhugh, McKeeby, Nichols, Rigby, Small, Shackelford, Smith, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Parker moved that the chief clerk be authorized to employ sufficient clerical force to enable him to complete the journals to the end of the session, at a per diem allowed by law for similar services.

Carried, and so ordered.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 6th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the Hon. the Senate to return to your honorable body Assembly Bill No. 230, "An Act to transfer certain funds," the same having passed the Senate without amendment.

I transmit herewith, for the consideration of your honorable body, Assembly Bill No. 268, "An Act to amend an Act entitled an Act concerning the courts of justice in this State and judicial officers," approved January twenty-sixth, one thousand eight hundred and sixty-five, the same having passed the Senate March fourth.

Also, preamble and resolutions in reference to the establishment of mail routes from Surprise Valley to Honey Lake.

I return to your honorable body Assembly Bill No. 177, "An Act to provide for the payment of rent for the use of the Capitol building for the year one thousand eight hundred and sixty-five, etc., the same having been amended by the Senate as follows: In sections one and two, before the word "thousand," strike out the word "four" and insert "five," the same having passed as thus amended.

Also, Assembly Bill No. 194, "An Act to provide for the payment of the attachees of the late Constitutional Convention," the same having passed without amendment.

Also, Senate Bill No. 112, "An Act providing for the election of County Assessors in the several counties of this State, and defining their duties," the same having passed the Senate.

Also, Senate Bill No. 300, "An Act to compel the owners of toll roads in this State to keep the same in repair," the same having passed the Senate.

Also, Senate Bill No. 243, "An Act to provide for the care of the insane of this State," the same having passed the Senate.

Also, Senate Bill No. 261, "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

All of which said bills having passed the Senate March fourth, one thousand eight hundred and sixty-five.

Also, Assembly Bill No. 173, "An Act for the relief of Alexander Hunter," the same having passed the Senate this day without amendment.

Also, Assembly Bill No. 100, "An Act authorizing a toll road from Washoe Valley to Lake Tahoe," the same having passed the Senate this day, amended by striking out of section five all after the word "county," in sixth line.

Also, Senate Bill No. 293, "An Act to amend an Act to regulate proceedings in civil cases in the courts of justice," etc.

Senate Bill No. 263, "An Act to provide for the improvement of streets in unincorporated towns and villages in this State."

Also, Assembly Bill No. 248, "An Act authorizing A. P. Benton, and his associates and assigns to construct and maintain a toll road and bridge in the counties of Lyon and Churchill," the same having passed the Senate this day.

GEO. R. AMMOND,  
Assistant Secretary.

The special order of the day, Senate Bill No. 74, entitled "An Act to provide for constructing and maintaining toll roads in the State of Nevada," was taken up, and on motion, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Bishop in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate Bill No. 74, entitled as above read, had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Bill read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 26; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Haskell, Hawkins, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Hawkins, Myrick, Small, St. Clair, and Toombs.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The special order of the day, the declaration of the vote on Assembly Bill No. 219, "An Act to provide pay for the members and attachees of the two late Constitutional Conventions," was taken up, and the roll called with the following result: Ayes, 20; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Patten, Rigby, Shackelford, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Brown, Hawkins, Nichols, Rosenblatt, Sine, Smith, St. Clair, and Young.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Haskell gave notice of motion to reconsider the vote just taken.

Mr. Cutter moved to suspend the Standing Rule of the House No. 56, and reconsider the vote just taken at this time, upon which the ayes and noes were demanded by Messrs. Patten, Cutter and Brown, and the roll called with the following result: Ayes, 20; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Cary, Cutter, Dun, Epstein, Greeley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Small, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Beck, Hawkins, Haskell, Patten, Rosenblatt, Shackelford, Sine, Smith, St. Clair, Walter, Wellington, and Young.

Motion to suspend rule lost.

Mr. Rosenblatt withdrew his notice of motion to reconsider the vote by which Senate Bill No. 250 was passed.

Mr. Hawkins, from the Standing Committee on Enrollment, has carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found the same correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 194, "An Act to provide for the payment of the attachees of the late Constitutional Convention."

C. HAWKINS,  
Chairman Enrolling Committee.

Accepted.

Mr. Brown moved to reconsider the vote by which Senate Bill No. 250, to wit: "Soldiers Bounty Bill," passed.

Mr. Haskell moved to indefinitely postpone the motion to reconsider, upon which the ayes and noes were demanded by Messrs. Cutter, Patten and Rosenblatt, and the roll called with the following result: Ayes, 23; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bishop, Bond, Cutter, Dun, Epstein, Hawkins, Haskell, Myrick, Mayhugh, Nichols, Parker, Patten, Rigby, Small, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Cary, Denson, Greeley, Hinckley, Lee, McKeeby, Rosenblatt, Shackelford, Sine, Smith, and St. Clair.

Motion to indefinitely postpone motion to reconsider carried, and so ordered.

On motion of Dr. Bien, the House took a recess at one o'clock and twenty minutes P. M., until two o'clock and thirty minutes P. M.

AFTERNOON SESSION.

2:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 6th, 1865. }

*To the Honorable the Assembly of Nevada :*

I have this day approved Assembly Bill No. 111, "An Act to exempt the homestead and other property from forced sale in certain cases."

HENRY G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 6th, 1865. }

*To the Hon. the Assembly of Nevada :*

I herewith return to your honorable body, without approval, Assembly Bill No. 153, entitled "An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," approved February fourth, one thousand eight hundred and sixty-five.

My reason for not approving this bill is, that on the fourteenth ultimo I approved a bill passed first by the Senate, then by the Assembly, on that day, embodying precisely the same provisions. To approve this, would be to have upon our statute books a repetition of the same law.

H. G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 3d, 1865. }

*To the Hon. the Assembly of Nevada :*

I herewith return to your honorable body, without approval, Assembly Bill No. 36, entitled "An Act to authorize the County Commissioners of Esmeralda County to build or purchase a building for a Court-house and jail."

The bill authorizes and empowers the County Commissioners therein named to levy a special tax, of not exceeding one per cent., upon the taxable property of Esmeralda County for a specific purpose.

Section twenty of article four of the Constitution, expressly prohibits the passage of any local or special Act in certain enumerated cases, and among them these appear, viz : Regulating county and township business," and "for the assessment and collection of takes for State, county and township purposes."

This would be a special Act, and would certainly levy a "special tax" for county purposes, and is, therefore, unconstitutional, and should I ap-

prove the bill the payment of the tax could not be enforced. For these objections I am compelled to return the bill without approval.

HENRY G. BLASDEL,  
Governor.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Governor for his approval, viz: Assembly Bill No. 230, "An Act to transfer certain funds."

Also, Assembly Bill No. 236, "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation."

Also, Assembly Bill No. 173, "An Act for the relief of Alexander Hunter."

Also, Assembly Bill No. 46, "An Act granting to J. B. McClure and John Eaves the right to construct and maintain a toll road in Churchill county."

C. HAWKINS,  
Chairman Enrolling Committee.

Report accepted.

The vote by which Assembly Bill No. 36, entitled "An Act authorizing the County Commissioners of Esmeralda County to build, or purchase a building, for a court house or jail," passed, was reconsidered, and the question being, Shall the bill pass, notwithstanding the objections of the Governor?

The roll was called with the following result: Ayes, 27; noes, 0; as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill passed.

The vote by which Assembly Bill No. 153, entitled "An Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties," approved February fourth, one thousand eight hundred and sixty-five, passed, was reconsidered, and the question now being, Shall the bill pass, notwithstanding the objections of the Governor?

The roll was called, with the following result: Ayes, 2; noes, 26—as follows:

Those voting in the affirmative were—

Messrs. Haskell and St. Clair.

And in the negative—

Messrs. Bearss, Beck, Bolan, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hawkins, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

Two thirds of the members elect not having voted in the affirmative, Mr. Speaker declared the bill lost.

Mr. Cutter, pursuant to notice, moved to reconsider the vote by which the Senate Union resolutions were lost.

Carried, and vote reconsidered.

And the question now being, Shall the resolutions pass?

Carried, and unanimously adopted.

Mr. Mayhugh, from a select committee, reported as follows :

*Mr. Speaker :*

Your special committee of one, to whom was referred Senate Bill No. 242, entitled "An Act to provide for the appointment of policemen in unincorporated towns, cities and villages," for the purpose of amending said bill, in conformity with the verbal instructions of this House, have had the same under consideration, and have added thereto sections ten and eleven, and beg leave to report the same back, and recommend its passage as amended.

All of which is respectfully submitted. JOHN S. MAYHUGH.

Accepted, and bill and report placed upon file.

The rules were suspended, and Senate Bill No. 242, entitled "An Act to provide for the appointment of policemen in unincorporated towns, cities and villages," together with the amendments of the committee, were now taken up.

Amendments of committee adopted.

Bill read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 27; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, Nichols, Rosenblatt, Rigby, Small, Shackelford, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 268, entitled "An Act to amend an Act entitled an Act concerning the courts of justice of this State, and judicial officers," approved January twenty-sixth, one thousand eight hundred and sixty-five, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and placed upon file.

Senate Resolution No. 280, entitled "Preamble and Resolutions in reference to the establishment of mail route from Surprise Valley to Honey Lake," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and placed upon file.

Senate Bill No. 300, entitled "An Act to compel the owners of toll roads within this State to keep the same in repair," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title; rules further suspended, bill read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 28; noes, 2—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeb, Nichols, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—Messrs. Dun and Walter.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 112, entitled "An Act providing for the election of



County Assessors in the several counties of this State, and defining their duties," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 20; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Cary, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Young, and Mr. Speaker.

The Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 261, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, Walter, Young, and Mr. Speaker.

The Speaker declared the bill duly passed, and ordered returned to the Senate.

Substitute Senate Bill No. 243, entitled "An Act to provide for the insane of this State," reported in Senate message, was taken up.

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

Assembly Bill No. 177, entitled "An Act to provide for the payment of rent for the use of Capitol building for the year one thousand eight hundred and sixty-five," etc., reported in Senate message, was taken up, and the question being upon concurring in Senate amendments, the roll was called with the following result: Ayes, 9; noes, 21—as follows:

Those voting in the affirmative were—

Messrs. Cary, Denson, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, and Shackelford.

And in the negative—

Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cutter, Dun, Greeley, Hinckley, Lee, Mayhugh, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the Senate amendments non-concurred in.

On motion of Mr. Patten, a committee of free conference of three was appointed by the chair, to consult with a like committee to be appointed by the Senate, in relation to Senate amendments to Assembly Bill No. 177, and Messrs. Patten, Walter, and Dun were appointed by the chair as such committee on the part of the House.

Senate Bill No. 293, entitled "An Act to amend an Act to regulate proceedings in civil cases in courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, reported in Senate message, was taken up and placed upon file.

Senate Bill No. 236, entitled "An Act to provide for the improvements of streets and alleys in unincorporated towns and villages in the State of Nevada," reported in Senate message, was taken up and placed upon file.

The House concurred in Senate amendments to Assembly Bill No. 100, entitled "An Act authorizing a toll road from Washoe Valley to Lake Tahoe."

Mr. Lee, from the Standing Committee on Education, to which was referred the bill entitled "An Act to establish an agricultural and mechanical college in Washoe County in this State," reported that they had had the same under consideration, had come to a favorable conclusion thereon, and directed their chairman to report the same to the House and recommend its passage.

Accepted, and bill and report placed upon file.

Mr. Bishop from the Judiciary Committee, reported as follows:

*Mr. Speaker:*

The Judiciary Committee to whom was referred Assembly Bill No. 162, entitled "An Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, respectfully report:

That they have had the same under consideration, and directed that the same be reported back to the House with amendments, with the recommendation that the same be passed as amended.

WM. W. BISHOP,  
for Judiciary Committee.

Accepted, and bill placed upon file.

On motion of Mr. Shackelford, Assembly Bill No. 186, entitled "An Act amendatory and supplementary to an Act entitled an Act authorizing the Washoe Turnpike Company, to construct and maintain their toll road and branches," was taken from file, and made the special order for Thursday, March seventh, at two p. m.

#### GENERAL FILE.

Senate Bill No. 262, entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt County," was taken from file, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Brown, Bien, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, McKeely, Nichols, Parker, Patten, Rigby, Small, Sine, Smith, St. Clair, Toombs, Wellington, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Bien offered the following resolution:

*Resolved,* That the Controller be, and he is hereby authorized and required to draw his warrant in favor of Rev. Mr. White, Rev. Mr. Nims and Rev. Father Rubi, for services as chaplain, for the sum of five dollars per day, for each day's actual attendance, as certified by the Clerk of the Assembly, payable out of contingent fund.

On motion of Mr. Bien, the House adjourned at five o'clock p. m.

## EIGHTY-SIXTH DAY.

TUESDAY, March 7th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members were present, viz :

Messrs. Bearss, Beck, Bolan, Bien, Cary, Cutter, Dun, Epstein, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent, viz :

Messrs. Brown, Bishop, Bond, Greeley, Rosenblatt, Smith, and St. Clair.

Leave of absence granted Mr. Brown for one day.

Prayer by the Rev. Mr. Nims.

The reading of the journal dispensed with for to-day.

Mr. Parker offered the following resolution :

*Resolved*, That no member be allowed to speak but once upon one subject, nor longer than five minutes at one time.

Under the rules, laid over one day.

On motion of Mr. Walter, Assembly Bill No. 172, entitled "An Act concerning mining districts and the Recorders thereof," was taken up.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 22; noes, 1—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Cary, Cutter, Denson, Dun, Epstein, Greeley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Small, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Hinckley.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Hinckley reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found them correctly enrolled, and that the same were, on Monday, the sixth instant, delivered to the Governor for his approval, viz : Assembly Bill No. 100, "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe."

Also, Assembly Bill No. 248, "An Act to authorize A. P. Benton and his associates, their heirs and assigns, to construct and maintain a toll road and bridge, in the counties of Nye and Churchill."

Accepted.

Mr. Haskell, from the Committee on Federal Relations, reported as follows :

*Mr. Speaker :*

Your Committee on Federal Relations, to whom was referred Concurrent Resolution No. 34 in regard to Indian affairs, have had the same under consideration and amended the nineteenth line of page one, by striking out the word "wasted" and inserting the word "used," and

have directed their chairman to report the same back to the House, recommending its passage as amended.

HASKELL, Chairman.

Accepted, and resolution and report placed upon file.

Resolutions taken from file, amendments adopted, read a third time, and rules suspended, resolutions considered engrossed, read a third time and placed upon their final passage, and the roll called with the following result: Ayes, 26; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the resolutions passed, and ordered returned to the Senate.

Mr. Hawkins reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 61, "An Act defining the duties of husband and wife."

HAWKINS,  
Chairman Enrolling Committee.

#### GENERAL FILE.

Senate Bill No. 272, entitled "An Act to provide for the payment of the outstanding indebtedness of Gold Hill, in the county of Storey," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 221, entitled "An Act to provide for the election of a member of the House of Representatives of the Congress of the United States," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 9; noes, 17—as follows:

Those voting in the affirmative were—

Messrs. Bien, Bishop, Greeley, Rosenblatt, Shackelford, Smith, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Beck, Cary, Denson, Dun, Epstein, Hinckley, Hawkins, Myrick, Mayhugh, McKeeby, Nichols, Patten, Rigby, Sine, Walter, and Young.

The Speaker declared the bill lost.

Senate Bill No. 245, entitled "An Act concerning juries," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Cary, Denson, Dun, Epstein, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 267, entitled "An Act to repeal an Act to incorporate the Washoe Agricultural, Mining and Mechanical Society," approved December nineteenth, one thousand eight hundred and sixty-two, and "An Act amendatory thereof," approved December twentieth, one thousand eight hundred and sixty-four, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 25; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Hawkins, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 237, entitled "An Act concerning the compensation of jurors in the District Courts of this State," was taken from file, read a third time, the vote by which the bill was ordered to a third reading was reconsidered, and the bill recommitted to a special committee of one to amend, and Mr. Cutter appointed as such committee.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 6th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 102, "An Act to provide for the formation of corporations for certain purposes," the same having passed the Senate without amendment.

I transmit herewith, for the consideration of your honorable body, Senate Bill No. 312, "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

Also, Senate Bill No. 303, "An Act providing for the publication of the general laws," etc.

Also, Senate Bill No. 230, "An Act to provide for the selection and location of forty sections of unappropriated public lands donated to the State by sections eight and nine of an Act of Congress, entitled an Act to enable the people of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," approved March second, [twenty-first,] one thousand eight hundred and sixty-four.

Also, Senate Bill No. 99, "An Act to provide for the selection and location of the five hundred thousand acres of land donated to this State by an Act of Congress of the United States."

Also, Senate Bill No. 313, "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 du-

ties," approved February ninth, one thousand eight hundred and sixty-four.

Also, Senate Bill No. 314, "An Act for the protection of wild game and fish."

All of which said bills passed the Senate this day.

I have also the honor to inform your honorable body that the Senate has appointed Mr. Seeley as a committee of free conference, in accordance with the request of your honorable body, to confer with a like committee appointed by your honorable body, to consider Senate amendments to Assembly Bill No. 177, "An Act to provide for the payment of rent for the use of the Capitol building for the year one thousand eight hundred and sixty-five," etc.

Respectfully, etc.,

L. B. MOORE,  
Secretary.

The rules were suspended, and the following bills were read a first and second time by title, and placed on file.

Senate Bill No. 312, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, reported in Senate message.

Senate Bill No. 303, entitled "An Act to provide for the publication of the general laws," etc., reported in Senate message.

Senate Bill No. 230, "An Act to provide for the selection and location of forty sections of unappropriated public lands, donated to the State by sections eight and nine of an Act to entitle the people of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," approved March twenty-first, one thousand eight hundred and sixty-four, as reported in Senate message.

Senate Bill No. 99, "An Act to provide for the selection and location of the five hundred thousand acres of land donated to this State by an Act of the Congress of the United States," reported in Senate message.

Senate Bill No. 313, "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 ninth, one thousand eight hundred and sixty-four, reported in Senate message.

Senate Bill No. 314, "An Act for the protection of wild game and fish," reported in Senate message, was taken up, read a first and second time by title, and referred to the Committee of Public Morals.

#### REPORT.

Mr. Bearss, from the Committee on Corporations, reported as follows:

*Mr. Speaker:*

The Committee on Corporations have had under consideration Senate Bill No. 235, "An Act in relation to corporations," have amended the same, and herewith report the bill back to the Assembly recommending its passage as amended.

A. C. BEARSS.

Accepted.

On motion of Mr. Walter, the bill above reported, together with the

amendments of the committee, were taken up, amendments adopted, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bishop, Cutter, Denson, Dun, Greeley, Haskell, Myrick, Nichols, Parker, Patten, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bond, Cary, Epstein, Hinckley, Mayhugh, McKeeby, Shackelford, and Young.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Parker moved to suspend the Standing Rule of the House number fifty-six temporarily, upon which the ayes and noes were demanded by Messrs. Bond, Bishop and Walter, and the roll called with the following result: Ayes, 20; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bishop, Cutter, Denson, Dun, Epstein, Greeley, Haskell, Myrick, McKeeby, Parker, Patten, Rigby, Small, Sine, Smith, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bond, Cary, Hinckley, Mayhugh, Nichols, Shackelford, Walter, and Young.

Motion to suspend Rule fifty-six carried, and Mr. Parker moved to reconsider the vote by which Senate Bill No. 235 passed.

Mr. Tozer moved to indefinitely postpone the motion.

Carried.

Mr. Cutter, from a select committee, reported as follows:

*Mr. Speaker:*

The undersigned, a special committee of one, appointed with instructions, to amend Senate Bill No. 237, respectfully reports the same back amended as follows, by the insertion of a new section, number five, and reading as follows:

“Section 5. The provisions of this Act shall only apply to counties in this State which, at the general election held in November, A. D. one thousand eight hundred and sixty-four, cast a popular vote of four thousand, or more, or which may hereafter cast such vote.”

W. M. CUTTER.

Accepted, and bill placed upon its final passage and the roll called with the following result: Ayes, 25; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bolan, Bien, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Small, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Messrs. Bond and Haskell.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Haskell withdrew the notice of motion to reconsider the vote by which Assembly [Bill] No. 219 passed.

Mr. Smith wished his name to appear upon the journal as protesting against the passage of Assembly Bill No. 219.

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

## AFTERNOON SESSION.

1:30 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The following message was received from the Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
 March 7th, 1865. }

*To the Hon. the Assembly of the State of Nevada :*

I have the honor to inform your honorable body, that the Senate has concurred in Assembly amendments to Senate Bill No. 74, "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," and have appointed Mr. Larrowe as a committee of one to confer with a like committee from your honorable body to fill the blanks in said bill.

Respectfully,

L. B. MOORE,  
 Secretary.

Mr. Rigby was appointed by the Chair upon the part of the House, as such committee.

STATE OF NEVADA, SENATE CHAMBER, }  
 March 6th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Concurrent Resolution No. —, relative to Senate Bill No. 250, "An Act to encourage enlistments," etc., the same having passed the Senate.

Respectfully,

L. B. MOORE,  
 Secretary.

Senate Concurrent Resolution, relating to Senate Bill No. 250, "Soldiers' Bounty Bill," reported in Senate message, was taken up, read, and adopted unanimously.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
 March 7th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have the honor to transmit herewith, Senate Joint Resolution No. —, in relation to protection of teams freighting from Missouri river across the country, via, "Overland Road," the same having passed the Senate.

Respectfully,

L. B. MOORE,  
 Secretary.

The above resolution was taken up, read, and rules suspended, resolution read first and second time by title, rules further suspended, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0—as follows.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Denson, Dun, Greeley, Hinckley,



Myrick, Nichols, Parker, Patten, Rosenblatt, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the resolution passed, and ordered returned to the Senate.

Mr. Bishop, from a select committee to investigate interpolations, reported as follows :

*Mr. Speaker :*

The committee appointed to investigate certain charges preferred against unknown parties, alleging that material changes had been made in a certain bill granting to A. O. Sanborn, and others, the right to construct and maintain a toll road, would respectfully report that they have investigated the same as thoroughly as the brief time allowed them would permit ; and from the evidence we have been able to obtain, we are satisfied that various amendments were offered in the Assembly which were accepted by the friends of the bill, but the same were by some oversight never inserted in the bill. Said amendments being verbal, no blame can attach to the clerks of the Assembly ; and your committee are of opinion that all charges alleging fraud in this matter are unfounded, and that no blame attaches to any of the clerks of the Assembly or the friends of the bill. And having fully investigated the matter, and found no party who could make any positive charges against any one, your committee report that in their judgment no fraud has been committed, and that the various charges alleging fraud are unfounded, and originated in an honest misapprehension of the facts relating thereto.

WM. W. BISHOP,  
D. P. WALTER,  
E. P. SINE,  
JAS. A. RIGBY.

Accepted.

GENERAL FILE.

Assembly Bill No. 245, entitled "An Act providing offices for certain State officers," was taken from file.

Rules suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called with the following result : Ayes, 23 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Denson, Dun, Greeley, Myrick, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The special order of the day was postponed until seven o'clock this evening.

Mr. Patten offered Concurrent Resolution requiring president of Storey County Hospital to make report.

Laid upon table.

On motion of Mr. Myrick, Senate Bill No. 244, was made the special order for to-day, at three P. M.

Senate Bill No. 158, "An Act to create a Fire Department Fund," was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result : Ayes, 22 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bolan, Bishop, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 268, "An Act to amend an Act entitled an Act concerning the courts of justice of this State and judicial officers," approved January twenty-sixth, one thousand eight hundred and sixty-five, was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 270, entitled "An Act concerning the payment of county warrants," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, McKeeby, Parker, Rosenblatt, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

The Speaker declared the bill duly passed, and ordered returned to the Senate.

Preamble and Resolution relating to establishment of a mail route from Virginia to Surprise Valley, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Mayhugh, McKeeby, Parker, Rosenblatt, Small, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the resolution passed, and ordered returned to the Senate.

Senate Bill No. 313, "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 ninth, one thousand eight hundred and sixty-four, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Bond, Cary, Denson, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Parker, Rosenblatt, Small, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Messrs. Bien, Dun, and Sine.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Lee gave notice of motion to reconsider the vote just taken.

On motion of Mr. Bond, Standing Rule No. 56 was suspended temporarily.

Mr. Bond moved to reconsider the vote by which Senate Bill No. 303 passed at this time.

Mr. Bishop moved to indefinitely postpone the motion to reconsider.

Carried.

Senate Bill No. 303, "An Act providing for the publication of the general laws," etc., was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 26; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bolan, Bien, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Cutter, Mayhugh and Toombs.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Smith gave notice of motion to reconsider the vote just taken.

Mr. Haskell moved to suspend standing rule of the House No. 56.

Mr. Young moved to indefinitely postpone the motion to reconsider, upon which the ayes and noes were demanded by Messrs. Smith, Young and Rigby, and the roll called with the following result: Ayes, 22; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bolan, Cutter, Mayhugh, Nichols, Shackelford, Smith, and Toombs.

