

THE
JOURNAL OF THE ASSEMBLY

DURING

THE SECOND SESSION

OF THE

Legislature of the State of Nevada,

1866,

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



CARSON CITY:
JOHN CHURCH, STATE PRINTER.
1866.

JOURNAL

OF THE

PROCEEDINGS OF THE ASSEMBLY.

NEVADA LEGISLATURE--ASSEMBLY.

SECOND SESSION.

FIRST DAY.

MONDAY, January 1, 1866.

Pursuant to the provisions of the Constitution, the House was called to order at twelve o'clock m., by U. E. Allen, Esq., the Chief Clerk of the last session.

Mr. James moved that the Clerk appoint two persons to assist him in examining the certificates of election of the several members.

Mr. Edwards offered as an amendment the following resolution :

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 is now contested ; therefore,

Resolved, That it is the judgment of this House, and it is hereby declared, that the following persons were, on the seventh day of November, A. D. one thousand eight hundred and sixty-five (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—W. H. Taylor.

From the County of Esmeralda—J. G. Canfield, D. H. Haskell, B. S. Mason, John S. Mayhugh.

From the County of Humboldt—James A. Banks, Thomas V. Julien, J. J. Linn.

From the County of Lander—C. S. Hayden, J. L. Hinckley, R. H. Williams, J. J. Work.

From the County of Lyon—James Crawford, George A. Hudson, George W. Walton.

From the County of Douglas—R. Fisher, M. M. Gaige.

From the County of Ormsby—T. D. Edwards, George Munckton, Orion Clemens.

From the County of Nye—A. C. Bearss.

From the County of Storey—W. M. Cutter, A. B. Elliott, O. H. Grey, E. F. Glover, J. F. Hall, Edward Ingham, John C. James, Thomas Lane, H. C. McDougall, John Vandewater, D. Wood, J. W. Woodruff.

From the Counties of Washoe and Roop—H. H. Beck, Felix O'Neil, Thomas Prince.

Adopted.

The Clerk called the roll, and the members presented their certificates of election.

Present, 33 ; absent, 3.

The members then came forward, and Judge Brosnan, of the Supreme Court, administered the oath of office.

RESOLUTIONS.

Mr. Fisher offered the following resolution :

Resolved, That in the election of officers and attachés of this House, in order to comply with the strict usages on such occasions, and avoid any constitutional or legal quibble, it will be deemed necessary that each officer and attaché shall have a majority of all the members elected to the House in order to elect.

C. S. Hayden (one of the absentees) having arrived, now came forward and took the oath of office.

Messrs. Edwards, Clemens and Cutter now called for the yeas and nays upon the resolution offered by Mr. Fisher, and the roll was called, with the following result :

YEAS—Messrs. Bearss, Elliott, Fisher, Hall, Haskell, James, and Vandewater—7.

NAYS—Messrs. Banks, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Gage, Grey, Hayden, Hinkley, Hudson, Ingham, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Walton, Williams, Wood, Woodruff, and Work—26.

The resolution was lost.

Mr. Mayhugh offered the following resolution :

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

- 1st—Speaker ;
- 2d—Speaker *pro tem.* ;
- 3d—Chief Clerk ;
- 4th—Sergeant-at-Arms ;
- 5th—Assistant Sergeant-at-Arms ;
- 6th—Assistant Clerk ;
- 7th—Minute Clerk ;
- 8th—Enrolling Clerk ;
- 9th—Engrossing Clerk ;
- 10th—Journal Clerk.
- 11th—Two Copying Clerks.

Mr. Fisher moved to adjourn until to-morrow at eleven A. M.; upon which the yeas and nays were called with the following result :

YEAS—Messrs. Banks, Bearss, Beck, Elliott, Fisher, Gaige, Hall, Haskell, James, Julien, Linn, O'Neil, Vandewater, and Woodruff—14.