Motion to indefinitely postpone carried.

Mr. Bien moved to call up resolutions relating to pay of chaplains, upon which the ayes and noes were demanded by Messrs. Rosenblatt, Bien and Bond; and the roll called, with the following result: Ayes, 16; noes, 15—as follows:

Those voting in the affirmative were—

Messrs. Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Parker, Rigby, Small, Sine, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Shackelford, Smith, St. Clair, Toombs, Walter, and Wellington.

Motion carried, and resolution taken up and adopted.

The special order of the day, viz: Senate Bill No. 240, "An Act to establish an agricultural and mechanical college in Washoe County, in this State," together with the amendments of the committee, was taken up, and, on motion, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 244, entitled as above read, together with the amendments of the committee, had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill to the House without recommendation.

Report accepted.

Mr. Bond moved to make the bill the special order for this evening, at eight o'clock.

Carried, and so ordered.

Leave of absence granted Mr. Sine for one day.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 7th, 1865. }

*To the Hon. Assembly of Nevada:*

I have this day approved Assembly Bill No. 61, "An Act defining the rights of husband and wife."

HENRY G. BLASDEL,  
Governor.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: "An Act providing offices for certain State officers."

On motion of Mr. Bond, the House took a recess, at four o'clock P. M., until seven o'clock P. M.

#### EVENING SESSION.

House reassembled at seven o'clock P. M.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order of the day, Assembly Bill No. 186, was postponed until Thursday evening, March ninth, at seven o'clock.

Mr. Lee, from the select committee of investigation, to examine into the affairs of the Storey County Hospital, reported as follows:

*Mr. Speaker:*

The joint committee, appointed by the Senate and Assembly, to visit and examine the Storey County Hospital, and to investigate the condition of the same, beg leave to submit the following report as the result of their investigations:

That they found the hospital grounds consisting of about sixty acres of land, near the southern municipal limits, inclosed by a substantial fence, and cleared for cultivation; four excellent wells abundantly supplying the buildings and grounds with water and protection against fire. The main building, two stories in height, eighty by sixty feet, with additional outbuildings, systematically divided off into wards, surgical and medical, with their sub-classifications—the pharmacy, kitchen, cellars, storerooms, ice house, dining rooms, office, and operating room, which we find all in good condition.

The general appearance of cleanliness and order throughout the whole institution speaks in terms more potent than words in favor of the sanitary condition of the same, and the committee can with pleasure say to this honorable body that but little reform could be made in this particular quarter.

The second floor contains the syphilitic, eye, chronic, and convalescent wards.

The second building, or insane asylum, is situated about six or eight rods from the main building. It is three stories in height, the first story being built with stone, with deadened floors. The entrance of the story is entirely separate from the rest of the building, and is divided off into padded cells and grated rooms, graduated to the different degrees of maniac violence. Here the most uncontrollable insane are confined, and certainly every care, convenience and consideration usually found in such institutions seemed to be exhibited there. The second floor is assigned to the milder cases, and the third is now used as a female department.

These buildings for the care of the unfortunate sick, the largest this side of the Stockton asylum and San Francisco hospital, are now under the charge of Drs. Pinkerton and Tucker, by contract, for one year, expiring October next. By the terms of that contract, these gentlemen provide to all indigent sick presenting a permit from the County Commissioners, board, lodging, fuel, food, medicines, nursing, washing, and medical attendance, of a good and sufficient character, for the sum per day per patient of five dollars in county scrip, as long as such five dollars in county scrip is represented by one dollar and fifty cents in gold and silver coin in the city of Virginia, and when a lesser amount than five dollars in scrip is worth one dollar and fifty cents, then the contractors must take the lesser amount—in fact, a sliding scale to the advantage of the county, which never pays more scrip than is represented by one dollar and fifty cents in cash.

We find upon examination of the bids that this clause was based upon a part scrip to the bid of the contractors, who then stated that although they had made a bid in scrip (as per advertisement of Commissioners), they would prefer receiving one dollar and fifty cents in cash to five dollars in scrip.

The contractors are under bonds in the sum of thirty thousand dollars for the faithful performance of the contract, and to keep in good order and deliver up the same at the expiration of the contract, less wear and tear; also, to keep a record, and make proper reports of all patients received, and result of treatment.

The entire hospital fund of the county is by the contract to be set apart by the County Commissioners for the payment of the scrip issued to the contractors, but from examination your committee do not find this fund in any better condition than the general fund of Storey County. Your committee find that the Storey County scrip has reached the market value of thirty cents upon the dollar but once since the awarding of the contract, and that supposing the contractors obliged to dispose of their scrip (and we are assured it is the case) each month, the average which such scrip has maintained in Storey County, twenty-four cents upon the dollar, they have received but one dollar and twenty cents per day per patient in cash.

We consider one dollar and fifty cents per day, in cash, per patient, reasonable enough, it is less than is paid in some counties of California. Your Committee further find that on the first day of January, one thousand eight hundred and sixty-five, the contractors waived the payment of scrip, their monthly bills being audited by the County Commissioners at one dollar and fifty cents in cash, to be paid when there is money in the treasury; that since that date the contractors have not received either money or scrip, and at this time are still carrying on the hospital upon their individual resources.

Your committee feel called upon to state this fact in justification of

the contractors, who seem to have faithfully and conscientiously performed their part of the contract, both as business men and physicians.

Your committee found, in all, about sixty patients in the Storey County Hospital, of these six were females and four insane persons. There were many old chronic cases and cripples, who, friendless, hopeless and indigent, could not be turned out of doors, and in the absence of an alms house remain in the hospital. The hospital record shows something over two thousand cases treated since the creation of the hospital and asylum, and of this number more than half are from outside counties. To Virginia City and her comfortable hospital the sick from all parts have converged, and your committee cannot refrain from expressing herein their belief that to the generous philanthropy of Storey County many unfortunate, having no legal claim upon her charity, are indebted for breath [health], perhaps life.

And that your committee would take pleasure in further adding, that from personal observation and knowledge obtained while at the hospital, that we can speak in high terms of the medical department, and that Drs. Pinkerton and Tucker, the physicians having charge of the institution, have discharged their professional duties with great skill and humanity, calculated to reflect credit alike upon themselves as well as upon the profession to which they belong. We have full confidence in the professional abilities of these gentlemen, and believe that the county of Storey could not have placed this important charge in more able and competent hands.

In conclusion, your committee would say that every consideration of humanity demands that provision be made for the insane and unfortunate sick of this State, and would recommend that the Legislature make arrangements with the proper authorities of the Storey County Hospital to take care of such sick patients until the Legislature shall have made some permanent arrangement for that portion of our community. And, further, that an appropriation of five thousand dollars be made for the use of the hospital fund of Storey County, to reimburse said county in the outlay in the care of foreign sick.

JOHN IVES, Senate.  
W. G. LEE, Chairman.  
JAMES A. ST. CLAIR,  
H. G. PARKER.

I concur in the above report, with the exception of making the Storey County Hospital the Insane Hospital of the State.

J. S. SLINGERLAND,  
Chairman Senate Committee.

Accepted, and two hundred and forty copies ordered printed.

Senate Bill No. 271, "An Act to repeal an Act entitled an Act to amend an Act entitled an Act to provide for the election of Probate Judges and Prosecuting Attorneys, and define their duties," approved December nineteenth, one thousand eight hundred and sixty-two, approved February twentieth, one thousand eight hundred and sixty-four, was taken up, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Cutter, Denson, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 330, entitled "An Act to provide for the selection and location of forty sections of unappropriated public lands, donated to the State by sections eight and nine of an Act of Congress entitled an Act to enable the people of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," approved March twenty-first one thousand eight hundred and sixty four, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 20; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Cutter, Dun, Greeley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Messrs. Hinckley and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Sine, Assembly Bill No. 161 was taken from file and made the special order for Wednesday, March eighth, at two o'clock P. M.

Senate Bill No. 99, entitled "An Act to provide for the selection and location of the five hundred thousand acres of land donated to this State by an Act of the Congress of the United States," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter, by unanimous consent, introduced the following bill, entitled "An Act to reimburse moneys expended by the county of Storey in the care of the sick of other counties of this State."

Rules suspended, bill read a first and second time by title, and referred to the special committee to investigate the affairs of the Storey County Hospital.

By unanimous consent, Mr. Cutter introduced the following bill, entitled "An Act concerning the forfeiture and abandonment of mining claims."

Rules suspended, bill read a first and second time by title; rules further suspended, bill considered engrossed, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 21; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cutter, Denson, Dun, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Smith, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Myrick, Rosenblatt, Toombs, and Young.

Mr. Speaker declared the bill duly passed and ordered transmitted to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 172, "An Act concerning mining districts and the Recorders thereof.

No. 34, preamble and resolutions in regard to Indian depredations.

Senate Bill No. 293, "An Act to amend an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one," was taken from file, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 23; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Myrick, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Smith, Toombs, Young, and Mr. Speaker.

And in the negative—Mr. Lee.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 263, "An Act to provide for the improvement of streets and alleys in unincorporated towns and villages in the State of Nevada," was taken from file, read a third time, and placed upon its final passage; and the roll called, with the following result: Ayes, 24; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Haskell, Myrick, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Brown, by unanimous consent, introduced the following bill, entitled "An Act for the payment of the compensation of the District Judges of this State, and to carry out the requirements of section fifteen of article six of the Constitution of the State of Nevada."

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

Senate Bill No. 312, "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cutter, Denson, Dun, Epstein, Greeley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 244, "An Act to establish an agricultural and mechanical college in Washoe County in this State," (the special order of the day), was taken up, and the report of the Committee of the Whole adopted.

Bill read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 3—as follows:



Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cutter, Denson, Dun, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, Young, and Mr. Speaker.

And in the negative—

Messrs. Epstein, Small, and Wellington.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original as ordered engrossed, and found the same correctly engrossed, viz: No. 267, "An Act concerning the forfeiture and abandonment of mining claims."

Mr. Patten offered the following proposed amendment to the Constitution of the State:

The Assembly and Senate, of the first Legislature of the State of Nevada, propose the following amendment to the Constitution of the State:

Section one, article fifteen, is hereby amended so as to read as follows: "The seat of government shall be at the city of Virginia, but no appropriation for the erection or purchase of capitol buildings shall be made during the next year."

Read and referred to the Storey County delegation.

On motion of Mr. Hinckley, the House adjourned at nine o'clock and thirty minutes p. m.

---

## EIGHTY-SEVENTH DAY.

WEDNESDAY, March 8th, 1865.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Beck, Brown, Bolan, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinckley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Myrick and Rosenblatt.

Present, 33; absent, 2.

Prayer by the Rev. Mr. Nims.

The reading of the journal of yesterday was dispensed with until this evening at seven o'clock.

Indefinite leave of absence granted to Messrs. Bolan and Rosenblatt for one day.

Mr. Haskell, from the Committee on Federal Relations, reported to the House Senate Resolutions No. 234, and message from the Kansas Legislature, without recommendation.

Accepted, and resolutions and message placed upon file.

Mr. Mayhugh offered the following resolution:

*Resolved*, That the Controller be, and he is hereby, authorized and required to draw his warrant in favor of J. M. Woodworth, Sergeant-at-Arms of the Assembly, for the sum of three hundred and sixty dollars, for moneys due for arrest of members and extra services, payable out of the contingent fund of the Assembly.

Resolution referred to Committee on Contingent Expenses.

Mr. Denson, from the Judiciary Committee, reported as follows:

The Committee on Judiciary have had under consideration Assembly Bill No. 268, providing for payment of compensation of District Judges, and direct their chairman to report the same back to the House, recommending its passage without amendment.

Accepted, and bill placed upon file.

Assembly Bill No. 268, entitled "An Act providing for payment of compensation of District Judges in this State," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bond, Cary, Cutter, Denson, Dun, Hinckley, Lee, Mayhugh, Nichols, Rigby, Shackelford, Sine, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bishop, Greeley, McKeeby, and Smith.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Walter, from the Conference Committee, reports as follows:

*Mr. Speaker:*

Your committee of free conference, who were appointed to confer with a like committee on the part of the Senate to consider Assembly Bill No. 177, have acted in accordance with your instructions, and beg leave to report that although we have had one conference with the Senate committee for the consideration of said bill, we have thus far been unable to agree so as to make a favorable return of our proceedings to this House. We therefore most respectfully recommend your committee be discharged from further duty.

D. P. WALTER,  
J. A. DUN.

Accepted, and committee discharged.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 8th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate, to return to your honorable body Assembly Bill No. 207, "An Act to amend an Act entitled an Act to create the county of Nye."

Also, Assembly Bill No. 249, "An Act in relation to toll roads and bridges."

Also, Assembly Bill No. 141, "An Act accepting the provisions of an Act of Congress entitled an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, approved July second, one thousand eight hundred and sixty-two, etc., the same having passed the Senate March seventh without amendments.

I transmit herewith, for the consideration of your honorable body' Senate Bill No. 269, "An Act authorizing the Board of County Commissioners of the several counties of this State to apportion the county revenue."

Also, Senate Bill No. 255, "An Act to regulate appeals in the courts of justice in this State."

Also, Memorial and Joint Resolutions in reference to the construction of a railroad from Virginia to the city of Austin, in the State of Nevada.

Also, Senate Bill No. 273, "An Act concerning banking associations formed in this State under the laws of the United States."

Also, Senate Bill No. 208, "An Act to provide for the organization and maintenance of literary and other societies," the same having passed the Senate March seventh.

I return to your honorable body Assembly Bill No. 185, "An Act to amend an Act to authorize the survey, and to establish the western boundary line of the State of Nevada," the same having passed the Senate without amendment.

Also, Assembly Bill No. 219, "An Act to provide pay for the members of the two late Constitutional Conventions," the same having passed the Senate without amendment.

Also, Assembly Bill No. 34, "An Act for the relief of insolvent debtors and protection of creditors," the same having passed the Senate without amendment.

Also, Assembly Bill No. 16, "An Act to regulate fees and compensation for official and other services," amended in the Senate, as will appear by the slips attached to the bill, and alterations denoted in pencil.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary of the Senate.

Senate Bill No. 269, "An Act authorizing the Board of County Commissioners of the several counties of this State to apportion the county revenue," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Cutter, Dun, Hineckley, Haskell, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, St. Clair, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Lee, Toombs, Walter, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. St. Clair, from the Committee on Contingent Expenses, reported as follows:

*Mr. Speaker:*

The Committee on Contingent Expenses, to whom was referred the resolution relative to allowing the Sergeant-at-Arms extra compensation, respectfully report, recommending its passage.

Your committee would also report the following, and recommend its passage:

*Resolved,* That the Controller be, and he is hereby, authorized and re-

quired, to draw his warrant in favor of U. E. Allen, Chief Clerk, for the sum of five hundred dollars, payable out of the contingent fund of the Assembly, for services to be performed after the adjournment of the Legislature in compiling the House journals, correcting the phraseology, and preparing the same for the State Printer.

St. CLAIR,  
RIGBY,  
SMITH.

Report of committee accepted, and the resolution relating to the Sergeant-at-Arms, placed on file.

Mr. Cutter moved to take from the file the resolution relating to the Sergeant-at-Arms.

Carried, and the question being, Shall the resolution pass?

The roll was called, with the following result: Ayes, 24; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hawkins, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Dun, Shackelford and Young.

Resolution passed.

Mr. Hawkins asked leave of absence for himself for the balance of the session, which was granted.

Mr. Rosenblatt asked leave of absence for himself for the balance of the session, which was granted.

Mr. Parker moved to adopt the resolution reported by the Committee of Contingent Expenses, relating to allowing U. E. Allen five hundred dollars for supervising the printing of the journal of this session.

Mr. Walter moved to amend the resolution by inserting "twenty days, at ten dollars per day," in lieu of five hundred dollars, upon which the ayes and noes were demanded by Messrs. Patten, Mayhugh and Smith, and the roll called, with the following result: Ayes, 17; noes, 15—as follows:

Those voting in the affirmative were:

Messrs. Beck, Brown, Bond, Cary, Dun, Epstein, Haskell, Lee, Mayhugh, Nichols, Patten, Small, Shackelford, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bolan, Bishop, Cutter, Denson, Greeley, Hinckley, McKeeby, Parker, Rosenblatt, Rigby, Sine, Smith, St. Clair and Toombs. Amendment adopted.

The question now being, Shall the resolution be adopted as amended? Carried, and the resolution adopted.

Senate Bill No. 255, "An Act to regulate appeals in the courts of justice of this State," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and placed upon file.

Senate memorial and joint resolution in reference to construction of a railroad from Virginia to the city of Austin, in the State of Nevada, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and placed upon file.

Senate Bill No. 273, "An Act concerning banking associations formed

in this State under the laws of the United States," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and placed upon file.

Senate Bill No. 208, "An Act to provide for the organizing and maintenance of literary and other societies," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and placed upon file.

Assembly Bill No. 16 was made the special order for this evening, at seven o'clock and thirty minutes p. m.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 8th, 1865. }

*To the Hon. the Assembly :*

I herewith transmit to your honorable body, for consideration, Senate Bill No. —, entitled "An Act in relation to the collection of taxes now delinquent," the same having passed the Senate this day.

Respectfully,

L. B. MOORE,  
Secretary.

The rules were suspended, and the bill taken up, read a first and second time by title, rules further suspended, bill read a third time, and placed upon its final passage, and the roll called with the following result : Ayes, 26 ; noes, 1—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bond, Cary, Denson, Dun, Epstein, Greeley, Hinckley, Lee, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

In the negative—Mr. Mayhugh.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 8th, 1865. }

*To the Hon. the Assembly :*

I herewith transmit to your honorable body Senate bill No. —, entitled "An Act to transfer from the general fund to the contingent fund of the Senate," the same having passed the Senate this day.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

The rules were suspended, and the above bill was taken up, read first and second times by title, rules further suspended, bill read a third time, and the roll called with the following result : Ayes, 21 ; noes, 6—as follows :

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, McKeeby, Patten, Rosenblatt, Rigby, Small, Shackelford, St. Clair, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Haskell, Lee, Mayhugh, Smith, Wellington, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 8th, 1865. }

*To the Hon. the Assembly :*

I am directed by the honorable the Senate to inform your honorable body that Messrs. Ives, Lambert, and Doron have been appointed a committee of free conference on Senate Bill No. —, "An Act to provide for the appointment of policemen in unincorporated cities, towns, and villages in this State," to take such action on said bill as may be deemed advisable.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Mr. Speaker appointed as such committee on the part of the House, Messrs. Mayhugh, Bond, and Denson.

Mr. Lee reported that the Committee on Public Morals had had under consideration Senate bill entitled "An Act to provide for the appointment of a State Geologist, to define his duties, and making an appropriation for payment of his services, and the contingent expenses of the survey and collection he is authorized to make," and directed their chairman to report the bill to the House, and recommend that it be indefinitely postponed.

Also, "An Act to reimburse moneys expended by the county of Storey," report that they have had the same under consideration, and report a substitute, and recommend the passage of the substitute.

The report was agreed to, and the bill placed upon file.

#### GENERAL FILE.

Senate Bill No. 65, "An Act to provide for reporting the decisions of the Supreme Courts of this State," was taken from file, and on motion of Mr. Haskell, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate Bill No. 65, entitled as above read, had gone through therewith in part, had made no amendments thereto, and directed their chairman to report the bill to the House, and ask leave to sit again.

Accepted, and bill laid upon the table.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, as ordered engrossed, and found the same correctly engrossed, viz : No. 268, "An Act for the payment of the compensation of the District Judges of this State, and to carry out the requirements of section fifteen, article six of the Constitution of the State of Nevada."

Accepted.

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

## AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order of the day, Assembly Bill No. 161, "An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," was taken up, and, on motion, laid upon the table.

Mr. Hinckley offered the following resolution :

*Resolved*, That the Controller be, and is hereby, authorized and required to draw his warrant in favor of H. C. Emmons for the sum of two hundred and sixty dollars, for services to March seventh (being twenty-six days), as clerk of the committee on investigation into the books of the Territorial officers; and for the further sum of one hundred and forty dollars, upon the presentation of a certificate of fourteen days services performed as such clerk, from and after said date, signed by some member of the committee, both warrants to be paid out of the contingent fund of the Assembly.

Adopted.

Mr. Cary reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found it correctly enrolled, and the same was this day delivered to the Governor for his approval, viz : Assembly Bill No. 207, "An Act to amend an Act entitled an Act to create the county of Nye."

Accepted.

Mr. Beck, from the conference committee, reported as follows :

*Mr. Speaker :*

Your committee of free conference, to whom was referred Assembly Bill No. 177, "An Act to provide for the payment of rent for the use of the Capitol building," beg leave to report that they have had the same under consideration, and have made the following amendment thereto, to-wit :

First. Strike out the words "four thousand dollars" wherever the same occurs in the bill, and insert in the place thereof the words "forty-five hundred dollars."

Second. Have added to the end of the last section the words "to the extent of thirty-five hundred dollars, and one thousand dollars to the use of the building fund," and the concurrence of the Assembly is requested.

J. SEELEY,

On part of the Senate.

H. H. BECK,

D. H. BROWN,

L. C. HINCKLEY.

The question now being, shall the report of the conference committee be concurred in? upon which the ayes and noes were demanded by Messrs. Lee, Sine, and Bond, and the roll called with the following result: Ayes, 16; noes, 10—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bond, Cary, Cutter, Denson, Epstein, Hinkley, Lee, McKeeby, Rigby, Parker, Patten, Rosenblatt, and Shackelford.

And in the negative—

Messrs. Greeley, Small, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young and Mr. Speaker.

Report of committee concurred in, and the amendment adopted.

The question now being, shall the bill pass as amended? and the roll called with the following result: Ayes, 21; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Cutter, Denson, Epstein, Hinkley, Lee, McKeeby, Parker, Patten, Rosenblatt, Rigby, Shackelford, Smith, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Greeley, Small, Sine, St. Clair, and Toombs.

Mr. Speaker declared the bill duly passed.

The following messages was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 8th, 1865. }

*To the Hon. the Assembly of Nevada:*

I herewith return to your honorable body without approval, the following enumerated Assembly bills, viz:

No. 248, entitled "An Act to authorize A. P. Benton, his associates, their heirs and assigns, to construct and maintain a toll road and bridge in the counties of Lyon and Churchill."

No. 100, entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe."

No. 228, entitled "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in the county of Ormsby."

No. 222, entitled "An Act granting to S. B. Hunt, and his associates, the right to maintain a toll road."

No. 81, entitled "An Act authorizing I. C. Bateman, L. U. Colbath, C. H. Van Gorder, N. H. A. Mason, and their associates and assigns, to and maintain construct a toll road from the Divide, between Virginia City and Gold Hill, in Storey county, to Empire City, in Ormsby County.

No. 189, "entitled "An Act to authorize A. B. Perkins, and his associates, to maintain a toll road."

No. 46, entitled "An Act to authorize J. B. McClure and John Eaves to construct and maintain a toll road."

No. 214, entitled "An Act authorizing the construction of a railroad from Virginia City to Carson river."

In stating my objections to other toll road and railroad bills, all granting franchises and corporate powers by special Acts, I have repeatedly given to you my ideas of constitutional objections to all the above bills, and here deem it unnecessary to state them again at length, as they are before you.

Section seven of bill number two hundred and forty-eight provides for the punishment of a misdemeanor, and being a special Act, that provision is certainly unconstitutional. (See section twenty, article four of the Constitution.)

Some others of those bills are subject to the same objection. For these



reasons I cannot conscientiously approve any one of those bills, and therefore return them for your further action.

H. G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
CARSON CITY, March 8th, 1865. }

*To the Hon. Assembly of Nevada :*

I herewith return to your honorable body without approval, Assembly Bill No. 21, entitled "An Act for the relief of John A. Benham."

This bill appropriates one thousand dollars out of the general fund of the State to pay a claim which was heretofore presented to, and rejected by, the State Board of Examiners for want of sufficient proof to substantiate its justness. I am a member of, and was on said Board, when said claim was acted upon, and up to the present time have received no additional testimony to convince me it should be paid.

I cannot approve Acts making improper and unwarranted appropriations of the public funds.

H. G. BLASDEL,  
Governor.

The vote by which Assembly Bill No. 248, entitled "An Act to authorize A. P. Benton, his associates, their heirs and assigns, to construct and maintain a toll road and bridge in the counties of Lyon and Churchill," was reconsidered.

Also, Assembly Bill No. 100, entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe."

Also, Assembly Bill No. 228, entitled "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in the county of Washoe."

Also, Assembly Bill No. 222, entitled "An Act granting S. B. Hunt, and his associates, the right to maintain a toll road."

Also, Assembly Bill No. 81, entitled "An Act authorizing I. C. Bate-man, L. U. Colbath, C. H. Van Gorder, N. H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the divide between Virginia City and Gold Hill, in Storey County, to Empire City, in Ormsby County."

Also, Assembly Bill No. 189, entitled "An Act to authorize A. B. Perkins and his associates to maintain a toll road."

Also, Assembly Bill No. 46, entitled "An Act to authorize J. B. McClure and John Eaves to construct and maintain a toll road."

Also, Assembly Bill No. 214, entitled "An Act authorizing the construction of a railroad from Virginia City to Carson River."

Also, Assembly Bill No. 21, entitled "An Act for the relief of John A. Benham."

The Governor's message and bill connected therewith were made the special order for to-day, at four o'clock P. M.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 8th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed to return to your honorable body Assembly Bill No. 38, "An Act concerning County Recorders, and defining their duties," with Senate substitute therefor.

Also, Assembly Bill No. 215, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, one thousand eight hundred and sixty-five, with amendment thereto attached, the same as amended having passed the Senate.

Also, Senate Bill No. —, "An Act concerning official bonds."

Also, Senate Bill No. 256, "An Act amendatory of an Act concerning crimes and punishments," approved November twenty-sixth, one thousand eight hundred and sixty-one.

Also, Senate Bill No. 257, "An Act amendatory of an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

Also, Senate Bill No. —, "An Act supplemental to and amendatory of an Act to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada," etc., the same having passed this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
March 8th, 1865. }

*To the Hon. Assembly of Nevada :*

I am directed to report to your honorable body that the Senate has refused to concur in the amendments proposed to Senate Bill No. 237, "An Act concerning the compensation of jurors in the District Courts of this State," and have appointed a committee of free conference, consisting of Messrs. Seeley, Claggett, and Proctor, to confer with a committee from your honorable body in relation thereto.

GEO. R. AMMOND,  
Assistant Secretary.

Mr. Speaker appointed as such committee, Messrs. Bishop, Brown, and Mayhugh, on the part of the House.

Assembly Bill No. 138, "An Act concerning County Recorders and defining their duties," with Senate substitute therefor, reported in Senate message, was taken up, and the question being, Shall the House adopt the substitute offered by the Senate? adopted, and rules suspended, bill read a first and second time by title, and placed upon file.

Assembly Bill No. 215, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county," approved January twenty-seven, one thousand eight hundred and sixty-five, reported in Senate message, was taken up, and the question being, Shall the House concur in the Senate amendments to the bill?

Carried, and amendments concurred in.

Senate Bill "An Act concerning official bonds," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0— as follows :

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Cutter, Denson, Haskell, Lee,

Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 256, "An Act amendatory of an Act concerning crimes and punishments," approved November twenty-sixth, one thousand eight hundred and sixty-one, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title and placed upon file.

Senate Bill No. 257, entitled "An Act amendatory of an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title and placed upon file.

Senate Bill, "An Act supplemental to, and amendatory of an Act, to provide for carrying out in part the provisions of section seven, of article seventeen, of the Constitution of the State of Nevada," reported in Senate message, was taken up.

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

#### GENERAL FILE.

Assembly Bill No. 246, "An Act to provide for paying for certain Territorial printing," was taken from file, and, on motion, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Bond in the chair.

The Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 246, entitled as above read, had gone through therewith, had made no amendments thereto and directed their chairman to report the bill to the House and recommend its passage.

Report adopted.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 27; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker

And in the negative—Mr. Smith.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter gave notice of motion to reconsider the vote just taken.

Mr. Sine moved to reconsider the vote by which Assembly Bill No. 246, passed at this time.

Mr. Brown moved to indefinitely postpone the motion.

Carried, and so ordered.

Senate Concurrent Resolution No. 234, relating to establishing a mail route from Carson City to Dayton, was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bishop, Bond, Cary, Cutter, Denson, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Sine, Smith, St. Clair, Toombs, Wellington, and Mr. Speaker.

And in the negative—Mr. Walter.

The Speaker declared the resolution passed, and ordered returned to the Senate.

Senate Bill, "An Act to provide for the appointment of a State Geologist, to define his duties, and making an appropriation for payment of his services, and the contingent expenses of the survey and collection he is authorized to make," was taken from file.

Mr. Smith moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. Patten, Brown and Walter, and the roll called with the following result: Ayes, 13; noes, 14—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Cary, Denson, Greeley, Haskell, Lee, Nichols, Patten, Shackelford, Smith, St. Clair, and Young.

And in the negative—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Hinckley, McKeeby, Parker, Rigby, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

Motion to indefinitely postpone lost.

The special order of the day was postponed until eleven o'clock A. M. to-morrow.

The question now being, Shall the bill pass? read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 15; noes, 13—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Hinckley, McKeeby, Parker, Rosenblatt, Rigby, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

In the negative—

Messrs. Beck, Brown, Cary, Denson, Greeley, Haskell, Lee, Nichols, Patten, Shackelford, Smith, St. Clair, and Young.

Mr. Speaker declared the bill lost.

Mr. Bien gave notice of a motion to reconsider the vote just taken.

On motion of Mr. Tozer, Assembly [Bill] No. 81, entitled "An Act authorizing I. C. Bateman, L. U. Colbath, C. H. Van Gorder, N. H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the divide between Virginia City and Gold Hill in Storey county, to Empire City in Ormsby county," was taken up, and the question now being, "Shall the bill pass notwithstanding the objections of the Governor?"

Roll called with the following result: Ayes, 25; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Greeley, Hinckley, Haskell, Lee, Myrick, McKeeby, Patten, Rosenblatt, Rigby, Shackelford, Sine, Smith, St. Clair, and Walter.

And in the negative—

Messrs. Parker, Small, Toombs, Wellington, and Young; and before the vote was announced, on motion, a call of the House was ordered.

Roll called, and the following members were absent, to wit:

Messrs. Epstein, Bien, Greeley, and Myrick; and the Sergeant-at-

Arms dispatched for the absentees, who were brought before the bar of the House, and, by consent, admitted to their seats; and, on motion, further proceedings under the call was dispensed with.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Assembly Bill No. 100, entitled "An Act authorizing the construction of a toll road from Washoe Valley to Lake Tahoe," was taken up, and the question now being, Shall the bill pass, notwithstanding the objections of the Governor?

Roll called, with the following result: Ayes, 24; noes, 5—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Cutter, Dun, Greeley, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Denson, Sine, Walter, Wellington, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Mr. Hinckley reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 215, "An Act to amend an Act entitled an Act to provide for the payment the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, one thousand eight hundred and sixty-five.

J. L. HINCKLEY,  
Of the Committee.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, as ordered engrossed, and found the same correctly engrossed, viz: No. 246, "An Act to provide for the payment of certain Territorial printing."

On motion of Mr. Haskell, the House took a recess, at five o'clock and thirty minutes p. m., until seven o'clock p. m.

#### EVENING SESSION.

House re-assembled at seven o'clock p. m.

Mr. Speaker in the chair.

Roll called, and a quorum present.

The special order of the day, the reading of the journal, was now taken up, read in part, and on motion of Mr. Bishop, the further reading was temporarily suspended, and the special order of the day, Assembly Bill No. 16, "An Act for regulating fees and compensation for official and other services," was taken up, and the question being upon concurring in Senate amendments—upon which the ayes and noes were demanded by Messrs. Sine, Patten and Mayhugh, and the roll called, with the following result: Ayes, 15; noes, 10.

Those voting in the affirmative were—

Messrs. Beck, Bishop, Bond, Denson, Haskell, Parker, Patten, Rosenblatt, Small, Shackelford, Sine, St. Clair, Toombs, Wellington, and Young.

And in the negative—

Messrs. Greeley, Hinckley, Lee, Mayhugh, McKeeby, Nichols, Rigby, Smith, Walter, and Mr. Speaker.

Carried, and Senate amendments concurred in.

The question now being, Shall the bill pass as amended by the Senate? roll called with the following result: Ayes, 20; noes, 11.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Denson, Epstein, Hinckley, Hawkins, Myrick, Parker, Patten, Sine, Shackelford, Smith, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Greeley, Lee, Mayhugh, McKeeby, Nichols, Rosenblatt, Rigby, Small, and Toombs.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

The rules were suspended, and the Governor's message, together with the bills appertaining thereto, were taken up.

Assembly Bill No. 228, entitled "An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in the county of Ormsby," and the question now being, Shall the bill pass notwithstanding the objection of the Governor? roll called with the following result: Ayes, 24; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hinckley, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Denson and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Assembly Bill No. 248, "An Act to authorize A. P. Benton, his associates, their heirs and assigns, to construct and maintain a toll road and bridge in the counties of Lyon and Churchill," was taken up, and the question being, Shall the bill pass notwithstanding the objections of the Governor? and the roll called with the following result: Ayes, 24; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Denson, McKeeby, Wellington, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

On motion of Mr. Sine, Mr. Cutter was appointed as chairman of the Enrolling Committee.

Assembly Bill No. 222, entitled "An Act granting to S. B. Hunt and his associates, the right to maintain a toll road," was taken up, and the question being, Shall the bill pass notwithstanding the objections of the Governor? roll was called with the following result: Ayes, 24; noes, 5.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, and Mr. Speaker.

And in the negative—

Messrs. Denson, Mayhugh, McKeeby, Wellington, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Assembly Bill 189, "An Act to authorize A. B. Perkins and his associates to maintain a toll road," was taken up, and the question being, Shall the bill pass notwithstanding the objection of the Governor? the roll was called with the following result: Ayes, 24; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rigby, Small, Sine, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Denson, Mayhugh, Shackelford, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Assembly Bill No. 46, entitled "An Act to authorize J. B. McClure and John Eaves to construct and maintain a toll road," was taken up, and the question being, Shall the bill pass notwithstanding the objections of the Governor? the roll was called with the following result: Ayes, 25; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Denson, McKeeby, and Young.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Assembly Bill No. 214, "An Act authorizing the construction of a railroad from Virginia City to Carson River," was taken up, and the question being, Shall the bill pass notwithstanding the objection of the Governor? the roll was called with the following result: Ayes, 28; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Assembly Bill No. 26, entitled "An Act for the relief of John A. Benham," was taken up, and the question being, Shall the bill pass notwithstanding the objection of the Governor? the roll was called, and Mr. Patten moved that the announcement of the vote be postponed until to-morrow at ten o'clock and thirty minutes A. M., upon which the ayes and noes were demanded by Messrs. Brown, Patten, and Sine, and the roll called with the following result: Ayes, 21; noes, 6—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Hinckley, Haskell, Myrick, McKeeby, Nichols, Patten, Rosenblatt, Rigby, Small, Shackelford, Smith, Toombs, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Brown, Lee, Sine, St. Clair, Walter, and Young.

Motion to postpone. Carried.

Mr. Denson, from the Judiciary Committee, to which was referred the bill entitled "An Act supplemental to, and amendatory of, an Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of the State of Nevada," approved February fourteenth, one thousand eight hundred and sixty-five, reported that they have had the same under consideration, have come to a favorable conclusion thereon, and directed their Chairman to report the same to the House without amendments and recommend its passage.

The report was agreed to, and the bill placed upon file.

Mr. Cutter offered the following resolution :

*Resolved*, That the Controller be, and is hereby, authorized and required to draw his warrant in favor of U. E. Allen, Chief Clerk, for the sum of five hundred dollars, payable out of the contingent fund of the Assembly, for labor to be performed by him in comparing the journal for the State Printer, and correcting the proof, after the adjournment of the Legislature ; and that a resolution heretofore passed, allowing him two hundred dollars for the said service, be, and is hereby, rescinded.

Mr. Patten moved to lay the resolution upon the table, upon which the ayes and noes were demanded by Messrs. Brown, Patten, and Cutter, and the roll called with the following result : Ayes, 8 ; noes, 23—as follows :

Those voting in the affirmative were—

Messrs. Beck, Haskell, Patten, Small, Shackelford, Smith, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hinckley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rosenblatt, Rigby, Sine, St. Clair, Toombs, Walter, and Wellington.

Motion to lay upon the table lost.

The question now being, Shall the resolution pass? and the roll called with the following result : Ayes, 9 ; noes, 19—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cutter, Denson, Greeley, Myrick, Parker, Rosenblatt, and St. Clair.

And in the negative—

Messrs. Beck, Brown, Epstein, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Resolution lost.

Mr. Bearss offered the following resolution :

*Resolved*, That the Controller of State be, and he is hereby, authorized and instructed to draw his warrant on the contingent fund of the Assembly, in favor of J. B. Cormack, for the sum of one hundred and eighty dollars (\$180), being an additional compensation of two (\$2) per day for services as porter of the Assembly during the present session of the Legislature.

The question being, Shall the resolution pass? the roll was called with the following result : Ayes, 11 ; noes, 18—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Bond, Cutter, Denson, Greeley, Myrick, St. Clair, Toombs, and Wellington.



And in the negative—

Messrs. Beck, Brown, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rosenblatt, Rigby, Small, Sine, Smith, Walter, Young, and Mr. Speaker.

Resolution lost.

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

---

## EIGHTY-EIGHTH DAY.

THURSDAY, March 9th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz :

Messrs. Bearss, Brown, Bien, Bishop, Cary, Cutter, Denson, Epstein, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Patten, Rigby, Small, Shackelford, Sine, St. Clair, Walter, Wellington, Young, and Mr. Speaker.

And the following were absent, viz :—

Messrs. Beck, Bolan, Bond, Greeley, Myrick, Parker, Smith, and Toombs.

Present, 27; absent, 8.

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

Prayer by the Rev. Mr. Nims.

The journals of the four preceding days, were now read and approved.

Mr. Cary reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Governor for his approval, viz : Assembly Bill No. 141, "An Act accepting the provisions of an Act of Congress, entitled an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July twenty-seventh, one thousand eight hundred and sixty-two, and amended and approved April fourteenth, one thousand eight hundred and sixty-four.

Assembly Bill No. 185, "An Act to amend an Act to authorize the survey and to establish the western boundary line of the State of Nevada," approved February seventh, one thousand eight hundred and sixty-five.

Assembly Bill No. 219, "An Act to provide pay for the members of the two late Constitutional Conventions," and

Assembly Bill No. 247, "An Act in relation to toll roads and bridges."

The vote on Assembly Bill No. 26, "An Act for the relief of John A. Benham," was now announced as follows: Ayes, 22; noes, 9—as follows :

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Haskell, Myrick, McKeeby, Parker, Patten, Rosenblatt, Rigby, Small, Smith, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Brown, Greeley, Lee, Nichols, Shackelford, Sine, St. Clair, and Walter.

Two thirds of all the members elect not having voted in the affirmative, Mr. Speaker declared the bill lost.

#### GENERAL FILE.

Senate Bill No. 273, entitled "An Act concerning banking associations formed in this State under the laws of the United States," was taken from file, read third time, and on motion of Mr. Patten, the bill was referred to a select committee of one, to amend by striking out, wherever it occurs in the bill, "eighteen per cent.," and insert in lieu thereof "twenty-four per cent."

Carried, and Mr. Patten was appointed as such committee, who forthwith reported the bill back to the House, amended as per instructions.

Roll called, with the following result: Ayes, 27; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Cutter reports, that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed Bills as passed by the two Houses, and found them correctly enrolled, and that the same were this day delivered to the Governor for his approval at eleven o'clock and fifteen minutes A. M., viz:

Assembly Bill No. 34, "An Act for the relief of insolvent debtors, and protection of creditors," and

Assembly Bill No. 16, "An Act to regulate fees and compensation for official and other services."

W. M. CUTTER,  
Chairman.

Assembly Bill No. 266, entitled "An Act to reimburse moneys expended by the county of Storey, in the care of the indigent sick citizens of other counties of this State," together with the substitute reported by the committee, was taken from file, and substitute bill entitled "An Act to reimburse money expended by the counties of Storey and Lyon, in the care of indigent sick of citizens of other counties of this State," adopted by the House and the original bill indefinitely postponed, and on motion, the House resolved itself into Committee of the Whole for consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported the bill back to the House without amendment, and without recommendation.

Report accepted.

Mr. Bien moved to strike out the enacting clause.

Carried, and bill rejected.

Mr. Cutter, pursuant to notice, moved to reconsider the vote by which Senate Bill No. 187, the "State Geologist Bill" was lost.

Mr. Patten moved, to indefinitely postpone the motion, upon which the ayes and noes were demanded by Messrs. Patten, Cutter, and Bond, and the roll called with the following result: Ayes, 6; noes, 21—as follows:

Those voting in the affirmative were—

Messrs. Denson, Greeley, Lee, Patten, Smith, and St. Clair.

And in the negative—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cary, Cutter, Epstein, Hinckley, Myrick, Mayhugh, Parker, Rigby, Small, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Motion to indefinitely postpone lost.

The question now being, Shall the vote by which the bill No. 187 was lost be reconsidered? it was carried and the vote reconsidered.

The previous question was ordered and sustained, and the main question now being, Shall the bill pass? Mr. Bond moved to reconsider the vote by which the previous question was ordered.

Mr. Speaker declared the motion out of order, as during the action of the previous question no motion was in order.

Mr. Bond appealed from the decision of the chair, upon which the ayes and noes were demanded by Messrs. Bond, Cutter, and Brown, and the roll called with the following result: Ayes, 13; noes, 14, as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Cary, Denson, Greeley, Lee, Mayhugh, Nichols, Patten, Shackelford, Smith, St. Clair, and Wellington.

And in the negative—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Epstein, Hinckley, Myrick, Rigby, Sine, Walter, Young, and Mr. Speaker.

Decision of the chair not sustained.

Mr. Bond moved to recommit the bill to a select committee of one, with instructions to amend as follows: Strike out "Secretary of State," and insert "Board of Regents," wherever it occurs in the bill.

Carried, and Mr. Bond was appointed as such committee, who forthwith reported the bill back to the House amended as per instruction.

The question now being, Shall the bill pass as amended? the roll was called with the following result: Ayes, 19; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Epstein, Hinckley, Myrick, Mayhugh, Parker, Rigby, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, Cary, Denson, Lee, Nichols, Patten, Smith, and St. Clair.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. —, "An Act supplemental to and amendatory of an Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of the State of Nevada," approved February fourteenth, one thousand eight hundred and sixty-five, was taken from file, read third time, and placed upon its final passage, and the roll called with the following result: Ayes, 25; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Lee, Myrick, Mayhugh, Nichols, Parker, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. St. Clair.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate:

STATE OF NEVADA,  
SENATE CHAMBER, March 9th, 1865. }

To the Hon. the Assembly :

I am directed by the honorable the Senate to return to your honorable body Assembly Bill No. 206, "An Act to provide for the registration of the names of electors," etc., the same having passed the Senate this day, with amendments that will appear attached to the bill.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

The Assembly Bill No. 206, above reported, was taken up, and the question being upon concurring in Senate amendments to the bill, carried, and Senate amendments concurred in.

The question now being, Shall the bill pass as amended? the roll was called with the following result: Ayes, 22; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Myrick, Mayhugh, Parker, Patten, Rigby, Sine, Smith, Wellington, Young and Mr. Speaker.

And in the negative—

Messrs. Lee, Shackelford, and Walter.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

Mr. Cutter reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill, as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval at twelve o'clock and twenty-five minutes p. m., viz:

Assembly Bill No. 177, "An Act to provide for the payment of rent for the use of the Capitol building for the year one thousand eight hundred and sixty-five, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers."

W. M. CUTTER,  
Chairman Enrolling Committee.

Mr. Bond offered the following resolution:

*Resolved*, That the Controller be, and he is hereby, required to draw his warrant in favor of James Brown for the sum of one hundred dollars, payable out of the contingent fund of the Assembly, for services performed in taking care of the Assembly Chamber.

The question being, Shall the resolution pass? upon which the ayes and noes were demanded by Messrs. Brown, Mayhugh and Bond, and the roll called with the following result: Ayes, 10; noes, 13—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cutter, Epstein, Myrick, Shackelford, Sine, and Wellington.

And in the negative—

Messrs. Beck, Brown, Denson, Greeley, Hinckley, Lee, Mayhugh, Parker, Rigby, Smith, Walter, Young, and Mr. Speaker.

Resolution lost.

On motion of Mr. Cutter, the use of the Assembly room was granted to the Managers of the Legislative Ball for this evening.

Mr. Tozer introduced Concurrent Resolution relating to the further

report of the investigating committee appointed to investigate the books and papers of the late Territorial officers, read and placed upon file.

By unanimous consent, Mr. Lee introduced the following bill, entitled "An Act to amend an Act to regulate proceedings in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one."

Rules suspended, bill read a first and second time by title, and placed upon file.

On motion of Mr. Bishop, the House took a recess at one o'clock P. M., until two o'clock P. M.

### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and there not being a quorum present a call of the House was ordered, and the following members were absent, to wit:

Messrs. Bearss, Bien, Bishop, Denson, Hinckley, Haskell, Myrick, and Toombs, and the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the House, and by consent admitted to their seats, and, on motion, the further proceedings under the call of the House were dispensed with.

Mr. Mayhugh, from the conference committee, reported as follows:

*To the Hon. the Senate and Assembly of the State of Nevada:*

The undersigned, your committees of free conference on the subject matter of difference between your honorable bodies, contained in Senate bill entitled "An Act to provide for the appointment of policemen in unincorporated cities, towns and villages, respectfully submit that the committee on the part of the Senate have, after consideration, agreed to recommend the Senate to concur in the Assembly amendments to said bill.

All of which is respectfully submitted.

LEWIS DORON,

Chairman Committee on part of the Senate.

JOHN S. MAYHUGH,

Chairman Committee on the part of Assembly.

On motion of Mr. Tozer, the concurrent resolution relating to the investigating committee appointed to investigate the books and papers of the late Territorial officers, was taken from the table, and the question being; Shall the resolution pass? and the roll was called, with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Lee, Mayhugh, Nichols, Parker, Patten, Rigby, Small, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the resolution passed, and ordered transmitted to the Senate.

Mr. Mayhugh introduced petition from citizens of Esmeralda County, asking for the repeal of the Specific Contract Law.

Read and placed on file.

Assembly Bill No. 162, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice in the

Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-two, together with the amendments of the Judiciary Committee, were taken from file.

Amendments adopted, bill read third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 20; noes, 11—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Epstein, Haskell, Hinckley, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Cutter, Denson, Greeley, Mayhugh, Small, Sine, Smith, St. Clair, and Wellington.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 9th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have this day approved Assembly Bill No. 85, "An Act for the protection of agricultural lands and preservation of water."

Also, Assembly Bill No. 215, "An Act to amend an Act entitled an Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, one thousand eight hundred and sixty-five.

Also, Assembly Bill No. 184, "An Act to provide for the payment of the attaches of the late Constitutional Convention."

Also, Assembly Bill No. 296, "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation."

H. G. BLASDEL,  
Governor.

Senate Bill No. 147, "An Act amendatory of and supplemental to an Act amendatory of and supplemental to an Act entitled an Act to amend and supplemental to an Act entitled an Act to amend and supplemental to an Act to provide for the assessing and collecting of county and territorial revenue," was taken from file, read third time, and, on motion, indefinitely postponed.

Assembly Bill No. 152, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, read a third time, and, on motion, indefinitely postponed.

Assembly Bill No. 182, entitled "An Act relative to the printing of the laws of this session," was taken from file, and, on motion, indefinitely postponed.

Assembly Memorial, relating to the timber lands of this State, was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 24; noes, 0.

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Leo, Myrick, Mayhugh, McKeeby,

Nichols, Rigby, Small, Shackelford, Sine, St. Clair, Young, and Mr. Speaker.

Mr. Speaker declared the memorial duly passed and ordered transmitted to the Senate.

Assembly Bill No. 150, entitled "An Act declaring the evidence of possessory rights," together with the substitute therefor, were taken from file, substitute adopted, and original bill indefinitely postponed, substitute read third time, and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 3:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Epstein, Greeley, Hinckley, Lee, Myrick, McKeeby, Parker, Patten, Rigby, Shackelford, Sine, Smith, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Denson, St. Clair, and Young.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Bill No. 161, entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Lee, Mayhugh, McKeeby, Nichols, Parker, Rigby, Shackelford, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—Mr. Myrick.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
[CARSON CITY, March 9th, 1865.] }

*To the Hon. Assembly of Nevada:*

I have this day approved Assembly Bill No. 138, "An Act concerning County Recorders, and defining their duties."

Also, Assembly Bill No. 141, "An Act accepting the provisions of an Act of Congress entitled an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, one thousand eight hundred and sixty-two, and amended and approved April fourteenth, one thousand eight hundred and sixty-four.

Also, Assembly Bill No. 249, "An Act in relation to toll roads and bridges."

Also, Assembly Bill No. 207, "An Act to amend an Act entitled an Act to create the county of Nye."

HENRY G. BLASDEL,  
Governor.

Mr. Greeley offered the following resolution:

*Resolved*, That the Controller be, and is hereby, authorized and required to draw his warrant in favor of W. M. Gillespie, for the sum of eight dollars per day for each and every day of the present session, pay.

able out of the contingent fund of the Assembly, the same being in payment of his services as reporter of the proceedings of the House, published in the *Territorial Enterprise*.

Mr. Shackelford moved to indefinitely postpone the resolution, upon which the ayes and noes were demanded by Messrs. Bishop, Bond and Cary, and the roll called with the following result: Ayes, 16; noes, 10.

Those voting in the affirmative were—

Messrs. Beck, Brown, Cary, Denson, Hinckley, Lee, Myrick, McKeeby, Nichols, Rigby, Small, Shackelford, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Bond, Cutter, Greeley, Mayhugh, Parker, Smith, St. Clair, and Toombs.

Motion to indefinitely postpone carried.

Mr. Shackelford, by consent, withdrew from the House Assembly Bill No. 186.

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

---

## EIGHTY-NINTH DAY.

FRIDAY, March 10th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz: Messrs. Bearss, Brown, Bien, Cary, Denson, Epstein, Greeley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Beck, Bond, Bishop, Cutter, Hinckley, Small, and St. Clair.

Present, 23; absent, 7.

Prayer by the Rev. Mr. Nims.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 9th, 1865.

*To the Hon. the Assembly:*

I am directed to return to your honorable body Assembly Bill No. 214, "An Act authorizing the construction of a railroad from Virginia City to the Carson River," the same having this day passed the Senate notwithstanding the objections of the Governor, by the following vote: Ayes, twelve (12); noes, two (2).

I am directed by the honorable the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 326, "An Act to amend an Act to regulate proceedings in the civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.



The above, bill No. 326, was taken up, rules suspended, bill read a first and second time by title, and placed upon file.

STATE OF NEVADA, SENATE CHAMBER, }  
March 9th, 1865. }

*To the Hon. the Assembly of Nevada :*

I herewith transmit to your honorable body, for consideration, Senate Bill No. —, entitled "An Act to amend an Act entitled an Act to regulate proceedings in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

Also, Senate Bill No. 266, "An Act amendatory of and supplemental to an Act entitled an Act to provide for the payment of the compensation of the District Judges of this State, to carry out the requirements of section fifteen of article six of the State Constitution," approved January sixteenth, one thousand eight hundred and sixty-five.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 266, "An Act amendatory of and supplemental to an Act entitled an Act to provide for the payment of the compensation of the District Judges of this State, to carry out the requirements of section fifteen of article six of the State Constitution," approved January sixteenth, one thousand eight hundred and sixty-five, reported in Senate message, was taken up and placed on file.

STATE OF NEVADA, SENATE CHAMBER, }  
March 9th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have the honor to return to your honorable body Assembly Bill No. 245, "An Act providing offices for certain State officers," with amendment, the same having passed the Senate this day.

Also, Assembly Bill No. 125, "An Act to amend an Act entitled an Act granting to Moses Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the Sink of Carson River and Reese River," approved December nineteenth, one thousand eight hundred and sixty-two, approved February eighteenth, one thousand eight hundred and sixty-four, the same having been indefinitely postponed, on the seventh instant, by the Senate.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

House concurred in the Senate amendments to Assembly Bill No. 245, "An Act providing offices for certain State officers," by the following vote : Ayes, 23 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Cary, Denson, Epstein, Greeley, Hinkley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rigby, Sine, Shackelford, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

STATE OF NEVADA, SENATE CHAMBER, }  
 March 10th, 1865. }

*To the Hon. the Assembly of Nevada :*

I am directed by the Hon. the Senate to transmit herewith, for the consideration of your honorable body, Senate Bill No. 15, "An Act in relation to liens of mechanics and others."

Also, Senate Bill No. 331, "An Act to authorize the County Commissioners of the several counties of this State to build, or purchase, buildings suitable for county purposes," the same having passed the Senate the ninth.

Respectfully submitted.

GEO. R. AMMOND,  
 Assistant Secretary.

Senate Bill No. 15, "An Act in relation to liens of mechanics and others," reported in Senate message, was taken up and placed upon file.

Senate Bill No. 331, "An Act to authorize the County Commissioners of the several counties of this State to purchase buildings suitable for county purposes," etc, reported in Senate message, was taken up.

Rules suspended, bill read a third time, and the bill placed upon its final passage, and the roll called, with the following result: Ayes, 22; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Epstein, Hinckley, Haskell, Lee, Myrick, Mayhugh, Parker, Patten, Rigby, Small, Shackelford, Sine, Toombs, Walter, Wellington, and Young.

And in the negative—

Messrs. Greeley, Smith, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

STATE OF NEVADA, SENATE CHAMBER, }  
 March 9th, 1865. }

*To the Hon. the Assembly :*

I am directed by the Hon. the Senate to return to your honorable body Assembly Bill No. 52, "An Act to provide for the maintenance and supervision of common schools," the same having passed the Senate this day, amended as will appear by reference to bill.

Respectfully submitted.

GEO. R. AMMOND,  
 Assistant Secretary.

Assembly Bill No. 52, entitled "An Act to provide for the maintenance and supervision of common schools," reported in Senate message, was taken up, and the Senate amendments to the bill concurred in; and the question now being, Shall the bill pass as amended? and the roll called, with the following result: Ayes, 23; noes, 1.

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, Parker, Patten, Rigby, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. Shackelford.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

STATE OF NEVADA, SENATE CHAMBER, }  
 March 9th, 1865. }

*To the Hon. the Assembly :*

I have the honor of transmitting, for the consideration of your honorable body, Senate Bill 333, "An Act supplemental to an Act to provide for the government of the State Prison, approved March fourth, one thousand eight hundred and sixty-five, and to repeal certain Acts in relation thereto," the same having passed the Senate this day.

Also, Assembly Bill No. 249, "An Act concerning District Attorneys," the same having passed the Senate with amendments, as per bill.

Respectfully,

GEO. R. AMMOND,  
 Assistant Secretary.

Senate Bill No. 333, "An Act supplemental to an Act to provide for the government of the State Prison, approved March fourth, one thousand eight hundred and sixty-five, and repeal certain Acts in relation thereto," as above reported, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 3—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Hinckley, Lee, Myrick, Parker, Patten, Rigby, Small, Shackelford, Sine, Walter, and Wellington.

And in the negative—

Messrs. Greeley, Smith, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Bill No. 149, entitled "An Act concerning District Attorneys," reported in Senate message, was taken up, and the question being, Shall the House concur in the Senate amendments to the bill? lost, and the House refuse to concur in Senate amendments to the bill where it refers to the counties of Lander, Washoe, Roop and Storey; and, on motion, a committee of conference of three was appointed by the chair to confer with a like committee to be appointed by the Senate, to consider the disagreement of the Senate and Assembly to the bill, and the chair appointed as such committee Messrs. Myrick, Sine and Rigby.

Mr. Young, by unanimous consent, introduced the following bill, entitled "An Act to require additional bonds of the State Treasurer and State Controller."

Rules suspended, bill read a first and second time by title, and rules further suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cary, Cutter, Epstein, Greeley, Hinckley, Lee, Mayhugh, Parker, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—Messrs. Brown and Denson.

The Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bill with the original, ordered engrossed, and found the same correctly engrossed, viz: "An

Act to provide for the incorporation of railroad companies, and the management of the affairs thereof and other matters relating thereto."

The following message was received from the Secretary of State :

DEPARTMENT OF STATE,  
CARSON, NEVADA, March 9th, 1865. }

*Gentlemen of the Nevada Legislature :*

The Board of Examiners have this day had under consideration the claim of H. M. Bien, for services rendered the late Territory of Nevada, in translating and publishing in German, the Enabling Act of Congress, and a proclamation of Governor Nye, and have rejected the same as not being a legitimate charge against the State, the same service having been previously rendered by the publishers of the "Nevada Pioneer," for which service a claim is now on file in the office of the Board.

The decision of the Board having been appealed from, I have the honor to transmit herewith, for the consideration of your honorable body, the original bill, together with the reasons upon which the same was rejected.

By order of the Board of Examiners.

Very respectfully, &c.,

C. N. NOTEWARE,

Secretary of State.

Read and referred to the Committee on Ways and Means.

Mr. Bond offered the following resolution :

*Resolved,* That the Controller of State be, and hereby is, authorized, and it is made his duty, to draw his warrant on the State Treasurer, for the sum of seventy-five dollars, on the contingent fund of the Assembly, in favor of H. M. Bien, for Territorial printing.

Laid upon the table.

Senate Memorial and Joint Resolution, relating to the construction of a railroad from Virginia to the city of Austin, was taken from file, read a third time, and placed upon their final passage, and the roll called with the following result : Ayes, 21 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Denson, Epstein, Hinkley, Haskell, Lee, Myrick, McKeeby, Parker, Rigby, Sine, Smith, St. Clair, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 63, entitled "An Act to provide for reporting the decisions of the Supreme Court of the State of Nevada," was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result : Ayes, 19 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinkley, Haskell, Lee, Myrick, Mayhugh, Parker, Rigby, Sine, Smith, St. Clair, Toombs, Walter, and Wellington.

And in the negative—Mr. McKeeby.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 9th, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 16, "An Act to regulate fees and compensation for official and other services in the State of Nevada.

H. G. BLASDEL,  
Governor.

Mr. Rigby, by unanimous consent, introduced the following bill, entitled "An Act supplemental to an Act to regulate fees and compensation for official and other services," approved March ninth, one thousand eight hundred and sixty-five.

Rules suspended, bill read a first and second time by title, rules further suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Mayhugh, Rigby, Sine, Smith, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Brown, Parker, Shackelford, and St. Clair.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Senate Bill No. 208, "An Act to provide for the organization and maintenance of literary and other societies," was taken up, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Lee, Mayhugh, Parker, Small, Shackelford, Smith, St. Clair, Toombs, Walter, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 266, "An Act amendatory of and supplemental to an Act entitled an Act to provide for the payment of the compensation of the District Judges of this State, to carry out the requirements of section fifteen of article six of the State Constitution," approved January sixteenth, one thousand eight hundred and sixty-five, was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 22; noes, 8—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, Parker, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Brown, Bishop, Cary, Mayhugh, McKeeby, St. Clair, and Nichols.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

By consent, Mr. McKeeby was appointed chairman of the investigating committee appointed to examine the books and papers of the late Territorial officers, in place of Mr. Bolan.

Mr. Mayhugh, from the conference committee, reported as follows:

*Mr. Speaker :*

The undersigned committee of free conference on Assembly Bill entitled "An Act concerning District Attorneys," beg leave to report that they have agreed to recommend that the salary of the District Attorney in Lander County shall be two thousand dollars; in Washoe County, one thousand dollars, and in Storey County, two thousand dollars.

J. A. MYRICK,  
JAS. A. RIGBY,  
C. LAMBERT,  
M. D. LARROWE,  
ALFRED JAMES,

Committee of Free Conference.

Accepted, and report adopted; and the question being, Shall the bill pass as amended by the conference committee?

Roll called, with the following result: Ayes, 23; noes, 4—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Myrick, Mayhugh, Parker, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Brown, McKeeby, Nichols and St. Clair.

Mr. Speaker declared the bill duly passed, and ordered enrolled.

Senate Bill No. 326, entitled "An Act to amend an Act entitled an Act to regulate proceedings in the courts of justice of the Territory of Nevada," approved November twenty-sixth, one thousand eight hundred and sixty-one, was taken from file, read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 22; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Small, Shackelford, Sine, Smith, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Assembly Bill 282, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file.

Rules suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 23; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Denson, Epstein, Greeley, Hinckley, Lee, Myrick, Mayhugh, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Sine, Smith, Toombs, and Mr. Speaker.

And in the negative—

Messrs. Haskell and St. Clair.

The Speaker declared the bill duly passed and ordered transmitted to the Senate.

Mr. Cutter reports that the Standing Committee on Engrossment, have carefully compared the following entitled House Bill with the original, as ordered engrossed, and found the same correctly engrossed, viz:

"An Act providing for possessory actions, and defining the evidence thereof."

Also, Assembly Memorial, from the people of the State of Nevada, to the Congress of the United States.

Accepted.

Mr. Cutter reports that the Standing Committee on Enrollment delivered the following entitled bills to his Excellency the Governor, for approval, on the tenth instant, viz: "An Act authorizing the Governor of the State to appoint a Private Secretary, defining his duties, and fixing his compensation."

Accepted.

Senate Bill No. 255, "An Act to regulate appeals in the courts of justice of this State," was taken from file, read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bond, Cary, Denson, Epstein, Greeley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Smith, St. Clair, Toombs, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 10th, 1865. }

*To the Hon. the Assembly:*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Bill No. —, "An Act amendatory of an Act entitled an Act to authorize the incorporation of rural cemetery associations," the same having passed the Senate this day.

Respectfully submitted.

GEO. R. AMMOND,  
Assistant Secretary.

The above bill was taken up, rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 19; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Cary, Epstein, Greeley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Smith, St. Clair, Toombs, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

On motion of Mr. Smith, the House took a recess at one o'clock p. m. until two o'clock p. m.

#### AFTERNOON SESSION.

2 O'CLOCK P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Mr. Cary reports that the Standing Committee on Enrollment found correctly enrolled, and delivered the following bill to his Excellency, the

Governor, for his approval, on the tenth instant, viz: "An Act providing offices for certain State officers."

Mr. St. Clair, from the Committee on Contingent Expenses, begs leave to report that they have had under consideration the following bills, find them correct, and recommend the payment of the same as follows:

Name and Purpose.	Amount.
To Glenn & Bro., Wood.....	\$27 50
To E. G. Lord, draying.....	1 00
To E. G. Sweeney, Water.....	25 00
To E. P. Gifford, Carpenter Work.....	21 60
To John G. Fox, Stationery.....	54 25
To Driesbaug Bro., Sundries.....	76 50
To Gillig, Mott & Co., Hardware.....	24 25

All of which is respectfully submitted.

J. A. ST. CLAIR,  
Chairman.

Report adopted.

Senate Bill No. 256, entitled "An Act amendatory of an Act concerning crimes and punishments," approved November twenty-sixth, one thousand eight hundred and sixty-one, was taken from file, read a third [time] and a call of the House was ordered, roll called and the following members were absent, to wit: Messrs. Bishop, Toombs, McKeeby, Cutter, and Bond, and the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the House, and by consent admitted to their seats, when, on motion, further proceedings under the call of the House were dispensed with.

Upon motion, another call of the House was ordered, and the following members were absent, to wit: Messrs. Patten, Mayhugh, Small, and Haskell.

And the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the house, and by consent admitted to their seats, and on motion the further proceedings under the call of the House were dispensed with.

The roll was now called upon the final passage of Senate Bill No. 256, with the following result: Ayes, 20; noes, 9—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Epstein, Hinckley, Haskell, Lee, McKeeby, Nichols, Parker, Patten, Rigby, Shackelford, Sine, Toombs, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Bishop, Cutter, Denson, Greeley, Myrick, Small, Smith, St. Clair, and Wellington.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. St. Clair wished his name to appear upon the journal as protesting against the action of the House in the passage of Senate Bill No. 256.

Mr. Rigby, from the Committee on Ways and Means, reported as follows:



The Committee of Ways and Means, to whom was referred the claim of H. M. Bien, have had the same under consideration, have come to an unfavorable conclusion thereon, and recommend that it be not allowed.

JAS. A. RIGBY,  
H. H. BECK,  
R. A. YOUNG,  
JACOB SMITH.

Accepted, and bill and report placed upon file.

Mr. Cutter reports that the Standing Committee on Engrossment have carefully compared the following entitled House bills with the originals as ordered engrossed, and found the same correctly engrossed, viz: "An Act to require additional bonds of the State Treasurer and State Controller."

Also, "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

Also, "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 10th, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 34, "An Act for the relief of insolvent debtors, and protection of creditors."

Also, Assembly Bill No. 177, "An Act to provide for the payment of rent for the use of the capitol building for the year one thousand eight hundred and sixty-five, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers."

Also, Assembly Bill No. 65, by Senate substitute, "An Act authorizing the Governor of the State to appoint a Private Secretary, defining his duties, and fixing his compensation."

H. G. BLASDEL,  
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 10th, 1865. }

*To the Hon. Assembly of Nevada :*

I herewith return to your honorable body, without approval, Assembly Bill No. 173, entitled "An Act for the relief of Alexander Hunter." I cannot, consistently with my sense of duty to the State, approve this bill. The object is a worthy one, but the sum of three thousand dollars seems to me unreasonable. I sympathize with Captain Hunter, and should you pass an Act giving him an amount equal to six or seven months salary, I will most cheerfully approve of it.

HENRY G. BLASDEL,  
Governor.

The vote by which Assembly Bill No. 173, "An Act for the relief of Alexander Hunter," passed, was reconsidered, and the question being, Shall the bill pass notwithstanding the objections of the Governor? and the roll called with the following result: Ayes, 28; noes, 1—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Myrick, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, St. Clair, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—Mr. Lee.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill duly passed.

Mr. Patten, by unanimous consent, introduced the following bill, entitled "An Act for the relief of John A. Benham."

Rules suspended, bill read a first and second time by title, and Mr. St. Clair moved to indefinitely postpone the bill; upon which the ayes and noes were demanded by Messrs. Patten, Brown and St. Clair, and the roll called, with the following result: Ayes, 8; noes, 22—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Cary, Nichols, Shackelford, Sine, Smith, and St. Clair.

And in the negative—

Messrs. Beck, Bien, Bishop, Bond, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, McKeeby, Parker, Patten, Rigby, Small, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Motion to indefinitely postpone lost.

Rules further suspended, bill considered engrossed, read a third time, and placed upon its final passage, and the roll called, with the following result: Ayes, 21; noes, 7—as follows:

Those voting in the affirmative were—

Messrs. Beck, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Hinckley, Haskell, Lee, Myrick, McKeeby, Parker, Patten, Rigby, Small, Toombs, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Bearss, Brown, Greeley, Nichols, Shackelford, Sine, Smith, St. Clair, and Walter.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

Senate Bill No. 326, "An Act to amend an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, read a third time, and placed upon its final passage; and the roll called with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Leavitt, Myrick, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Sine, and Smith.

And in the negative—

Messrs. Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. McKeeby, by unanimous consent, introduced the following bill, entitled "An Act amendatory of an Act to provide for the payment of rent for the use of the Capitol building for the year one thousand eight

hundred and sixty-five, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers," approved March tenth, one thousand eight hundred and sixty-five.

Rules suspended, bill read first and second time by title, rules further suspended, bill considered engrossed, read a third time and placed upon its final passage, and the roll called, with the following result: Ayes, 26; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Bishop, Bond, Cary, Cutter, Denson, Epstein, Greeley, Hinckley, Haskell, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rigby, Small, Sine, Smith, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered transmitted to the Senate.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 10th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have the honor to transmit herewith for the consideration of your honorable body, Senate Bill No. 247, "An Act concerning a tax license on dogs, and for the protection of sheep and other domestic animals," the same having passed the Senate this day.

Also, Senate Bill No. 321, "An Act concerning official bonds, the same having been withdrawn from the Enrolling Committee and amended, and as amended passed this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

The above bill was taken up, and Mr. Shackelford moved to indefinitely postpone the bill.

Carried, and so ordered.

Senate Bill No. 321, "An Act concerning official bonds," reported in Senate message, was taken up, amendments concurred in, and the question being, Shall the bill pass as amended by the conference committee? and the roll was called with the following result: Ayes, 23; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bishop, Bond, Cary, Denson, Greeley, Hinckley, Haskell, Lee, Myrick, Nichols, Parker, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Mr. Bond, by unanimous consent, introduced the following bill, "Supplemental to and amendatory of an Act to repeal an Act to incorporate the Washoe Agricultural, Mining and Mechanical Society," approved December nineteenth, one thousand eight hundred and sixty-two, and an Act amendatory thereof, approved February twentieth, one thousand eight hundred and sixty-four, approved March ninth, one thousand eight hundred and sixty-five."

Rules suspended, bill read a first and second time by title, and referred to a select committee composed of Messrs. Bond, McKeeby and Shackelford.

Mr. Tozer offered the following resolution :

*Resolved*, That as nearly as practical after the final adjournment of the House, the Sergeant-at-Arms of the Assembly be, and he is hereby authorized and directed, to turn over to the Secretary of State, for safe keeping, all the desks, chairs, and other furniture belonging to the State now in use in the Assembly Hall and offices connected therewith.

Adopted.

Senate Bill No. 15, "An Act in relation to liens of mechanics and others," was taken from file and read a third time, and Mr. Parker moved to indefinitely postpone the bill, upon which the roll was called with the following result : Ayes, 13 ; noes, 12—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Hinckley, Lee, Myrick, Nichols, Parker, Rigby, Sine, Smith, Walter and Mr. Speaker.

And in the negative—

Messrs. Bien, Bishop, Cary, Cutter, Denson, Epstein, Haskell, Small, Shackelford, Toombs, Wellington, and Young.

Motion to indefinitely postpone carried, and the bill indefinitely postponed.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT. }  
CARSON CITY, March 10th, 1865. }

*To the Hon. Assembly of Nevada :*

I have this day approved Assembly Bill No. 102, "An Act to provide for the formation of corporations for certain purposes."

H. G. BLASDEL,  
Governor.

Assembly Bill No. 257, "An Act amendatory of an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, was taken from file, read a third time, and placed upon its final passage, and the roll called, with the following result : Ayes, 20 ; noes, 10—as follows :

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Bond, Cary, Epstein, Hinckley, Haskell, Lee, McKeeby, Nichols, Parker, Rigby, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Bishop, Cutter, Denson, Greeley, Myrick, Patten, Small, Smith, St. Clair, and Wellington.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }  
March 10th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have the honor to return to your honorable body Assembly Bill No. 292, "An Act for the relief of John A. Benham for taking the census in the counties of Nye and Churchill, in the Territory of Nevada, in one thousand eight hundred and sixty-four," the same having passed the Senate this day.

Also, Assembly Bill No. 161, "An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," the same having passed the Senate this day, without amendment.

Also, Assembly Bill No. 173, "An Act for the relief of Alexander Hunter," the same having passed the Senate this day, notwithstanding the objections of the Governor.

Also, Senate joint resolution concerning United States branch mint to be established in this State, the same having passed the Senate this day.

GEO. R. AMMOND,  
Assistant Secretary.

Senate joint resolution concerning United States branch mint to be established in this State, above reported, was taken up.

Rules suspended, read first and second time by title, rules further suspended, resolutions read a third time, and placed upon their final passage, and the roll called, with the following result: Ayes, 19; noes, 10—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Cary, Denson, Epstein, Hinckley, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Walter, and Mr. Speaker.

And in the negative—

Messrs. Bien, Bishop, Bond, Cutter, Greeley, Haskell, Smith, St. Clair, Wellington, and Young.

Mr. Speaker declared the resolution duly passed, and ordered returned to the Senate.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 10th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have the honor to herewith transmit, for the consideration of your honorable body, Senate Joint Resolution No. —, in reference to the adjournment of the Legislature, the same having passed the Senate unanimously.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

The above resolution was taken up, read, and unanimously adopted. The following message was received from the Senate:

STATE OF NEVADA, }  
SENATE CHAMBER, March 10th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate, to return to your honorable body, Assembly Bill No. 105, "An Act for the punishment of attempts and trespass," the same having passed the Senate this day without amendment.

I transmit for the consideration of your honorable body, Senate Bill No. 264, "An Act concerning the office of Surveyor-General."

Also, Senate Bill No. 229, "An Act in relation to mining records," the same having passed the Senate.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 264, "An Act concerning the office of Surveyor-General," (above reported in message), was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 20; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Cary, Epstein, Greeley, Lee, Myrick, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, Toombs, Wellington, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate:

STATE OF NEVADA,  
SENATE CHAMBER, March 10th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have the honor to transmit herewith, for the consideration of your honorable body, Senate Bill No. 292, "An Act to carry out the provisions of section sixteen, article six, of the State Constitution," the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill No. 292, "An Act to carry out the provisions of section sixteen, article six, of the State Constitution" (as above reported), was taken up, rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 21; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bishop, Bond, Cary, Denson, Lee, Myrick, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill No. 229, "An Act concerning mining records" (reported in Senate message), was taken up, rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time, and placed upon its final passage, and the roll called with the following result: Ayes, 10; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Bond, Cary, Lee, Rigby, Small, Shackelford, and Walter.

And in the negative—

Messrs. Brown, Bien, Epstein, Myrick, Mayhugh, McKeeby, Parker, Patten, Sine, Smith, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill lost.

Mr. Bond, from a select committee, reported as follows:

*Mr. Speaker:*

Your select committee, to whom was referred the Assembly Bill No. 293, "An Act to amend an Act repealing the Act to incorporate the Washoe Agricultural, Mining, and Mechanical Society," report that they

have had the same under consideration, have amended the same, and come to a favorable conclusion thereon, and as amended unanimously recommend its passage.

ERASTUS BOND, Chairman,  
L. C. McKEEBY,  
R. M. SHACKELFORD.

Accepted, and bill placed upon file.

On motion of Mr. Myrick, the House took a recess at five o'clock p. m. until seven o'clock p. m.

#### EVENING SESSION.

House re-assembled at seven p. m.

Mr. Speaker in the chair.

Roll called, and quorum present.

Leave of absence granted Mr. Walter for this evening.

Mr. Lee reported that the Committee on Education, have had under consideration, Senate Bills Nos. 137, 207, 243, had gone through therewith, and reported the same to the House, and recommend their indefinite postponement.

Report of committee adopted, and bills indefinitely postponed.

Mr. Cutter reports that the Standing Committee on Enrollment delivered the following bills to his Excellency the Governor, for his approval on the tenth inst., viz: "An Act for the relief of John A. Benham, for taking the census in the counties of Nye and Churchill, in the Territory of Nevada, in one thousand eight hundred and sixty-four."

Accepted.

Mr. McKeeby introduced petition from the citizens of Ormsby County, asking for the repeal of the "Specific Contract Act."

Read, and placed upon file.

Mr. Rigby, introduced petition from the citizens of American Flat, asking for the repeal of the "Specific Contract Act."

Read, and placed upon file.

Mr. Bien, by unanimous consent, introduced the following bill entitled "An Act amendatory of, and supplementary to, the several Acts of the Territorial Laws, concerning capital punishment."

Rules suspended, bill read a first and second time by title, and referred to the Judiciary Committee.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 10th, 1865. }

*To the Hon. Assembly of Nevada:*

I have this day approved Assembly Bill No. 245, "An Act providing offices for certain State officers."

Also, Assembly Bill No. 185, "An Act to amend an Act to authorize the survey, and to establish the western boundary line of the State of Nevada." approved February seventh, one thousand eight hundred and sixty-five.

H. G. BLASDEL,  
Governor.

Assembly Bill No. 293, entitled "An Act supplemental to, and amendatory of, an Act to repeal an Act to incorporate the Washoe Agricul-

tural, Mining, and Mechanical Society," approved December nineteenth, one thousand eight hundred and sixty-two; and an Act amendatory thereof, approved February twentieth, one thousand eight hundred and sixty-four; approved March ninth, one thousand eight hundred and sixty-five, was taken from file, and on motion of Mr. Bond, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Assembly Bill No. 293, entitled as above read, had gone through therewith, had made no amendments thereto, and directed their chairman to report the bill to the House without recommendation.

Report accepted, and Mr. Mayhugh moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. Brown, McKeeby and Walter, and the roll called with the following result: Ayes, 16; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Beck, Brown, Bien, Greeley, Haskell, Myrick, Mayhugh, Nichols, Patten, Rigby, Small, Sine, Smith, St. Clair, Wellington, and Young.

And in the negative—

Messrs. Bearss, Bishop, Bond, Cutter, Denson, Epstein, Hinckley, Lee, McKeeby, Shackelford, Toombs, and Mr. Speaker.

Motion to indefinitely postpone carried, and bill indefinitely postponed.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 10th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have the honor to return to your honorable body Assembly Bill No. —, "An Act amendatory of an Act to provide for the payment of rent for the use of the Capitol building for the year one thousand eight hundred and sixty-five, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers," approved March tenth, one thousand eight hundred and sixty-five, the same having passed the Senate this day.

I also transmit herewith Senate Bill No. —, "An Act defining the duties of State Controller," the same having passed the Senate this day.

GEO. R. AMMOND,  
Assistant Secretary.

Senate Bill, "An Act defining the duties of State Controller," above reported, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 20; noes, 0—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Brown, Bien, Cutter, Denson, Greeley, Hinckley, Lee, McKeeby, Nichols, Parker, Rigby, Small, Shackelford, Sine, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

The following message was received from the Senate.



STATE OF NEVADA, SENATE CHAMBER, }  
 March 10th, 1865. }

To the Hon. the Assembly of Nevada :

I have the honor to transmit herewith for the consideration of your honorable body, Senate Bill No. —, "An Act defining the duties of State Treasurer," the same having passed the Senate this day.

Also, Senate Bill No. —, "An Act in relation to corporations," the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
 Assistant Secretary.

Senate Bill, "An Act defining the duties of State Treasurer, as above reported, was taken up.

Rules suspended, bill read a first and second time by title, rules further suspended, bill read a third time and placed upon its final passage, and the roll called with the following result: Ayes, 21 ; noes, 0—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Brown, Bien, Cutter, Greeley, Hinckley, Haskell, Lee, Mayhugh, Nichols, Parker, Rigby, Small, Shackelford, Sine, Smith, Toombs, Wellington, Young, and Mr. Speaker.

Mr. Speaker declared the bill duly passed, and ordered returned to the Senate.

Senate Bill, "An Act in relation to corporations," reported in Senate message, was taken up, and, on motion of Mr. Sine, the bill was indefinitely postponed.

Assembly Bill No. 174, "An Act to provide for the incorporation of railroad companies in this State, and defining their duties, extent, etc.," was taken from file, and, on motion of Mr. Parker, indefinitely postponed.

Mr. Bien offered the following resolution :

*Resolved*, by the Assembly, That no new business shall be introduced after ten o'clock A. M. to-morrow, the eleventh day of March, one thousand eight hundred and sixty-five.

Laid upon the table.

Mr. Denson, from the Judiciary Committee, reported Assembly Bill No. 299 back to the House, and recommend the passage of the bill without amendment.

Accepted, and bill placed upon file.

Mr. Greeley, from the Storey County delegation, reported back to the House the proposed amendments to the Constitution of the State, and recommended the adoption of the proposed amendment.

Accepted, and the question now being, Shall the amendments be adopted? and on motion a call of the House was ordered.

Roll called, and the following members were absent, to wit: Messrs. Bishop and St. Clair, who were brought before the bar of the House, and admitted to their seats, and on motion further proceedings under the call of the House were dispensed with.

The roll was now called upon the adoption of the proposed amendments with the following result: Ayes, 19 ; noes, 8—as follows :

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bien, Bishop, Bond, Cutter, Greeley, Hinckley, Haskell, Lee, Mayhugh, Patten, Rigby, Sine, Smith, St. Clair, Toombs, Wellington, and Young.

And in the negative—

Messrs. Brown, Denson, McKeeby, Nichols, Parker, Small, Shackelford, and Mr. Speaker.

Mr. Speaker declared the proposed amendments adopted, and ordered transmitted to the Senate.

On motion of Mr. Haskell, the House adjourned at nine o'clock p. m.

---

NINETIETH DAY.

SATURDAY, March 11th, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon the roll being called, the following members were present, viz:

Messrs. Bearss, Brown, Cutter, Denson, Dun, Epstein, Greeley, Lee, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Smith, Toombs, Walter, Wellington, Young, and Mr. Speaker.

Absent—Messrs. Beck, Bolan, Bien, Bishop, Bond, Cary, Hawkins, Haskell, Myrick, Rosenblatt, and St. Clair.

Present, 24; absent, 11.

Prayer by Rev. Mr. Nims.

Mr. Cutter reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found the same correctly enrolled, and that the same were this day delivered to the Governor [for] his approval March eleventh, one thousand eight hundred and sixty-five, at ten o'clock and five minutes A. M.: Assembly Bill No. 105, "An Act concerning District Attorneys."

Assembly Bill No. 206, "An Act to provide for the registration," etc.

Assembly Bill No. 249, "An Act to amend an Act to provide for the payment of rent," etc.

Mr. Bishop offered the following resolution:

*Resolved*, That the Controller be, and is hereby, authorized and required to draw his warrant in favor of J. R. Eardly for the sum of ninety dollars, payable out of the contingent fund of the Assembly, for services rendered in copying the first ten days of the journal for State Printer.

The question now being, Shall the resolution pass? upon which the ayes and noes were demanded by Messrs. Cutter, Bishop and Brown, and the roll called, with the following result: Ayes, 14; noes, 10—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Cutter, Dun, Hinckley, Myrick, Mayhugh, Nichols, Parker, Rigby, Toombs, Walter, and Wellington.

And in the negative—

Messrs. Brown, Denson, Greeley, Mayhugh, Patten, Small, Shackelford, Smith, Young, and Mr. Speaker.

Mr. Speaker declared the resolution passed.

In order to bring the matter before the House for their decision, Mr.

Patten appealed from the decision of the chair, on the ground that it required the unanimous consent to pass the resolution without suspending the Standing Rule of the House No. 74; upon which the ayes and noes were demanded by Messrs. Patten, Brown and Bishop, and the roll called, with the following result: Ayes, 19 [3]; noes, 3 [19]—as follows:

Those voting in the affirmative were—

Messrs. Bishop, Cutter, and Epstein.

And in the negative—

Messrs. Bearss, Beck, Brown, Bond, Denson, Dun, Greeley, Haskell, Lee, Myrick, Mayhugh, McKeeby, Parker, Rosenblatt, Shackelford, Sine, Smith, Walter, and Young.

The decision of the chair reversed, and the resolution lost.

Mr. Parker introduced a joint resolution suspending Standing Rule No. 15.

Read and unanimously adopted.

Concurrent resolution in regard to postoffices in Surprise Valley, was taken from file, and, on motion, indefinitely postponed.

On motion of Mr. Patten, the concurrent resolution requiring the resident physician and secretary of the several hospitals in this State to make report, was taken from file, read, and the question being, Shall the resolution pass? the roll was called, with the following result: Ayes, 14; noes, 11.

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Dun, Greeley, Lee, Mayhugh, Patten, Rigby, Smith, St. Clair, Young, and Mr. Speaker.

And in the negative—

Messrs. Beck, Cary, Denson, Haskell, Myrick, McKeeby, Small, Shackelford, Sine, Walter, and Wellington.

Mr. Speaker declared the resolution passed, and ordered transmitted to the Senate.

Mr. Cutter introduced the following resolution:

*Resolved*, that if there be not sufficient moneys in the Legislative Fund to pay the salary of members of the Senate and Assembly, or the attachees thereof, or any extra engrossing or enrolling as authorized by law, the Controller of State be, and is hereby, authorized and required to draw his warrants for such deficiency, payable out of the Contingent Fund of the Assembly.

Read and adopted.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 11th, 1865. }

*To the Hon. the Assembly of Nevada:*

I am directed by the honorable the Senate, to return to your honorable body, Assembly Bill No. 181, "An Act concerning corporations," the same having passed the Senate this day without amendment.

GEO. R. AMMOND,  
Assistant Secretary.

Mr. Bishop, from the Committee appointed to investigate into inter-  
polation to bills passed this session, reported as follows:

*Mr. Speaker :*

The Committee appointed to investigate and report as to the facts contained in the charges accusing certain parties with changing the Epstein resolutions after their second reading, respectfully report that the words "by telegraph" were added to said resolutions after the same had been read a second time, and had been referred to a committee, said words being inserted or added by Hon. W. W. Cutter and Hon. Mr. Epstein, they believing they had a just right to do the same.

Your committee have investigated the subject as fully as possible, and are of the opinion that said change or additions were made in good faith. But your committee are satisfied that the same was a direct violation of parliamentary law, and that the practice of changing bills after being once introduced is a dangerous and unwarrantable proceeding on the part of any member, and that the parties making such changes are guilty of a violation of parliamentary law, and that in this instance, the parties having acted in good faith, are not liable to extreme censure, and that such changes were made as stated, by the Hon. Mr. Cutter and Epstein before the Assembly.

Accepted, and committee discharged.

On motion of Mr. Smith, the House took a recess at twelve M., until two P. M.

### AFTERNOON SESSION.

2 O'CLOCK, P. M.

House re-assembled.

Mr. Speaker in the chair.

Roll called, and there not being a quorum present a call of the House was ordered, and the roll called and the following members were absent: Messrs. Beck, Brown, Bishop, Denson, Dun, Epstein, Hinckley, Haskell, Lee, Mayhugh, McKeeby, Nichols, Sine, and St. Clair, and the Sergeant-at-Arms was dispatched for the absentees, who were brought before the bar of the House, and by consent they were admitted to their seats, and, on motion, further proceedings under the call of the House were dispensed with.

Mr. Epstein, from the Committee on Railroads, reported as follows:

STATE OF NEVADA, March 11th, 1865.

*To the President and Members of the Senate, and Speaker and Members of the Assembly:*

Your Committee on Railroads report, and recommend the printing of the correspondence of the committee inviting testimony, the replies and affidavits gathered thereby, and the evidence taken before the committee.

Letters have been addressed to, and replies received from Messrs. Leonard Stanford, President Central Pacific Railroad; F. A. Bishop, Chief Engineer San Francisco and Washoe Railroad; L. L. Robinson, Mem. Board Supt., S. F.

Evidence has been given before the committee by F. A. Bee, of Placerville, California; Mr. Klopenstien, of Sacramento, California; A. J.

Lockwood, Carson City, Nevada; C. E. De Long, Virginia City, Nevada.  
All of which is respectfully submitted.

CHARLES A. SUMNER,	} of Senate Committee.
J. W. HAYNES,	
JAMES SLINGERLAND,	
H. EPSTEIN,	} of House Committee.
R. M. SHACKELFORD,	
JAMES A. RIGBY,	
WM. W. BISHOP,	
W. M. CUTTER,	

Report accepted.

Mr. Epstein offered the following resolution.

*Resolved*, That the Committee on Railroads be allowed thirty (30) days after the close of the session in which to write up testimony already taken before said committee, and prepare full report.

Mr. Haskell moved to indefinitely postpone the resolution, upon which the ayes and noes were demanded by Messrs. Dun, Haskell, and Cutter, and the roll called with the following result: Ayes, 14; noes, 12—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bishop, Bond, Greeley, Haskell, Lee, Myrick, Patten, Shackelford, Smith, Walter, Young, and Mr. Speaker.

And in the negative—

Messrs. Bien, Cary, Cutter, Epstein, Hinckley, Mayhugh, Parker, Rigby, Small, St. Clair, Toombs, and Wellington.

Motion to indefinitely postpone carried.

Mr. Hinckley introduced petitions from the citizens of Lander County, remonstrating against the repeal of the Specific Contract Act.

Read, and placed upon file.

Mr. Hinckley reports that the Standing Committee on Enrollment have carefully compared the following entitled bill with the engrossed bill as passed by the two Houses, and found it correctly enrolled, and that the same was this day delivered to the Governor for his approval, viz: Assembly Bill No. 181, "An Act concerning corporations."

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 11th, 1865. }

*To the Hon. the Assembly:*

I transmit herewith, for the consideration of your honorable body, Senate Bill No. 250, "An Act to encourage enlistment, and provide bounties and extra pay for our volunteer soldiers," etc., the same having passed the Senate this day notwithstanding the objections of his excellency the Governor, by the following vote: Ayes, 12; noes, 5.

Respectfully,

GEO. R. AMMOND,

Assistant Secretary.

The vote by which Senate Bill No. 250, "An Act to encourage enlistment, and provide bounties and extra pay for our volunteer soldiers," etc., was reconsidered, and the question now being, Shall the bill pass notwithstanding the objections of the Governor? and the roll was called with the following result: Ayes, 25; noes, 2—as follows:

Those voting in the affirmative were—

Messrs. Bearss, Bien, Bishop, Bond, Cary, Cutter, Denson, Dun, Epstein, Greeley, Haskell, Myrick, Mayhugh, McKeeby, Nichols, Parker, Patten, Rigby, Small, Shackelford, Sine, Toombs, Walter, Wellington, Young, and Mr. Speaker.

And in the negative—

Messrs. Smith and St. Clair.

Two thirds of all the members elect having voted in the affirmative, Mr. Speaker declared the bill passed.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON, March 11th, 1865. }

*To the Hon. Assembly of Nevada :*

I herewith return to your honorable body, without approval, Assembly Bill No. 230, entitled "An Act to transfer certain funds." My objections to the bill are—

First. A very liberal appropriation was made to the Legislative fund by an Act which formerly passed, which appropriation, together with a similar one made to the Senate contingent fund, and an appropriation also made to pay the *per diem* and mileage of the members of the Senate and Assembly, and the *per diem* of the attachees, were made to take precedence in point of payment over all State officers, except the Supreme Judges.

Second. I do not think it right, after the above stated liberal appropriation, to take more out of the general fund, and deprive the State officers of that which is legally their due, made so by former appropriations.

Third. I cannot sanction what I consider an extravagant use of the public money.

HENRY G. BLASDEL,  
Governor.

The vote by which Assembly Bill No 230, "An Act to transfer certain funds," passed, was reconsidered, and the question now being, Shall the bill pass, notwithstanding the objections of the Governor? and the roll called, with the following result: Ayes, 4; noes, 21—as follows:

Those voting in the affirmative were—

Messrs. Bishop, Cary, St. Clair, and Toombs.

And in the negative—

Messrs. Bearss, Bond, Cutter, Dun, Greeley, Hinckley, Hawkins, Lee, Myrick, Mayhugh, Nichols, Parker, Patten, Rigby, Small, Shackelford, Smith, Walter, Wellington, Young, and Mr. Speaker.

Two thirds of all the members elect having voted in the affirmative [negative,] Mr. Speaker declared the bill passed [lost].

Mr. Haskell offered the following resolution :

*Resolved*, That the Secretary of State is hereby authorized and instructed to mail one copy of the constitution [constitutional] debates and proceedings, as published in conformity to law, to each of the members of that Convention and of this Legislature. Provided that the Secretary of State has not the address of said members, he shall retain the same in his office, subject to the order of said members.

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

## EVENING SESSION.

7 O'CLOCK P. M.

House re-assembled.

Mr. Parker, Speaker *pro tem*, in the chair.

Roll called, and a quorum present.

Mr. Cutter reports that the Standing Committee on Enrollment have carefully compared the following entitled bills with the engrossed bills, as passed by the two Houses, and found them correctly enrolled, and that the same were this day, March eleventh, one thousand eight hundred and sixty-five, at three o'clock p. m., delivered to the Governor for his approval, viz :

Assembly Bill No. 161, "An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto."

Assembly Bill No. 22, "An Act to provide for the maintenance and supervision of public schools."

Mr. Haskell introduced concurrent resolution relative to adjournment at ten o'clock p. m.

Read, and unanimously adopted.

STATE OF NEVADA. SENATE CHAMBER, }  
March 11th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have the honor to transmit herewith the accompanying resolution, the same having passed the Senate this day.

Respectfully,

L. B. MOORE,  
Secretary.

The above resolutions, "relative to certain claims allowed by the committee on supplies and expenditures of the Senate," was read, and the question being, Shall the resolutions pass? and the roll was called with the following result: Ayes, 18; noes, 4:

Those voting in the affirmative were—

Messrs. Bearss, Beck, Bishop, Cary, Cutter, Denson, Dun, Epstein, Greeley, Hinekley, Lee, Myrick, Parker, Small, Sine, St. Clair, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Haskell, Mayhugh, McKeeby, and Shackelford.

Resolution passed, and ordered returned to the Senate.

Mr. Haskell offered the following resolution :

*Resolved*, That the Sergeant-at-Arms is authorized to draw his warrant in favor of J. B. Cormack, the porter, for ninety dollars, for extra labor

Laid upon the table.

Mr. Beck offered the following resolution :

*Resolved*, That the thanks of this body be, and are hereby, tendered to the Hon. C. W. Tozer for the ability, fidelity and impartiality with which he has discharged the duties of Speaker of this House.

Unanimously adopted.

Mr. Beck offered the following resolution :

*Resolved*, That the thanks of the Assembly be, and they are hereby, tendered to the Chief Clerk, Assistant Clerk, Sergeant-at-Arms, and the other Clerks and attachees of this branch of the Legislature for their strict attention to the various duties imposed upon them, and the able manner in which such duties have been performed by them.

Unanimously adopted.

Mr. Epstein offered the following resolution :

*Resolved*, That the thanks of this Assembly be tendered to Hon. H. G. Parker for the able manner in which he has discharged the duties of Speaker *pro tem*.

Adopted unanimously.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }  
CARSON CITY, March 11th, 1865. }

*To the Hon. the Assembly of Nevada :*

I have this day approved Assembly Bill No. 72, "An Act for the relief of John A. Benham for taking the census in the counties of Nye and Churchill, in the Territory of Nevada, in one thousand eight hundred and sixty-four."

Also, Assembly Bill No. 206, "An Act to provide for the registration of the names of electors, and for the ascertainment by proper proofs of the persons who shall be entitled to the right of suffrage."

Also, Assembly Bill No. 181, "An Act concerning corporations."

Also, Assembly Bill No. 149, "An Act concerning District Attorneys."

Also, Assembly Bill No. 294, "An Act amendatory of an Act to provide for the payment of rent for the use of the Capitol building for the year one thousand eight hundred and sixty-five, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers," approved November twenty-ninth, one thousand eight hundred and sixty-five.

Also, Assembly Bill No. 105, "An Act for the punishment of contempt and trespass."

HENRY G. BLASDEL,  
Governor.

Mr. Cutter, from the select committee appointed to wait upon his excellency the Governor, report that they have performed their duty, and that there is no further business to communicate to the Assembly.

On motion of Mr. Epstein, the House took a recess, at nine o'clock and forty-five minutes P. M., until eleven o'clock P. M.

11 O'CLOCK P. M.

House re-assembled at eleven o'clock P. M.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Mr. Haskell offered the following resolution :

*Resolved*, That the State Controller be authorized to draw his warrant in favor of James Brown, on the contingent fund of the Assembly, for the sum of ninety dollars, in pay for services as porter of the Assembly.



The question being, Shall the resolution pass?

The roll was called, with the following result: Ayes, 19; noes, 6.

Those voting in the affirmative were—

Messrs. Bearss, Brown, Cary, Bond, Cutter, Dun, Epstein, Greeley, Haskell, Myrick, McKeeby, Nichols, Parker, Rigby, Sine, Toombs, Walter, Wellington, and Mr. Speaker.

And in the negative—

Messrs. Beck, Denson, Hinckley, Lee, Shackelford, and Young.

Mr. Speaker declared the resolution passed.

Mr. Cutter offered the following resolution:

*Resolved*, That the thanks of this Assembly are hereby tendered to Messrs. Gillespie and McLaughlin, reporters for the *Territorial Enterprise* and *Union*, for their correct and faithful reports of the proceedings of the House during the session.

Resolution adopted.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }  
March 11th, 1865. }

*To the Hon. the Assembly:*

I herewith transmit, for your consideration, resolution authorizing the Enrolling Committee of each House to hand the bills to the Governor.

Respectfully,

L. B. MOORE,  
Secretary.

*Resolved*, By the Senate, the Assembly concurring, that a committee of three from each House be appointed to ascertain what bills are now in the hands of the Enrolling Committee which have passed both Houses by a two thirds vote.

I hereby certify that the above is a true copy of a resolution adopted this day in Senate.

GEO. R. AMMOND,  
Assistant Secretary.

STATE OF NEVADA, SENATE CHAMBER, }  
March 11th, 1865. }

*To the Hon. the Assembly of Nevada:*

I have the honor to transmit herewith, for the consideration of your honorable body, a resolution in regard to the bills now in the hands of the Enrolling Committee, the same having passed the Senate this day.

Respectfully,

GEO. R. AMMOND,  
Assistant Secretary.

The Chair appointed as such committee to examine what bills are in the hands of the enrolling clerks, on the part of the House, Messrs. Bond, Rigby and Cutter.

The rules were suspended, and the engrossed copy of Assembly Memorial No. 180, relating to the timber lands of this State, was considered enrolled, and ordered transmitted to the Governor.

Mr. Cutter, from the committee appointed to examine what bills were in the hands of the enrolling clerks, reports no bills.

Report accepted, and committee discharged.

Senate Bill No. 265 was, on motion, indefinitely postponed.

Mr. Cutter, from the Committee on Enrollment, reported Assembly Memorial No. 180 correctly enrolled.

The journal of to-day was read and approved.

On motion of Mr. Rigby, the House adjourned *sine die* at twelve o'clock midnight.

Upon the final adjournment of the House, Mr. Tozer, the honorable Speaker of the House, made the following remarks :

*Gentlemen of the First Legislative Assembly of the State of Nevada :*

At the commencement of the present session, on the occasion of being elected to preside over this body, it became my duty and my privilege to address you, returning thanks for the generous expression of your preferment. The hour has now arrived for the final adjournment of this House.

Permit me to now return my heartfelt thanks for your uniform politeness, kind forbearance, and continued courtesy throughout the session. The important business of the session has been transacted. The State no longer needs our service, and we are about to separate, to sunder the cherished ties of friendship and esteem which we have formed here, and return to our homes, our several constituencies, and our usual avocations. The ruffled passions and the asperity of feeling often engendered by parliamentary construction and hated debate will soon be forever lost in the more pleasant and enduring remembrances of attachments here formed and duties faithfully discharged. Let us hope, as we have reason to believe, that when our successors assemble here, peace will have returned, and a perfectly harmonious union of the States be restored. Conscience tells me that I have striven to do equal and impartial justice to all, and thus to win the respect of all. I therefore entreat you to think my often errors inadvertent; not intentional. May health, prosperity, and every blessing, attend you always. May our every legislative act result in the advancement of Nevada in her course of empire, and may our account of our stewardship be acceptable to the people we represent.

In accordance with joint resolution fixing this as the time of adjournment, I now declare this Assembly adjourned *sine die*.

We do hereby certify that the within and foregoing journal of the Assembly, at the first session of the Nevada Legislature, has been each day read and approved, and is a correct and true journal of the proceedings of said Assembly.

C. W. TOZER,  
Speaker of the Assembly.

U. E. ALLEN,  
Clerk of the Assembly.

# INDEX.

## ORDER OF ARRANGEMENT.

1. INDEX TO ASSEMBLY PROCEEDINGS.
2. INDEX TO ASSEMBLY BILLS.
3. INDEX TO ASSEMBLY JOINT AND CONCURRENT RESOLUTIONS.
4. INDEX TO SENATE BILLS.
5. INDEX TO SENATE RESOLUTIONS.

# INDEX TO ASSEMBLY PROCEEDINGS.

---

## A

ALLEN, U. E. 5, 8, 67, 98.

AGRICULTURE. Committee appointed on, 56.

AMMER, J. M. 128.

ABRAHAM, T. W. 149, 150, 151, 152, 153, 154.

AYES AND NOES. 18, 19, 29, 34, 38, 39, 55, 57, 62, 64, 69, 70, 71, 72, 76, 77, 79, 82, 83, 84, 87, 88, 90, 94, 97, 99, 100, 101, 102, 103, 104, 105, 107, 108, 111, 112, 115, 117, 119, 121, 123, 126, 131, 133, 135, 136, 139, 141, 142, 143, 147, 148, 152, 154, 156, 157, 162, 163, 165, 168, 169, 172, 173, 176, 177, 178, 180, 183, 184, 186, 187, 189, 190, 192, 194, 195, 196, 198, 199, 200, 202, 205, 206, 209, 211, 212, 215, 219, 220, 224, 228, 231, 232, 233, 235, 236, 238, 240, 241, 242, 243, 246, 247, 248, 249, 251, 252, 253, 256, 259, 260, 261, 262, 263, 264, 267, 268, 271, 273, 274, 275, 277, 279, 280, 281, 287, 290, 291, 294, 295, 296, 297, 301, 302, 309, 310, 311, 312, 314, 318, 319, 322, 323, 324, 327, 328, 330, 333, 334, 335, 336, 337, 339, 340, 341, 342, 343, 344, 345, 350, 353, 354, 355, 356, 357, 359, 360, 361, 363, 364, 365, 366, 367, 369, 370, 371, 372, 373, 376, 377, 378, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 415, 416, 417, 419, 420, 421, 423, 424, 425, 426, 427, 428, 429, 431, 432, 433, 434, 435, 438, 439, 440, 441, 442, 443, 444, 445, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 480, 481, 482, 483, 485, 486, 487, 489.

## B

BISHOP, WM. W. Oath of office, 6.

Motions, 13, 29, 30, 58, 79, 91, 101, 107, 124, 136, 143, 156, 175, 183, 187, 203, 211, 220, 235, 251, 263, 264, 271, 285, 288, 294, 336, 344, 383, 386, 387, 435, 453, 461.

Resolutions, 5, 97, 137, 172, 248, 388, 482.

Nominations, 15, 59, 149.

Appointed on Committees, 56, 108, 166, 175, 317, 330, 339, 347, 351, 356, 450.

Presented petition, 345.

Memorial, 375.

Notice of bills, 57, 167.

Introduced bills, 61, 93, 249, 336, 351, 364.

Reports, 63, 116, 173, 299, 328, 332, 338, 351, 426, 433, 483, 485.

BROWN, D. H. Oath of office, 6.

Motions, 6, 13, 35, 52, 55, 58, 70, 73, 75, 76, 79, 83, 90, 95, 97, 98, 103, 109, 110, 139, 165, 168, 181, 211, 284, 246, 250, 256, 259, 260, 288, 296, 319, 321, 322, 348, 350, 360, 366, 370, 421, 451.

Nominations, 8, 14, 67.

- BROWN, D. H.** Appointed on Committees, 41, 56, 65, 105, 133, 194, 297, 339, 381, 450.  
 Petition, 60.  
 Notice of bills, 61, 167.  
 Introduced bills, 66, 178, 440.  
 Reports, 66, 68, 75, 104, 169, 200, 206, 226, 285, 303, 447.  
 Resolutions, 80, 110, 235.
- BEARSS, A. C.** Oath of office, 6.  
 Motions, 19, 58, 186, 360, 377.  
 Nominations, 8, 59.  
 Appointed on Committees, 21, 56, 81, 142, 278, 318, 365.  
 Introduced bill, 351.  
 Reports, 56, 120, 146, 174, 292, 330, 350, 377, 418, 430.  
 Resolution, 456.
- BOND, ERASTUS.** Oath of office, 6.  
 Motions, 12, 20, 21, 31, 38, 55, 62, 66, 67, 68, 73, 84, 86, 93, 95, 98, 108, 115, 116, 119,  
 155, 164, 184, 190, 195, 200, 201, 212, 249, 297, 301, 309, 317, 320, 341, 360, 367, 373,  
 394, 417, 434, 435, 436, 459, 464.  
 Resolutions, 16, 80, 258.  
 Notice of bills, 78, 82, 156.  
 Introduced bills, 20, 58, 89, 291, 376, 393, 475.  
 Appointed on Committees, 19, 21, 41, 56, 248, 258, 294, 317, 446, 459, 475, 489.  
 Reports, 42, 52, 55, 96, 106, 111, 116, 135, 185, 230, 253, 257, 302, 306, 313, 325, 341,  
 366, 382, 393, 473.
- BIEN, H. M.** Oath of office, 13.  
 Motions, 28, 34, 57, 62, 84, 87, 123, 147, 156, 183, 184, 195, 219, 234, 242, 248, 255, 320,  
 345, 419, 422, 426, 435, 458.  
 Appointed on Committees, 56, 108, 248, 258.  
 Resolutions, 17, 134, 174, 176, 225, 247, 255, 302, 426, 481.  
 Protest, 213.  
 Called up Resolution, 20.  
 Notice of Bills, 20, 30, 57, 78, 134, 167, 311.  
 Introduced Bills, 58, 62, 479.  
 Reports, 116, 131, 253, 303, 306.
- BOLAN, JAMES.** Oath of office, 6.  
 Motions, 173, 361.  
 Appointed on Committees, 52, 56, 330.  
 Resolution, 52.  
 Introduced bill, 416.  
 Reports, 59, 116, 282, 397.
- BECK, H. H.** Oath of office, 6.  
 Motions, 135, 251, 263, 310, 362.  
 Appointed on Committees, 52, 56, 65, 81.  
 Resolutions, 76, 186, 487, 488.  
 Notice of bills, 83, 167.  
 Introduced bills, 134, 179.
- BROSNAN, JUDGE,** 6, 68.
- BARCLAY, FERMAN,** 15, 16.

## C

- CAREY, J. E. W.** Oath of office, 6.  
 Motion by, 73.  
 Nominations, 8, 15, 59.  
 Resolution, 68.  
 Appointed on Committees, 56, 147.  
 Notice of bills, 57, 61.  
 Reports, 155, 170, 394, 398, 447, 457, 471.

**CUTTER, W. M.** Oath of office, 6.

Motions, 6, 7, 12, 13, 17, 19, 20, 36, 40, 52, 56, 57, 58, 59, 63, 65, 66, 72, 75, 77, 84, 85, 88, 93, 97, 98, 104, 105, 108, 110, 111, 117, 124, 132, 149, 154, 161, 162, 163, 185, 193, 206, 208, 211, 215, 264, 281, 283, 323, 326, 328, 333, 340, 345, 347, 356, 373, 380, 387, 391, 418, 421, 423, 444, 458, 460.

Appointed on Committees, 19, 56, 61, 65, 96, 98, 103, 136, 175, 317, 339, 340, 439.

Resolutions, 18, 21, 61, 65, 75, 81, 190, 258, 317, 456, 483, 489.

Protest, 163.

Petition, 372.

Notice of bills, 30, 69, 70, 167, 198.

Introduced bills, 57, 83, 86, 94, 104, 274, 311, 330, 367, 382, 439.

Reports, 42, 53, 61, 62, 64, 72, 75, 89, 99, 102, 103, 105, 108, 111, 112, 114, 116, 120, 127, 135, 143, 155, 179, 183, 185, 186, 199, 200, 214, 224, 231, 248, 253, 263, 276, 280, 293, 310, 319, 329, 333, 346, 348, 364, 368, 378, 384, 386, 387, 392, 396, 418, 431, 436, 440, 441, 446, 453, 458, 460, 467, 470, 471, 473, 479, 482, 485, 487, 488, 490.

**CLERK, CHIEF.** Elected, 8, 67.

Oath of office, 13, 68.

Resigned, 67.

**CLERK, ASSISTANT.** Elected, 13.

Oath of office, 16.

**CONVENTION, JOINT,** 32, 40, 149, 161.**CORPORATIONS.** Committee appointed on, 56.**CLAIMS.** Committee appointed on, 56.**COUNTIES AND COUNTY BOUNDARIES.** Committee appointed on, 56.**CONTINGENT EXPENSES AND ACCOUNTS.** Committee appointed on, 56.**CLAGETT, SENATOR,** 32, 33, 41, 102, 149, 162, 306.**CRADLEBAUGH, JOHN,** 33, 34, 35, 36, 37, 38, 40.**CORBETT, D. G.,** 128, 223.**CHURCH, JOHN,** 149, 150, 151, 152, 153, 154, 163.**CORMAC, J. B.,** 14, 15.**CROSMAN, LIEUT. GOVERNOR,** 32, 40.**CARSON, T. M.,** 8, 9, 98.**COOK, A. S.,** 10, 11.**D****DENSON, S. C.** Oath of office, 6.

Motions, 31, 88, 250, 322, 376, 380.

Appointed on Committees, 7, 21, 56, 61, 238, 278, 376, 446.

Nominations, 15, 149.

Resolutions, 21, 239.

Notice of bills, 20, 57, 61, 82, 137.

Introduced bills, 58, 62, 66, 78, 101, 214, 291, 294, 321.

Entered protest, 209.

Reports, 42, 53, 56, 64, 68, 85, 115, 120, 154, 169, 179, 204, 217, 218, 219, 220, 222, 250, 266, 272, 275, 332, 349, 382, 383, 385, 442, 456, 481.

**DUN, J. ANSON.** Oath of office, 6.

Motions, 12, 366.

Appointed on Committees, 56, 60, 175, 278, 292, 425.

Reports, 68, 74, 303, 306, 442.

**DYER, L. H.,** 8, 9.**DORON, SENATOR,** 32, 40, 64, 149, 461.**DELONG, CHARLES E.,** 33, 34, 35, 36, 37, 38, 40.**DRIESBACH BROS.,** 137, 472.**DOT, JOHN A. & CO.,** 191, 223.

## E

- EPSTEIN, HENRY. Oath of office, 6.  
 Motions, 12, 95, 132, 199, 224, 225, 274, 280, 288, 301, 310, 347, 431, 488.  
 Appointed on Committees, 56, 175, 248.  
 Nomination, 15.  
 Resolutions, 175, 181, 485, 488.  
 Notice of bills, 66, 83, 93, 119, 122, 137.  
 Introduced bills, 93, 119, 134, 139, 178, 228, 376.  
 Reports, 74, 131, 137, 253, 294, 337, 484.
- ENGROSSING CLERK. Elected, 11.  
 Oath of office, 13.
- ENROLLING CLERK. Elected, 12.  
 Oath of office, 16.
- ELECTION. Committee appointed on, 56.
- EDUCATION. Committee appointed on, 56.
- ENGROSSMENT. Committee appointed on, 56.
- ENROLLMENT. Committee appointed on, 56.
- EAVES, CHARLES, 15, 16.

## F

- FULWILER, W. B., 11, 12, 16.
- FEDERAL RELATIONS. Committee appointed on, 56.
- FOX, JOHN G., 272, 472.

## G

- GREELEY, A. L. Oath of office, 6.  
 Motions, 72, 256, 261.  
 Appointed on Committees, 56, 80, 133, 147, 202, 356.  
 Nomination, 7.  
 Resolutions, 60, 463.  
 Notice of bills, 61, 66.  
 Introduced bills, 112, 134, 269, 327, 330.  
 Reports, 116, 155, 481.
- GILLESPIE, W. M., 8, 32, 40, 67, 98, 489.
- GOVE, HIRAM, 10.
- GREGORY, CHARLES M., 59, 98.
- GILLIG, MOTT & CO., 137, 223, 472.
- GOODMAN, JOSEPH T., 149, 150, 151, 152, 153, 154, 163.
- GRANT & CO., 191, 223.
- GREEN, GEO. W. 223.
- GLENN & BRO. 472.
- GIFFORD, E. P. 472.

## H

- HASKELL, D. H. Oath of office, 6.  
 Motions, 12, 52, 68, 84, 107, 108, 121, 145, 147, 184, 186, 193, 215, 225, 240, 247, 269,  
 276, 297, 326, 332, 337, 339, 345, 346, 350, 363, 370, 394, 421, 435, 453, 482, 485, 486.  
 Appointed on Committees, 19, 56, 60, 108, 175, 237, 365.  
 Nominated for Speaker pro tem., 13.  
 Resolutions, 33, 58, 187, 334, 392, 486, 487, 488.  
 Nomination, 59.  
 Notice of bills, 57, 83, 198.



- HASKELL, D. H. Introduced bills, 66, 100, 214, 259, 274, 276.  
 Reports, 20, 42, 52, 53, 75, 86, 88, 107, 109, 111, 121, 128, 254, 269, 277, 299, 324, 331, 350,  
 363, 427, 441.
- HINCKLEY, J. L. Oath of office, 6.  
 Motions, 377, 388, 391, 441.  
 Nominations, 15.  
 Appointed on Committees, 56, 277, 278, 365.  
 Petition, 485.  
 Resolutions, 33, 239, 320, 447.  
 Notice of bill, 223.  
 Introduced bill, 280.  
 Reports, 116, 286, 396, 398, 427, 447, 453, 485.
- HAWKINS, CYRIL. Oath of office, 6.  
 Motions, 12, 18, 29, 30, 34, 38, 57, 62, 63, 70, 72, 73, 78, 87, 90, 95, 97, 100, 101, 102, 108,  
 116, 123, 131, 133, 141, 148, 160, 164, 174, 183, 184, 186, 191, 203, 205, 206, 228,  
 229, 234, 236, 238, 240, 244, 245, 246, 249, 251, 252, 254, 268, 277, 281, 311, 320,  
 323, 324, 326, 337, 341, 345, 355, 362, 372, 373, 381.  
 Appointed on Committees, 21, 52, 56, 61, 96, 102, 105, 133, 238, 318.  
 Resolutions, 32, 80, 92, 96, 118.  
 Notice of bill, 69.  
 Introduction of bills, 70, 83, 87, 112, 328, 386.  
 Reports, 56, 64, 76, 87, 92, 98, 114, 115, 117, 122, 123, 127, 128, 136, 137, 138, 142, 146,  
 148, 169, 176, 179, 180, 189, 196, 200, 207, 212, 213, 218, 233, 237, 238, 248, 252, 253,  
 257, 272, 283, 299, 303, 313, 317, 341, 351, 358, 367, 380, 390, 392, 396, 418, 421, 423,  
 428.
- HOLMES, DR. M. 8, 14.  
 HAMMER, C. S. 10, 11.  
 HAINES, CAPT. E. W. 10, 11.  
 HILDRETH, FRANK. 15, 16.  
 HACKETT, F. H. 15, 16.  
 HAINES, SENATOR. 32, 40, 149, 325, 485.  
 HUTCHINS, SENATOR. 32, 40, 55, 149.  
 HOBART, SENATOR. 32, 149.  
 HASTINGS, SENATOR. 32.  
 HUNTER, JOHN. 58, 68.

## I

- IVES, SENATOR. 32, 33, 40, 41, 143, 149, 438.  
 INTERNAL IMPROVEMENTS. Committee appointed on, 56.

## J

- JAMES, SENATOR. 32, 36, 40, 64, 149, 162, 470.  
 JUDICIARY. Committee appointed on, 56.

## K

- KING, CHARLES D. 13, 59.  
 KELLOGG, SENATOR. 32, 33, 34, 40, 149, 155.

## L

- LEE, WM. G. Oath of office, 6.  
 Motions, 12, 28, 55, 105, 123, 163, 167, 172, 178, 181, 191, 192, 193, 210, 212, 214, 221,  
 223, 225, 228, 229, 231, 236, 241, 268, 270, 320, 352, 387.  
 Nomination, 16.  
 Appointed on Committees, 19, 52, 56, 142, 330, 339.  
 Resolutions, 16, 81, 146, 302.  
 Notice of bills, 20, 31, 57, 69, 83, 198, 201.

LEE, WM. G. Introduced bills, 57, 61, 89, 109, 168, 183, 193, 205, 295, 321, 461.  
 Reports, 20, 42, 96, 190, 191, 194, 218, 219, 237, 282, 283, 426, 436, 446, 479.

LEAVITT, JOHN. 6.  
 Appointed on Committee, 56.

LORD, E. G. 472.

LEVISON, JACOB. 8, 9, 14, 16.

LARROWE, SENATOR. 32, 34, 38, 40, 149, 173, 470.

LOCKWOOD, SENATOR. 32, 33, 40, 149.

LAMBERT, SENATOR. 32, 40, 149, 470.

LEWIS, J. C. & CO. 112.

LEWIS, JOHN C. 149, 150.

LYNCH, PHILIP. 149, 150, 151, 152, 153, 154, 163.

LIBRARY, STATE. Committee appointed on, 56

## M

MAYHUGH, JOHN S. Oath of office, 6.  
 Motions, 29, 80, 83, 87, 126, 137, 141, 145, 146, 262, 280, 288, 292, 367, 480.  
 Appointed on Committees, 56, 278, 292, 317, 388, 446, 450.  
 Petition, 324.  
 Resolutions, 29, 60, 81, 96, 233, 241, 255, 265, 273, 334, 441.  
 Nomination, 8.  
 Notice of bills, 20, 30, 57, 66, 70, 137, 192, 249, 311.  
 Introduced bills, 58, 66, 101, 233, 268, 326, 415, 416.  
 Reports, 73, 121, 234, 303, 313, 329, 357, 375, 424, 461, 469.

McKEEY, L. C. Oath of office, 6.  
 Motions, 7, 8, 75, 76, 88, 122, 190, 283, 336, 359, 384, 392.  
 Petition, 479.  
 Nominations, 8, 10, 14, 33.  
 Appointed on Committees, 56, 60, 105, 194, 259, 278, 330, 336, 384, 469, 475.  
 Resolutions, 136, 284.  
 Notice of bills, 31, 88.  
 Introduced bills, 66, 179, 205, 285, 357, 474.  
 Reports, 170, 200, 273, 338, 360, 479.

MYRICK, J. A. Oath of office, 6.  
 Motions, 18, 29, 175, 176, 361, 362, 366, 433, 479.  
 Appointed on Committees, 7, 56, 292.  
 Nomination, 8.  
 Notice of bills, 93, 119.  
 Introduced bills, 101, 192, 369.

MINES AND MINING INTEREST. Committee appointed on, 56.

MILEAGE. Committee appointed on, 56.

MEMORIAL TO CONGRESS. 320, 371, 383, 489.

MESSAGE FROM KANSAS LEGISLATURE. 374.

McINTIRE, R. G. 59.

MOORE, J. H. 128.

MITCHELL, A. 137.

MOORE, L. B. 32, 40.

MILITARY AND INDIAN AFFAIRS. Committee appointed on, 56.

MESSSENGER. Elected, 16.

MESSAGES FROM THE GOVERNOR. 21, 98, 100, 144, 157, 160, 171, 182, 202, 204, 207, 209, 227, 244, 257, 266, 267, 270, 275, 292, 293, 300, 310, 314, 339, 344, 346, 380, 422, 436, 448, 449, 462, 463, 469, 473, 476, 479, 486, 488.

MESSAGES FROM THE SENATE. 15, 31, 40, 69, 71, 77, 81, 82, 90, 91, 92, 97, 99, 101, 103, 107, 110, 113, 118, 119, 121, 124, 125, 132, 133, 138, 140, 142, 148, 149, 156, 165, 166, 177, 178, 188, 189, 194, 196, 197, 200, 201, 204, 210, 213, 216, 223, 224, 229, 235, 244, 245, 247, 250, 252, 258, 267, 274, 276, 278, 280, 284, 287, 290, 291, 293, 300, 312, 315, 317, 320, 321, 326, 331, 339, 342, 346, 352, 353, 355, 362, 368, 372, 376, 379, 388, 391, 394, 395, 416, 417, 419, 429, 432, 442, 445, 446, 449, 450, 460, 464, 465, 466, 467, 471, 475, 476, 477, 478, 480, 481, 483, 485, 487, 489.

## N

- NICHOLS, B. H. Oath of office, 6.  
 Appointed on Committees, 56, 98, 103, 166, 216, 259.  
 Reports, 63, 68, 173, 273, 350.
- NOTEWARE, C. N. 20, 31, 341, 468.
- NYE, JAS. W. 33, 34, 35, 36, 37, 38, 40, 41, 42.
- NIMMS, REV. WARREN. 52, 109, 114, 120, 127, 136, 196, 203, 207, 212, 216, 222, 226, 285, 293,  
 299, 303, 313, 317, 427, 441, 457, 464, 482.

## P

- PARKER, H. G. Oath of office, 6.  
 Elected Speaker pro tempore, 13.  
 Motions, 7, 32, 42, 62, 66, 68, 70, 87, 83, 91, 101, 112, 113, 117, 141, 162, 215, 216, 239,  
 291, 314, 322, 327, 419, 431, 444.  
 Appointed on Committees, 7, 56, 102, 277, 330.  
 Nomination, 13.  
 Resolutions, 6, 7, 12, 13, 60, 110, 238, 273, 427, 483.  
 Notice of bill, 210.  
 Introduced bills, 220, 286.  
 Reports, 55, 63, 85, 115, 141, 132, 204, 217, 238, 255, 265, 299, 345, 375, 418, 438.  
 Thanks to, 488.
- PATTEN, EDWIN. Oath of office, 6.  
 Motions, 9, 18, 32, 36, 57, 79, 85, 101, 103, 126, 127, 136, 141, 147, 152, 154, 167, 168,  
 169, 181, 184, 205, 210, 221, 225, 232, 236, 240, 243, 246, 260, 261, 262, 275, 295, 298,  
 310, 326, 351, 358, 363, 365, 383, 385, 425, 456, 457, 458, 482.  
 Appointed on Committees, 19, 56, 73, 136, 237, 240, 425, 458.  
 Remonstrance, 292.  
 Nomination, 15.  
 Resolutions, 16, 17, 76, 181, 185, 241, 252, 433.  
 Notice of bills, 93, 134.  
 Introduced bills, 376, 474.  
 Reports, 20, 143, 193, 220, 239, 320, 350, 365, 386.  
 Offered Amendment to Constitution, 441.
- PORTER. — Elected, 15.
- PRINTING, PUBLIC. Committee appointed on, 56.
- PUBLIC MORALS. Committee appointed on, 56.
- PROCTOR, SENATOR. 32, 40, 149, 162.

## R

- ROSENBLATT, M. A. Oath of office, 6.  
 Motions, 38, 39, 69, 88, 95, 166, 187, 193, 264, 265, 313, 328, 334, 356, 362, 378, 381,  
 382, 393.  
 Appointed on Committees, 56.  
 Resolution, 183.  
 Nomination, 8.  
 Notice of bills, 57, 78, 89, 134, 167, 228.  
 Introduced bills, 70, 89, 108, 112, 140, 210, 347.  
 Reports, 75, 204, 231, 236.
- RIGBY, JAMES A. Oath of office, 6.  
 Motion, 263.  
 Resolutions, 56, 119.  
 Appointed on Committees, 56, 65, 142, 175, 216, 237, 248, 278, 347, 351, 370, 376, 489.  
 Notice of bill, 268.

RIGBY, JAMES A. Introduced bills, 103, 274, 330, 469.  
 Reports, 116, 204, 221, 253, 299, 313, 352, 433, 444, 470, 472, 485.  
 Petition, 479.

RESOLUTIONS. Relative to qualification of members, 5.  
 Relative to election of officers, 6, 7.  
 Relative to organization, notice to Senate, 12.  
 Relative to Speaker pro tem., etc., 13.  
 Relative to organization, notice to Governor, 16.  
 Rules of House of Representatives adopted, 16.  
 Relative to election of Chaplain, 16.  
 Relative to rules for Assembly, 17.  
 Relative to books for Clerk, 19.  
 Relative to additional Messenger, 21.  
 Sergeant-at-Arms to furnish paper, etc., 21.  
 Relative to Governor's Message, 29.  
 Relative to Clergymen to open House with prayer, 30, 86.  
 Relative to Pages and Messengers, 32.  
 Relative to appointing committee on salaries of officers, etc., 32.  
 Relative to voting for United States Senators, 33.  
 United States Senators invited to address Convention, 33.  
 Relative to electing a successor to the Senator whose term expires March third,  
 one thousand eight hundred and sixty-five, 41.  
 Relative to books for Clerk, 52.  
 To invite clergymen to officiate, 58.  
 Members to draw lots for choice of seats, 60.  
 Relative to rooms for Engrossing and Enrolling Clerks, 61.  
 Sergeant-at-Arms to furnish Clerks with stationery, 63.  
 Committee to confer with Commissioners of Ormsby County, 68, 69.  
 Sergeant-at-Arms to procure rooms for committees, 68.  
 Sergeant-at-Arms to procure room for Enrolling Clerk, 75, 76.  
 Clerk of House to notify Senate, 76.  
 Relative to the election of Claplain, 76, 83.  
 Prison Committee to employ legal advice, 80.  
 Relative to private franchises, 80, 92.  
 Relative to State Constitution, 81.  
 Relative to lien law, 81.  
 Relative to second reading of bills, 81.  
 Sergeant-at-arms to furnish members postage stamps, etc., 81, 84.  
 Relative to printing insurance bill, 81.  
 Committee to employ a Clerk, 96.  
 Relative to State Prison Committee, 96.  
 Relative to services of Chief and Assistant Clerks, 96.  
 Relative to matter ordered printed, 97.  
 Relative to order on State Controller, 98.  
 Relative to Printing Committee, 110.  
 Sergeant-at-Arms to draw order, 118.  
 Relative to motions, 119.  
 Relative to Copying Clerk, 122.  
 Sergeant-at-Arms to issue order to Controller, 134, 136.  
 Relative to Committee on Federal Relations, 136.  
 Sergeant at-Arms to procure chairs, 137.  
 Relative to Phonographic Reporter, 174, 187.  
 Relative to bills of a special nature, 176.  
 Relative to attachés, 183.  
 Relative to election of Phonographic Reporter, 183.  
 Relative to Reporter of "Territorial Enterprise," 186.  
 Sergeant-at-Arms to place the flag of our country over the Capitol building, 187.

- RESOLUTIONS.** Relative to Committee on Public Buildings, 233.  
 Relative to Sergeant-at-Arms of Senate, 235.  
 Sergeant-at-Arms authorized to issue to John R. Eardly \$342: 239.  
 Relative to Special Franchise bills, 239.  
 Relative to Assembly Bill No. 62, 239.  
 Relative to Committee on Federal Relations, 241.  
 Relative to fender between stove and bar of House, 244.  
 Relative to report of Storey County Superintendent, 247.  
 Sergeant-at-Arms authorized to issue scrip, 248.  
 Relative to Board of Education, Storey County, 253.  
 Relative to Phraseology, 273.  
 Relative to special election, 273.  
 Committee to report progress, 284.  
 Controller authorized to draw warrant, 317.  
 Relative to State Printer bill, 325.  
 Relative to railroad resolutions, 357.  
 Sergeant-at-Arms to draw warrant, 338.  
 Sergeant-at-Arms to draw warrant, 426.  
 Relative to members speaking, 427.  
 Controller authorized to draw warrant, 442, 443, 447, 456, 460, 463, 468, 487.  
 Sergeant-at-Arms to turn over furniture, etc., to Secretary of State, 476.  
 Relative to Clerks, 334.  
 Controller authorized to draw warrant, 482, 483, 488.  
 Relative to Committee on Railroads, 485.  
 Relative to constitutional debates and proceedings, 486.  
 Thanks to C. W. Tozer, 487.  
 Thanks to H. G. Parker, 488.  
 Thanks to Chief Clerk, etc., 488.  
 Thanks to Gillespie and McLaughlin, 489.
- RULES. STANDING,** of the Assembly, 42.
- RULES. JOINT,** 53
- RUBI, REV. FATHER.** 91, 97, 104, 107, 138, 146, 154, 163, 163, 174, 229, 234, 237  
 250, 255, 320, 324, 329, 340.

## S

- ST. CLAIR, JAMES A.** Oath of office, 6.  
 Motions, 109, 237, 240, 322, 370, 387, 388, 474.  
 Appointed on Committees, 56, 65, 73, 98, 216, 277, 278, 365.  
 Resolutions, 244, 285, 443.  
 Notice of bills, 78, 214.  
 Introduced bills, 94, 228.  
 Reports, 63, 75, 112, 136, 137, 191, 223, 272, 292, 317, 353, 438, 443, 473.
- SINE, E. P.** Oath of office, 6.  
 Motions, 77, 83, 147, 187, 212, 302, 322, 340, 356, 392, 439, 451, 454.  
 Appointed on Committees, 56, 96, 147, 175, 317, 339, 347, 351, 376.  
 Nomination, 11.  
 Resolution, 68.  
 Notice of bills, 69, 78.  
 Introduced bills, 93, 94, 110.  
 Reports, 155, 219, 286, 357, 374, 433.
- SMALL, JAMES.** Oath of office, 6.  
 Appointed on Committees, 56, 278.  
 Nominations, 8, 14.  
 Notice of bills, 119, 122.  
 Introduced bills, 134, 268.  
 Reports, 295, 313.

- SMITH, JACOB. Oath of office, 6.  
 Motions, 67, 194, 245, 294, 309, 314, 327, 331, 332, 344, 364, 446, 452, 471, 484.  
 Appointed on Committees, 21, 56, 80, 248.  
 Resolutions, 21, 32, 63, 69, 96, 174.  
 Nominations, 10, 14.  
 Notice of bills, 78, 83, 93, 119, 167.  
 Introduced bills, 94, 101, 134, 314.  
 Reports, 56, 204, 253, 444, 473.  
 Remonstrance, 353.  
 Petition, 375.
- SHACKELFORD, L. M. Oath of office, 6.  
 Motions, 7, 105, 166, 294, 295, 302, 314, 319, 326, 345, 361, 381, 426, 464.  
 Appointed on Committees, 56, 274, 475.  
 Nominations, 10, 11, 13, 33, 149.  
 Resolutions, 19, 301.  
 Notice of bills, 89, 92, 192.  
 Introduced bills, 110, 134, 326.  
 Reports, 114, 131, 238, 479, 282, 383, 485.
- SEELEY, SENATOR. 32, 40, 41, 149, 155, 173, 200, 447.
- SUMNER, SENATOR. 32, 40, 55, 149, 200, 485.
- SLINGERLAND, SENATOR. 32, 33, 36, 40, 41, 55, 149, 155, 163, 438, 485.
- STEWART, WM. M. 33, 34, 41, 42.
- SMITH, J. H. 59.
- SMITH, T. G. 191.
- SMITH, R. T. 8, 9.
- SWEENEY, E. D. 272, 472.
- STEWART, CHAUNCEY. 11, 13, 14, 16.
- STEWART, JOHN. 15.
- SERGEANT-AT-ARMS. Elected, 9.
- SERGEANT-AT-ARMS, ASSISTANT. Elected, 14.
- SPEAKER. Elected, 7.
- SPEAKER PRO TEM. Elected, 13.
- STANDING AND JOINT RULES. Committee appointed on, 56.
- STATE INSTITUTIONS. Committee appointed on, 56.

## T

- TOOMBS, W. F. Oath of office, 6.  
 Motions, 354.  
 Appointed on Committees, 56, 80, 136, 278.  
 Nomination, 10.  
 Notice of bill, 70.  
 Introduced bills, 94, 268, 369.  
 Reports, 127, 135, 143, 255.
- TOZER, CHARLES W. Oath of office, 6.  
 Elected Speaker, 7.  
 Motions, 40, 256, 354, 355, 356, 369, 415, 431, 461.  
 On Committees, 359, 356.  
 Introduced bills, 108, 122.  
 Resolutions, 357, 460, 476.  
 Thanks to, 487.  
 Remarks of, 490.
- THOMPSON, SENATOR. 32, 40, 63, 143, 149.
- TRADE AND MANUFACTURES. Committee appointed on, 56.

## U

- UPTON & CO. 191, 223.

## W

- WELLINGTON, D. Oath of office, 6.  
 Appointed on Committees, 56, 141, 166, 339.  
 Notice of bill 78.  
 Introduced bills, 89, 94.  
 Reports, 106, 191.
- WALTER, D. P. Oath of office, 6.  
 Motions, 18, 67, 73, 84, 96, 104, 117, 141, 191, 240, 270, 273, 347, 427, 480, 444.  
 Nominations, 13, 136, 326.  
 Appointed on Committees, 56, 73, 103, 220, 259, 292, 351, 365, 425.  
 Resolutions, 76, 122, 183.  
 Notice of bills, 235, 280, 285.  
 Introduced bills, 100, 259, 293, 311, 393.  
 Reports, 86, 131, 170, 173, 273, 286, 303, 433, 442.
- WINTON, SENATOR. 33, 40, 143, 149, 200.
- WHITMAN, B. C. 33, 34, 35, 36, 37, 38, 40.
- WOODWORTH, J. M. 8, 9, 223.
- WILDER, J. B. 14.
- WELLS, THOS. Submitted message from Governor, 21.
- WAYS AND MEANS. Committee appointed on, 56.

## Y

- YOUNG, R. A. Oath of office, 6.  
 Motions, 67, 68, 194, 198, 232, 315, 335, 356, 370, 435.  
 Appointed on Committees, 56, 81, 194, 277, 313, 351, 370.  
 Resolutions, 81, 363.  
 Notice of bills, 32, 83, 174, 312.  
 Introduced bills, 62, 110, 167, 178, 276, 330, 467.  
 Reports, 64, 78, 116, 170, 200, 204, 286, 319, 473.





## INDEX TO ASSEMBLY BILLS.

### ASSEMBLY BILLS.

Number.....	T I T L E.	Pages.....
	An Act relating to elections and the manner of holding the same; qualification and registration of electors; removal from office and the manner thereof; vacancies in office, and the manner of filling the same; contested elections, and the manner thereof; offices and officers, and prescribing penalties to enforce official duty, and to punish extortion, frauds, embezzlement, and misconduct in office. Mr. Bond.....	20
1	An Act to provide for the actual expenses of the members of the Legislature for stationery, postage stamps, and express envelopes. Committee—Bond, Chairman.....	56, 58, 61, 62, 90
2	An Act to regulate proceedings in civil cases in the courts of justice of this State. Mr. Lee.....	57
3	An Act to create a contingent fund for the Senate and Assembly. Mr. Cutter.....	57, 63, 116, 124, 230, 257
4	An Act relating to elections, electors, times of elections, and terms of office; of officers, official duty, misconduct at elections and in office, etc. Mr. Bond.....	58, 227, 269, 317.
5	An Act concerning specific contracts. Mr. Denson.....	58
6	An Act for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting, entitled a Registry Act. Mr. Bien.....	58, 90, 227, 269, 317
7	An Act to regulate attachment proceedings. Mr. Mayhugh.....	58, 222, 264
9	An Act supplementary to an Act concerning conveyances, passed November 5th, 1831. Mr. Lee, for Mr. Speaker.....	61, 169, 215, 231, 300
10	An Act creating the office of Public Administrator. Mr. Bishop.....	61, 75, 112, 124, 156, 193, 200, 214, 300
11	An Act adopting the common law in the State of Nevada. Mr. Denson.....	62, 68, 71, 75, 300
12	An Act fixing the number of officers and employees of the Senate and Assembly, to define their duties, and establish their pay. Mr. Young.....	62, 64, 66, 75, 78, 138, 139, 142, 146, 147, 155, 164, 169

## ASSEMBLY BILLS.

Number.....	T I T L E.	Pages.....
13	An Act for the limitation of civil action in courts of justice. Mr. Bien .....	62, 222, 269
14	An Act to provide for the election of Presidential Electors, Members of Congress, and State and County Officers, and to preserve the purity of elections. Mr. McKeeby.....	66, 226, 269, 283, 340, 377, 283, 286, 363, 416
15	An Act for the relief of Hiram Welsh. Mr. Brown.....	66, 68, 70, 75, 132, 134, 136, 137, 171, 172, 196
16	An Act to regulate the fees of office. Mr. Haskell.....	66, 210, 276, 278, 313, 352, 372, 373, 387, 443, 445, 453, 454, 458, 469
17	An Act to provide for the survey of the boundary line between the State of California and this State. Mr. Mayhugh.....	66, 121, 168, 179, 245, 247, 257, 267
18	An Act in relation to the Boards of County Commissioners in the several counties of this State, define their powers and duties, and other matters in relation thereto. Mr. Denson.....	63, 266, 288, 322
19	An Act to amend an Act to provide for assessing and collecting county and Territorial revenue, approved December 20th, 1862. Mr. Haskell .....	66, 218, 220
20	An Act creating a State Legislative fund. Mr. Hawkins .....	70, 72, 121, 122, 157, 160, 163, 164
21	An Act to create the office and defining the duties of Coroner. Mr. Rosenblatt .....	70, 278, 289, 290, 449
22	An Act for the maintenance and supervision of common schools. Mr. Lee .....	78, 96, 111, 182, 219, 225, 236, 253, 466, 487
23	An Act to tax and regulate foreign insurance companies doing business in this State. Mr. Cutter.....	78, 85, 114, 144, 146, 147, 188, 189, 207, 208, 213
24	An Act fixing the terms of the courts of justice of the State of Nevada. Mr. Denson.....	78, 220, 241, 263, 279, 283, 290
26	An Act for the relief of John A. Benham. Mr. Cutter.....	83, 106, 347, 360, 361, 362, 366, 373, 388, 390, 449, 455, 457
27	An Act to amend an Act in relation to County Treasurers. Mr. Hawkins.....	83, 265, 288
28	An Act to amend an Act creating Boards of County Commissioners, and defining their duties. Mr. Hawkins .....	83, 266, 288, 416
29	An Act for the relief of the Virginia fire department. Mr. Cutter...	86, 88, 89, 90, 92, 93, 346
30	An Act to amend and supplemental to an Act to provide for assessing and collecting county and Territorial revenue. Mr. Hawkins.....	87, 218, 220
31	An Act authorizing A. Coffman, Wm. McKay, Alexander McKay, and E. W. Haynes to establish and maintain a toll road. Mr. Bond.....	89, 93, 114, 140, 176, 177
32	An Act granting the right of way for the construction of a railroad from Virginia, via Gold Hill, Silver City, Lake View, Franktown, and Washoe City, to its terminus on Truckee River. Mr. Bond...	89, 93, 176, 240
33	An Act for the encouragement of mining. Mr. Lee.....	89, 234, 269, 270, 280, 291

## ASSEMBLY BILLS.

Number.....	T I T L E .	Pages .....
34	An Act for the relief of insolvent debtors and the protection of creditors. Mr. Rosenblatt.....	89, 222, 256, 263, 443, 458, 473
35	An Act for the abatement of certain public nuisances. Mr. Cary.....	89, 282, 289
36	An Act to authorize the County Commissioners of Esmeralda County to build, or purchase a building, for a court house and jail. Mr. Wellington.....	89, 107, 108, 121, 367, 423, 432
40	An Act to amend section first of an Act amendatory of and supplementary to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved December 20th, 1862; approved February 19th, 1864. Mr. Bishop.....	93
41	An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State. Mr. Sine.....	93, 338, 346
42	An Act to amend an Act entitled an Act to amend, and supplemental to, an Act to provide for the assessing and collecting county and territorial revenue, passed December 20th, 1862. Mr. Epstein.....	93, 218, 220
43	An Act amendatory and supplemental to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved December 20th, 1862. Mr. Smith.....	94, 120, 175, 215, 240
44	An Act to protect the natural flow of water in what is known as Old River Bed, in Churchill County, Nevada. Mr. St. Clair.....	94, 106, 108, 111, 112, 213
45	An Act to prohibit the payment of certain warrants. Mr. Cutter.....	94, 96, 108, 111, 119, 122, 160, 161, 178
46	An Act granting to J. B. McClure and John Eaves the right to construct and maintain a toll road. Mr. St. Clair.....	94, 146, 239, 240, 390, 396, 417, 423, 448, 449, 455
47	An Act authorizing John Hawkins, his associates and assigns, to construct and maintain a toll road, approved December 19th, 1862. Mr. Wellington.....	94, 115, 126, 127, 210, 212, 213, 237, 243, 234, 284
48	An Act authorizing the County Commissioners of the several counties to cause the county lines to be established. Mr. Toombs.....	94, 220, 240, 263
49	An Act granting the exclusive right to P. D. Bebee and associates to construct and maintain a toll road from the city of Austin to the town of Genoa, Smoky Valley. Mr. Sine.....	94, 115, 180
51	An Act to legalize the election of the Tax Collector of Lander County, elected at the November election, A. D. 1862. Mr. Walter.....	100, 103, 125, 128, 144, 147
52	An Act to authorize the County Commissioners of Esmeralda County to purchase certain records of Mono County, California. Mr. Haskell.....	100
53	An Act to limit the first term of the District Courts of the First Judicial District. Mr. Smith.....	101, 116
54	An Act to provide for the disincorporating of cities and towns, incorporated under the laws of the Territory of Nevada. Mr. Mayhugh.....	101, 120, 180, 183, 192, 230, 232, 238, 266
55	An Act in relation to current money in the State of Nevada and the rate of interest to be charged thereon. Mr. Denson.....	101, 238, 265, 270, 275, 295
56	An Act for the purchase and preservation of public newspapers printed and published in the several counties of this State. Mr. Myrick.....	101, 114, 125, 127, 175, 180, 230, 237, 244

ASSEMBLY BILLS.

Number.....	TITLE.	Number.....
57	An Act in relation to compensation of members of the Legislature and State officers. Mr. Cutter.....	104, 105, 132, 133, 140, 142, 148
59	An Act to amend an Act entitled an Act regulating marriages and divorces. Mr. Rosenblatt.....	103, 120
60	An Act to prohibit the carrying of concealed weapons. Mr. Rosenblatt.....	108, 114, 155, 181, 337
61	An Act defining the rights of husband and wife. Mr. Tozer.....	108, 223, 259, 263, 264, 280, 379, 385, 428, 436
62	An Act empowering the Governor to appoint Commissioners of Deeds and defining their duties. Mr. Rigby.....	108, 115, 140, 179, 141, 232, 233, 239, 248, 241, 247, 257
63	An Act to exclude traitors and alien enemies from the courts of justice in civil cases. Mr. Lee.....	109, 155, 193, 200, 206, 214, 300
64	An Act to authorize Jerry Schooling, his associates and assigns, to construct and maintain a toll road. Mr. Shackelford.....	110, 139, 155, 177, 179, 203, 213, 180, 284
65	An Act defining the duties and fixing the salary of the Governor's Private Secretary. Mr. Young.....	110, 115, 167, 255, 287, 291, 295, 287, 389, 471, 473
66	An Act amendatory of an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act to authorize John G. Powell, his associates and assigns, to construct a toll road. Mr. Sine.....	110, 115, 126, 125
67	An Act to repeal an Act entitled an Act to provide compensation to the attaches of the Territorial Assembly, approved February 20th, 1864. Mr. Hawkins.....	112, 125
68	An Act defining the time for commencing civil actions. Mr. Greeley.....	112, 219, 224, 231, 233, 236, 239, 240, 263, 269, 316
69	An Act authorizing married women to execute powers of attorney. Mr. Rosenblatt.....	113, 223, 269, 334
73	An Act in relation to attachments in civil cases. Mr. Epstein.....	119, 223, 265
75	An Act to authorize the Washoe Turnpike Company to maintain their toll road and branches. Mr. Tozer.....	122, 169, 184, 187, 232, 233, 235, 237, 250, 253, 271, 276
80	An Act to legalize the assessment of real and personal property as made by the County Commissioners of Douglas County, for the year one thousand eight hundred and sixty-four. Mr. Epstein.....	134, 137, 180, 199, 205, 207, 209
81	An Act authorizing I. C. Bateman, C. H. Van Gorder, N. H. A. Mason, and their associates and assigns, to construct and maintain a toll road from the Divide, between Virginia City and Gold Hill, in Storey County, to Empire City, in Ormsby County. Mr. Smith....	134, 138, 371, 373, 391, 392, 448, 449, 452
82	An Act extending the time for collecting the taxes in the several counties of this State. Mr. Small.....	134, 141
83	An Act to regulate the proceedings of attachment in civil cases in courts of justice of the State of Nevada. Mr. Greeley.....	134, 218, 221, 224, 228, 237, 251, 256, 272, 289, 290, 297, 293
84	An Act to create a cash contingent fund for the payment of District Judges. Mr. Beck.....	134, 218, 220

## ASSEMBLY BILLS.

Number.....	TITLE.	Pages.....
85	An Act for the protection of agricultural land, and to preserve the purity of water. Mr. Shackelford.....	134, 191, 199, 214, 372, 375, 418, 463
86	An Act to authorize married women to transact business in their own name as sole traders. Mr. Epstein.....	140, 222, 264, 281, 291, 296, 319, 334, 336, 351, 553
87	An Act for the apportionment of representation of the several counties of the State of Nevada. Mr. Rosenblatt.....	134, 140, 166, 170, 210
93	An Act in relation to the State Board of Examiners, and defining their duties. Mr. Young.....	167, 185, 193, 205, 214, 244, 253, 267
94	An Act to license marriages. Mr. Bien.....	167, 179
95	An Act supplemental to an Act entitled an Act to prohibit the payment of certain warrants. Mr. Lee.....	168, 178
96	An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay. Mr. Brown.....	178, 182, 185, 193, 197, 200, 204
97	An Act relating to wild game and fish. Mr. Epstein.....	178, 283, 289, 290, 293, 318
98	An Act to authorize the Treasurer of the city of Virginia to set apart moneys for the payment of certain warrants. Mr. Young.....	178
99	An Act to provide for the location of lands containing salt. Mr. Brown.....	178, 223, 241, 263, 315, 317
100	An Act authorizing the constructing of a toll road from Washoe Valley to Lake Tahoe. Mr. Beck.....	179, 196, 219, 394, 418, 420, 426, 427, 449, 453
101	An Act to regulate jurisdiction of Justice Courts within the State. Mr. Mayhugh.....	179, 223, 269
102	An Act to provide for the formation of corporations for certain purposes. Mr. Lee.....	183, 292, 319, 320, 321, 322, 332, 334, 335, 429, 476
104	An Act to provide for the formation of limited partnership. Mr. Lee.....	192, 223, 264, 280, 281, 300
105	An Act for the punishment of contempts and trespasses. Mr. Myrick.....	192, 222, 259, 263, 477, 488
111	An Act to exempt the homestead and other property from forced sale in certain cases. Mr. Lee.....	205, 217, 224, 231, 235, 285, 379, 385, 418
112	An Act to provide for the payment of the Private Secretary of the Governor of the Territory of Nevada for the year one thousand eight hundred and sixty-four. Mr. McKeeby.....	205, 230, 231, 368,
113	An Act supplementary to an Act of the Legislature of the State of Nevada, passed at the first session, entitled an Act to tax and regulate foreign insurance companies doing business in this State. Mr. Patten.....	209, 214, 245, 253, 275
114	An Act to provide for the taking of the census and statistics of the State, and for the apportionment of representation in the State Legislature. Mr. Rosenblatt.....	210
115	An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in Ormsby County. Mr. Denson.....	214, 283, 289
116	An Act amendatory of an Act entitled an Act in relation to County Treasurers. Mr. Haskell.....	214, 383, 288, 349

ASSEMBLY BILLS.

Number.....	TITLE.	Pages.....
117	An Act authorizing A. B. Waller and his associates to construct and maintain a toll road. Mr. Cutter.....	214, 215
121	An Act for securing liens to corral-keepers and others. Mr. Parker..	220, 265, 288
123	An Act to repeal an Act, passed December 19th, 1862, entitled an Act amendatory of section thirty-four of an Act defining the time of commencing civil actions, approved November 21st, 1861, and to repeal said section thirty-four of the said original Act. Mr. Epstein.	223, 266, 288
125	An Act to amend an Act entitled an Act granting Moses Job, Emanuel Penrod, their heirs and assigns, the right to construct and maintain a toll road between the sink of Carson River and Reese River. Mr. St. Clair.....	228, 289, 318, 293, 465
129	An Act concerning the office of Secretary of State. Mr. Mayhugh...	233, 255, 262, 280, 283, 293
130	An Act to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada. Mr. Denson.....	235, 289
135	An Act to divide the county of Storey, and create the county of Union. Mr. Bishop.....	249, 350, 358, 378, 382
138	An Act concerning County Recorders and defining their duties. Mr. Walter.....	259, 266, 289, 290, 319, 449, 450, 463
141	An Act accepting the provisions of an Act of Congress entitled an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, approved July 2d, 1862, and amended and approved April 14th, 1864. Mr. Haskell.....	259, 269, 289, 291, 293, 318, 442, 457, 463
144	An Act for the relief of Gorham H. Moore. Mr. Toombs.....	268, 270, 279, 283, 300
145	An Act amendatory of and supplementary to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved December 20th, 1862. Mr. Small.....	268, 418
146	An Act to provide for the removal of certain incorporated companies to this State by their own election. Mr. Mayhugh.....	268, 330, 335, 353, 358, 380
147	An Act amendatory of and supplemental to an Act amendatory of and supplemental to an Act entitled an Act to amend and supplemental to an Act to provide for the assessing and collecting county and territorial revenue. Mr. Greeley.....	269, 475, 462
149	An Act concerning District Attorneys. Mr. Haskell.....	274, 346, 348, 364, 370, 378, 467, 470, 482, 488
150	An Act declaring the evidence of possessory rights. Mr. Rigby.....	274, 338, 347, 357, 463, 376, 383, 471
151	An Act to provide for the payment of the outstanding warrants of Storey County. Mr. Cutter.....	274, 276, 376, 279, 283, 292, 334
152	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29th, 1861. Mr. Haskell.....	333, 462
153	An Act to amend an Act entitled an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties, approved February 4th, 1865. Mr. Haskell.....	276, 338, 348, 364, 388, 418, 422, 423

## ASSEMBLY BILLS.

Number.....	T I T L E.	Pages.....
154	An Act to amend an Act, and supplementary to an Act entitled an Act to incorporate the city of Virginia, approved February 19th, 1864. Mr. Young.....	276
157	An Act to legalize the assessment of real and personal property, as made by the Board of County Commissioners of Lander County for the year A. D. 1864. Mr. Hinckley.....	280, 286, 291, 300, 303, 314
160	An Act to regulate and enforce the collection of delinquent taxes. Mr. McKeeby.....	285, 345, 376, 377
161	An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto. Mr. Lee.....	285, 313, 347, 439, 447, 463, 468, 477, 487
162	An Act to amend an Act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada. Mr. Parker.....	286, 349, 371, 426, 461, 473
164	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in courts of justice in the Territory of Nevada. Mr. Bond.....	291, 349, 384
165	An Act to regulate the exercise of the pardoning power. Mr. Denson.....	291, 389
167	An Act concerning District Court Reporters of the various judicial districts in this State. Mr. Walter.....	293, 339, 347, 348
168	An Act to extend the time for commencing suits for the collection of delinquent taxes for the year 1864. Mr. Denson.....	294, 436
169	An Act to provide for the publication of the laws of the first session of the Nevada State Legislature. Mr. Lee.....	295, 299
172	An Act concerning mining districts and the Recorders thereof. Mr. Walter.....	311, 329, 335, 427, 440
173	An Act for the relief of Alexander Hunter. Mr. Cutter.....	311, 313, 347, 394, 418, 420, 423, 473, 474, 477
174	An Act to provide for the incorporation of railroad companies in this State, and to define their extent, etc. Mr. Smith.....	314, 351, 481
181	An Act concerning corporations. Mr. Lee.....	321, 350, 371, 378, 433, 485, 488
182	An Act in relation to printing the laws of this session. Mr. Lee.....	321, 323, 383, 462
183	An Act to amend an Act to regulate marriage and divorce, approved November 28th, 1861. Mr. Denson.....	321
185	An Act to amend an Act to authorize the survey and to establish the western boundary line of the State of Nevada. Mr. Mayhugh.....	326, 329, 334, 366, 369, 443, 457, 479
186	An Act amendatory and supplementary to an Act entitled an Act to authorize the Washoe Turnpike Company to maintain their toll road and branches. Mr. Shackelford.....	326, 361, 366, 370, 381, 426
187	An Act to confirm acknowledgments of deeds and other instruments taken by County Recorders or their deputies. Mr. Greeley.....	327, 332, 335, 346, 459
188	An Act empowering H. M. Bien to administer oaths in certain cases. Mr. Hawkins.....	328, 329, 341

## ASSEMBLY BILLS.

Number.....	TITLE.	Pages.....
189	An Act to authorize A. B. Perkins and his associates to maintain a toll road. Mr. Rigby.....	330, 351, 334, 386, 387, 349, 391, 394, 455
190	An Act amendatory to an Act relating to the manner of commencing civil actions. Mr. Greeley.....	330, 347, 353
191	An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Storey County, approved February 14th, 1865. Mr. Cutter.....	330, 333, 340, 362, 367
192	An Act concerning municipal corporations. Mr. Young.....	330, 349, 371, 380
177	An Act to provide for the payment of rent for the use of the Capitol buildings for the year 1864. Mr. Patten.....	320, 334, 354, 355, 359, 360, 368, 419, 425, 430, 442, 447, 460, 473
219	An Act to provide for the payment of the attaches of the late Constitutional Convention. Mr. Bishop.....	336, 338, 382, 396, 418, 421, 420, 431, 443, 457, 462
205	An Act to render effective and to legalize certain elections made in the State of Nevada on the eighth day of November, 1864. Mr. Rosenblatt.....	347, 349, 383
206	An Act to provide for the registration of the names of electors, etc. Mr. Bishop.....	351, 359, 368, 460, 482, 488
207	An Act to amend an Act entitled an Act to create the county of Nye. Mr. Bearss.....	351, 365, 377, 393, 442, 447, 463
212	An Act concerning roads and highways. Mr. McKeeby.....	357, 384, 418
214	An Act authorizing the construction of a railroad from Virginia City to Carson River. Mr. Bishop.....	364, 367, 383, 386, 394, 396, 448, 449, 455, 464
215	An Act to amend an Act entitled an Act to provide for the payment of the outstanding warrants of Virginia, Storey County. Mr. Cutter.....	367, 368, 385, 387, 450, 453, 462
221	An Act to establish the standard of weights and measures. Mr. Myrick.....	369, 395, 418
222	An Act granting to S. B. Hunt and his associates the right to maintain a toll road. Mr. Toombs.....	369, 383, 386, 394, 396, 448, 449, 454
225	An Act concerning roads and highways. Mr. Epstein.....	376, 384
227	An Act to authorize the County Commissioners of Storey County to purchase a building suitable for a court house. Mr. Bond.....	376
228	An Act to authorize John Ford, his associates and assigns, to construct and maintain a toll road in Ormsby County. Mr. Patten.....	376, 384, 386, 395, 396, 448, 449, 454
230	An Act to transfer certain funds. Mr. Cutter.....	382, 384, 419, 423, 486
236	An Act to authorize the State Treasurer to employ a clerk, etc. Mr. Hawkins.....	387, 386, 423, 463
243	An Act authorizing A. Coffman, Wm. McKay, Alexander McKay and E. Haynes, and their associates, to construct and maintain a toll road. Mr. Walter.....	393, 418
245	An Act providing offices for certain State officers. Mr. Bond.....	393, 418, 433, 436, 465, 472, 479



## ASSEMBLY BILLS.

Number.....	T I T L E.	Pages.....
246	An Act to provide for the payment of certain Territorial printing. Mr. Bond.....	393, 451, 453
248	An Act to authorize A. P. Benton and his associates to maintain a toll road in the counties of Lyon and Churchill. Mr. Mayhugh.....	415, 418, 420, 427, 448, 449, 454
249	An Act in relation to toll roads and bridges. Mr. Bolan.....	416, 418, 442, 457, 463
250	An Act to compel all barbers or hairdressers to close their places of business on the Sabbath Day. Mr. Mayhugh.....	416
266	An Act to reimburse moneys expended by the county of Storey in the care of the sick of other counties of this State. Mr. Cutter.....	439, 446, 458
267	An Act concerning the abandonment of mining claims. Mr. Cutter..	439, 441
268	An Act for the payment of the compensation of the District Judges of this State, and to carry out the requirements of section fifteen article six of the Constitution of the State of Nevada. Mr. Brown.	440, 442, 446
283	An Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada. Mr. Lee.....	461, 470, 473, 476
288	An Act to require additional bonds of the State Treasurer and State Controller. Mr. Young.....	467, 473
290	An Act supplemental to an Act to regulate fees and compensation for official and other services, approved March 9, 1865. Mr. Rigby.	469
292	An Act for the relief of John A. Benham. Mr. Patten.....	474, 476, 479, 488
293	Supplemental to and amendatory of an Act to repeal an Act to incor- porate the Washoe Agricultural, Mining and Mechanical Society, approved December 19th, 1862, etc. Mr. Bond.....	475, 478, 479, 480
294	An Act amendatory of an Act to provide for the payment of rent for the use of the Capitol building for the year 1865, and to reimburse Ormsby County for the amount expended in preparing said building for the occupation of the Legislature and State officers. Mr. McKeeby	474, 480; 488
299	An Act amendatory of and supplementary to the several Acts of the Territorial laws concerning capital punishment. Mr. Bien.....	479, 481

ASSEMBLY CONCURRENT AND JOINT RESOLUTIONS.

TITLE.	Pages.....
Relative to Joint Convention for the election of United States Senators..	18, 19, 33
Patriotic.....	17, 20, 62, 183, 194
Relative to sale of mineral lands.....	56, 100
Relative to Monroe Doctrine, etc.....	60
Relative to railroads.....	65, 94
Relative to title of State Prison property.....	69, 79
Relative to Report from State Prison Commissioners.....	96, 232
Relative to furnishing members of Senate and Assembly with copies of bills ordered printed.....	110
Relative to joint action of Judiciary Committees.....	146
Relative to adjournment <i>sine die</i> .....	172
Relative to joint address to Governor.....	174
Relative to committee on certain railroad resolutions.....	175
Relative to railroads.....	181, 191, 211, 225, 242, 248, 260, 297, 322
Relative to railroads.....	181
Relative to the death of Edward Everett.....	185
Relative to revising the Constitution.....	190
Relative to committee to investigate the affairs of Storey County.....	225
Relative to Assembly Bill No. 62.....	241
Relative to establishing a mail route from Carson City to American City..	252
Granting leave of absence to D. J. Francis, Sheriff of Esmeralda County.	255
Relative to examination of the books of the Storey County Board of Education.....	256
Relative to the sale of State bonds.....	258, 279, 337
Relative to investigating the State printing.....	258
Relative to the establishment of a mail route between Carson City and Aurora.....	267
Relative to affairs of Storey County Hospital.....	277
Relative to Postoffices on the overland route.....	285, 335, 355
Relative to printing the general laws of this session.....	301
Relative to the condition of the Devil's Gate toll road.....	302
Granting leave of absence to James Leffingwell, Sheriff of Lander County.	320

## ASSEMBLY CONCURRENT AND JOINT RESOLUTIONS.

TITLE.	Pages .....
Relative to Indian depredations.....	334, 428
Relative to amending State Constitution.....	339, 481
Relative to Postoffices in Surprise Valley.....	363
Relative to the removal of Camp Nye.....	392, 394
Relative to President of Storey County Hospital.....	433
Relative to investigating Territorial books and papers.....	461
Relative to adjournment .....	487



## INDEX TO SENATE BILLS.

### SENATE BILLS.

Number.....	T I T L E.	Pages .....
1	An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29th, 1861.....	81, 82, 85, 88, 101, 102, 104, 110
3	An Act to create the office of State Printer, etc.....	107, 111, 112, 117, 133, 135, 136, 140, 143
8	An Act to provide for the payment of the outstanding indebtedness of Lander County.....	92, 116, 117, 120, 124, 125
11	An Act establishing the terms of Court and the manner of transacting business therein by the Judges of the First Judicial District...	85, 156, 179, 161, 215, 219
12	An Act concerning forcible entry and unlawful detainers.....	197, 198, 222, 264,
13	An Act to amend an Act entitled an Act to regulate the estates of deceased persons.....	342, 343
14	An Act concerning the courts of justice of this State and judicial officers.....	132, 134, 155, 183, 187
15	An Act in relation to liens of mechanics and others.....	466, 476
17	An Act to provide for the allotment of Senators.....	90
19	An Act to provide for the publication of a volume of reports of the decisions of the Supreme Court of the Territory of Nevada.....	250, 258, 273, 289,
20	An Act authorizing the construction of a railroad from Virginia City to the Truckee River.....	284, 313, 327, 362, 363, 364, 284
21	An Act for the relief of J. H. Tabor, Sheriff of Lander County.....	91, 155, 205
22	An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill Counties.....	132, 134, 137, 180
26	An Act to incorporate the town of Gold Hill.....	356, 358, 360, 364
27	An Act to provide for carrying out in part the provisions of section seven, article seventeen, of the Constitution of Nevada.....	266, 274, 275
29	An Act granting to Abraham Currey, his associates and assigns, the right to supply Carson City with water.....	132, 133, 170, 190

## SENATE BILLS.

Number.....	T I T L E .	Pages .....
30	An Act authorizing the issuance and sale of certain State bonds, and providing means for the payment thereof.....	97, 99, 102, 103, 113
33	An Act amendatory of section twenty-seven, chapter thirty-three, laws of Nevada.....	118, 123, 189
34	An Act concerning teachers of common schools in this State.....	121, 190, 101, 193, 194, 200, 201
37	An Act to provide for the appointment of Notaries Public and defining their duties.....	235, 331, 332, 334, 345
38	An Act to repeal an Act entitled an Act to authorize and require the County Commissioners of Esmeralda County, Nevada Territory, to procure the necessary books and stationery, and authorize the County Recorder of Mono County, California, to transcribe certain records, and indexes of records, of said Mono County, approved February 9th, 1864.....	118, 179
41	An Act prescribing the official oath of the State of Nevada.....	166
42	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, etc..	321, 338, 339, 380
44	An Act to provide for the organizing and disciplining the militia of the State.....	268, 282, 293, 302, 330
47	An Act to protect the rights of Frederick Birdsall and his associates in a road constructed from Dayton to Virginia City.....	197, 198, 218, 320, 231, 276
50	An Act in relation to the State Library.....	216, 217, 238, 262
51	An Act to provide for the payment of the compensation of the District Judges of the State.....	156, 165, 166, 173, 175
55	An Act authorizing the Secretary of State to employ a clerk, and fixing his compensation.....	165, 288
56	An Act concerning unlawful holding over of lands, etc.....	315, 348
63	An Act to provide for the disposition of the sixteenth and thirty-sixth section of the public lands donated by the United States Government to the State of Nevada.....	229, 299, 331, 319, 385
65	An Act to provide for reporting the decisions of the Supreme Court of the State of Nevada.....	268, 446, 468
68	An Act providing for the transfer of judgments, actions and proceedings from the several Probate Courts of the Territory of Nevada to the District Courts.....	216, 217
70	An Act to secure persons and animals from danger arising from mining and other excavations.....	188
73	An Act fixing the time when laws and joint resolutions shall take effect.....	132, 133
74	An Act to provide for constructing and maintaining toll roads in the State of Nevada.....	232, 291, 315, 263, 291, 299, 337, 420.
76	An Act authorizing the payment of expenses incurred in telegraphing State Constitution.....	223, 238, 337, 257.
77	An Act authorizing A. B. Cutler and W. J. Westerfield, and their assigns, to construct a toll road.....	395, 396

## SENATE BILLS.

Number.....	TITLE.	Pages.....
95	An Act regulating proceedings upon quo warranto, and information in the nature thereof.....	258, 259, 266, 289, 290
96	An Act to provide pay for members and attaches of the two late Constitutional Conventions, etc.....	368, 379, 382
99	An Act to provide for the selection and location of the five hundred thousand acres of land donated to this State by an Act of the Congress of the United States.....	429, 430, 439
101	An Act to provide for the payment of interest and as much of the principal of the bonds of the Territory of Nevada as become due on the first of February, 1865, and the first day of August, 1865, and to appropriate money to defray the civil expenses of the State Government, from its organization to the close of the first fiscal year.....	201, 216, 221
103	An Act granting further powers to District Attorneys for the several counties within this State, in suits for delinquent taxes for the fiscal year 1864.....	216, 239, 291
104	An Act concerning trade marks and names.....	342, 343, 357, 386.
112	An Act providing for the election of County Assessor in the several counties of this State, and defining their duties.....	420, 424
117	An Act authorizing the State Treasurer to appoint watchmen, and fixing their compensation.....	197, 198, 204, 215, 240, 337
120	An Act to prevent gaming.....	231, 289, 295
121	An Act appropriating one thousand dollars to purchase and provide furniture for the Supreme Court room for the State of Nevada.....	197, 198, 288
125	An Act to authorize the incorporation of rural cemetery associations.....	279, 283, 289, 295.
128	An Act to provide revenue for the support of the Government of the State of Nevada.....	353, 353, 356, 363.
130	An Act granting the right of way, and authorizing A. Sutro and his associates to construct a mining and draining tunnel.....	230
131	An Act prescribing the mode of maintaining and defending possessory actions on public lands in this State.....	255, 343, 376, 382, 392
132	An Act to provide for paying the expenses of reporting and publishing the debates and proceedings of the Constitutional Convention which assembled at Carson City July 4th, 1864.....	293, 299, 316
133	An Act to provide for the government of the State Prison of the State of Nevada.....	245, 247, 270, 281, 283, 314, 326, 328.
136	An Act creating a Board of County Commissioners in the several counties of this State, and to define their duties and powers.....	369, 386, 415
137	An Act providing for the establishment of a Polytechnic School.....	300, 301, 479
144	An Act fixing the time at which Representatives in Congress shall be elected.....	245, 246
145	An Act concerning juries.....	245, 247, 250

## SENATE BILLS.

Number.....	T I T L E.	Pages.....
147	An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County.....	224, 463
152	An Act to authorize T. M. Luther, his associates and assigns, the right to construct a toll road.....	394
153	An Act to authorize H. R. Whitehill and John O'Donnell to construct and maintain a toll road.....	416
155	An Act to incorporate the city of Virginia.....	252
158	An Act to create a Fire Department fund.....	342, 343, 375, 433
165	An Act to create a secret service fund.....	258, 259, 265, 280, 318, 310
170	An Act to provide for the payment of the outstanding indebtedness of Douglas County.....	270, 294, 301
182	An Act to repeal section four of an Act empowering the Governor to appoint Commissioners of Deeds, and to define their duties.....	284
187	An Act to provide for the appointment of a State Geologist, to define his duties, and making an appropriation for payment of his services.....	389, 395, 446, 452, 458, 459
192	An Act to provide for the appointment of a Deputy State Controller, and to fix his compensation.....	300, 301
194	An Act to incorporate the city of Austin.....	370, 372, 380, 382.
195	An Act to incorporate the Grand Lodge of Free and Accepted Masons, and the Grand Lodge of the Independent Order of Odd Fellows, and their subordinate lodges.....	326, 330, 332, 335.
196	An Act for the encouragement of mining.....	315, 375, 381, 386.
204	An Act supplemental to an Act to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada.....	342
207	An Act requiring the Treasurers of the Boards of School Trustees to give bonds.....	321, 479
208	An Act to provide for the organizing and maintenance of literary and other societies.....	443, 445, 469
214	An Act granting to B. S. Mason, E. Taylor, their associates and assigns, the right to construct and maintain a toll road in Esmeralda and Nye Counties.....	381, 389
215	An Act to provide for the appointment of Notaries Public, and defining their duties.....	331, 332
219	An Act to amend an Act of the Legislature of the State of Nevada, entitled an Act concerning the courts of justice of the State and judicial officers, approved January 28th, 1865.....	342
220	An Act prescribing the manner of electing United States Senators...	379, 385, 417
221	An Act in relation to the election of Representatives in Congress....	379, 385, 417, 428.
228	An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled an Act to amend an Act to regulate proceedings in the courts of justice of this Territory.....	342, 343



## SENATE BILLS.

Number.....	T I T L E.	Pages.....
229	An Act concerning mining records.....	477, 478
230	An Act to provide for the selection and location of forty sections of unappropriated public lands, donated to the State by sections eight and nine of an Act to entitle the people of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States, approved March 21st, 1864.....	429, 430, 439
231	An Act to amend section 219 of an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29th, 1865.....	330, 349, 370, 371.
235	An Act in relation to corporations.....	369, 468, 430
237	An Act concerning the compensation of jurors in the District Courts of this State.....	346, 385, 429, 431, 450
241	An Act declaratory of the law of this State concerning mining customs, usages and regulations.....	352, 353, 357, 360, 361, 362, 366, 381.
242	An Act to provide for policemen in unincorporated cities, towns and villages.....	352, 365, 383, 388, 424, 446
243	An Act to provide for the insane of the State.....	420, 425, 479
244	An Act to establish an agricultural and mechanical college in Washoe County, in this State.....	359, 426, 433, 435, 440
245	An Act concerning juries.....	362, 385, 428
247	An Act concerning a tax license on dogs, and for the protection of sheep and other domestic animals.....	475
249	An Act supplemental to and amendatory of an Act to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of Nevada.....	368, 369, 383, 419.
250	An Act to encourage enlistment, etc.....	389, 391, 421, 485, 432
255	An Act to regulate appeals in the courts of justice of this State.....	443, 444, 471.
256	An Act amendatory of an Act concerning crimes and punishments, approved November 26, 1861.....	450, 451, 472
257	An Act amendatory of an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29, 1861.....	450, 451, 473
261	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29th, 1861.....	420, 425
262	An Act to provide for the payment of the outstanding indebtedness of Humboldt County.....	379, 385, 426
263	An Act to provide for the improvement of streets and alleys in unincorporated towns and villages in the State of Nevada.....	420, 425, 440
264	An Act concerning the office of Surveyor General.....	477, 478
265	An Act to repeal an Act creating the office of Coroner in the county of Storey.....	379, 385, 416, 490.

## SENATE BILLS.

Number.....	T I T L E .	Pages.....
266	An Act amendatory of and supplemental to an Act entitled an Act to provide for the payment of the compensation of the District Judges of this State, to carry out the requirements of section fifteen of article six of the State Constitution, approved January sixteenth, 1865.....	465, 469
267	An Act to incorporate the Washoe Agricultural, Mining and Mechanical Society, approved December 19th, 1862, and an Act amendatory thereof, approved February 20th, 1864.....	379, 385, 429
268	An Act to amend an Act entitled an Act concerning the courts of justice of this State and judicial officers, approved January 26th, 1865.....	410, 424, 434
269	An Act authorizing the Board of County Commissioners of the several counties of this State to apportion the county revenue.....	443
270	An Act concerning the payment of county warrants.....	372, 375, 393, 434.
271	An Act to repeal an Act entitled an Act to provide for the election of Probate Judges and Prosecuting Attorneys, and defining their duties, approved December 19th, 1862.....	376, 438
272	An Act to provide for the payment of the outstanding indebtedness of Gold Hill, Storey County.....	389, 428
273	An Act concerning banking associations formed in this State under the laws of the United States.....	443, 444, 458
292	An Act to carry out the provisions of section sixteen, article six, of the State Constitution.....	478
293	An Act to amend an Act to regulate proceedings in civil cases in courts of justice of the Territory of Nevada, approved November 29th, 1861.....	420, 425, 440
300	An Act to compel the owners of toll roads within this State to keep the same in repair.....	420, 424
303	An Act to provide for the publication of the general laws, etc.....	429, 430, 435
312	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29th, 1861.....	429, 430, 440, 465.
313	An Act to amend an Act, passed by the Legislative Assembly of the Territory of Nevada, entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved February 9th, 1864.....	429, 430, 434
314	An Act for the protection of wild game and fish.....	430
321	An Act concerning official bonds.....	450, 475
326	An Act to amend an Act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November 29th, 1861.....	464, 465, 470, 474.
331	An Act to authorize the County Commissioners of the several counties of this State to build, or purchase buildings, suitable for county purposes.....	466
333	An Act supplemental to an Act to provide for the government of the State Prison, approved March 4th, 1865, etc.....	467

## SENATE BILLS.

Number.....	T I T L E.	Pages .....
	An Act to incorporate the city of Virginia.....	379, 380
	An Act in relation to the collection of taxes now delinquent.....	445
	An Act to transfer certain funds.....	445
	An Act concerning official bonds.....	450
	An Act supplemental to and amendatory of an Act to provide for carrying out in part the provisions of section seven of article seventeen of the Constitution of the State of Nevada.....	450, 451, 456, 459
336	An Act amendatory of an Act entitled an Act to authorize the incorporation of rural cemetery associations.....	471
	An Act defining the duties of State Controller.....	480
	An Act defining the duties of State Treasurer.....	481
	An Act in relation to corporations.....	481

## SENATE CONCURRENT AND JOINT RESOLUTIONS.

T I T L E.	Pages .....
Relative to election of United States Senator.....	69
Relative to Standing Committee on Judiciary of the two Houses.....	71, 72
Relative to Committee to examine books and papers of the last Territorial officers.....	82
Relative to Eastern Boundary of the State of Nevada.....	90
Congratulations to Sherman.....	99
Relative to election of State Printer.....	148, 149
Relative to State Library.....	177
Relative to mail route in Nye County.....	178
Relative to General and Special Laws.....	196
Granting leave of absence to M. J. Noyes, etc.....	202
Relative to United States Senators.....	247
Ratifying amendment of the United States Constitution relative to slavery.....	312
Relative to town sites in the State of Nevada.....	343
Relative to the establishment of a mail route from Carson City to Dayton.....	369, 451
Relative to Senate Bill No. 42.....	380
Joint Union .....	390, 423
Relative to inauguration of Lincoln.....	392
Relative to mail route from Surprise Valley to Honey Lake.....	424
Relative to teams freighting from Missouri River, overland.....	432
Relative to railroad from Virginia to Austin.....	468
Relative to Branch Mint.....	477
Relative to adjournment.....	477
Relative to claims .....	487
Relative to bills in the hands of Enrolling Committee.....	489