NAYS—Messrs. Canfield, Clemens, Crawford, Cutter, Edwards, Grey, Hayden, Hinckley, Hudson, Ingham, Mason, Mayhugh, Munckton, McDougall, Taylor, Walton, Williams, Wood, and Work—19.

Motion lost.

Mr. Cutter offered, as an amendment to the resolution pending, that the two Copying Clerks be appointed by the Chief Clerk.

Carried.

The House then proceeded to elect a Speaker and other officers.

For Speaker, Mr. Hayden nominated Mr. Banks, of Humboldt.

Mr. Edwards nominated Mr. Crawford, of Lyon county.

The roll was then called with the following result :

For Mr. Banks—Messrs. Bearss, Beck, Canfield, Crawford, Elliott, Fisher, Gaige, Hall, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Mayhugh, Williams, Woodruff, and James—18.

For Mr. Crawford—Messrs. Clemens, Cutter, Edwards, Grey, Hudson, Ingham, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Wood, Work, and Banks—15.

On motion of Mr. Crawford, the election of Mr. Banks was declared unanimous.

On motion of Mr. Beck, a committee of two were appointed to escort the Speaker elect to the Chair.

The Clerk appointed as such committee Messrs. Crawford and Beck.

Mr. Speaker having been introduced to the House by Mr. Crawford, made the following address :

Gentlemen of the Assembly :

In view of the anticipated festivities of the day, it is—though unfortunate for myself—perhaps fortunate for you that an election at this time was unexpected by me, and hence that I cannot address you in terms befitting this occasion, and am necessarily compelled to brevity rather than elegance. In meeting here we assume responsibilities of the most grave character. Upon us devolve duties, the proper performance of which will greatly affect the prosperity of our young State, and the reputation of ourselves as individuals. Owing to the peculiar situation and resources of Nevada, we will, at least in some cases, be compelled to abandon the well-beaten paths of progress which other States have marked out for themselves, and to adopt a course of action adapted to the peculiar wants of the country, at all times keeping in view the grand landmarks of principle which time and experience have established. It shall be my policy, while occupying the honorable position to which you in your kindness have seen fit to assign me, to decide the various questions upon which I will be required to pass, in a manner that will accord with strict parliamentary law. I will, in all cases of doubt, discriminate in favor of the literal requirements of the manual; for it should be borne in mind that the written law for the government of legislative bodies is the digest of a vast mass of precedents—the expression

of the concentrated experience and reflection of the great men whose names adorn the republican era of civilization. I confidently hope that we of this body may be enabled to avoid many of the errors of the past. Let us study to so shape our action during the present session, that while we point to the grand achievements of our nation during the past four years, and exult in the glowing thought that we are Americans, we may also be proud of our position as citizens of the State of Nevada. Gentlemen! I thank you most cordially for the honor you have conferred upon me; and it shall be my constant study to show myself worthy of your generous confidence.

For Speaker *pro tem.*, Mr. Fisher nominated John C. James, of Storey county.

Mr. Wood nominated T. D. Edwards, of Ormsby county.

On motion of Mr. Edwards, the election of Mr. James was declared unanimous.

Mr. Elliott moved to adjourn until to-morrow at ten A. M.

The yeas and nays being called, the roll was called with the following result:

In the affirmative—Messrs. Bearss, Crawford, Elliott, Fisher, Hall, James, Julien, Linn, Munckton, McDougall, O'Neil, Vandewater, Wood, Woodruff, and Work—15.

In the negative—Messrs. Beck, Canfield, Clemens, Cutter, Edwards, Gaige, Grey, Haskell, Hayden, Hinckley, Hudson, Ingham, Mason, Mayhugh, Taylor, Walton, Williams, and Mr. Speaker—18.

Motion lost.

For Chief Clerk, Mr. Munckton nominated U. E. Allen, Esq., of Ormsby county.

There being no other nomination, the roll was called, and Mr. Allen was unanimously elected by the following vote:

Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker.

Absent—Messrs. Glover, Lane, and Prince—3.

Mr. Elliott renewed his motion to adjourn, which was lost.

Mr. Cutter moved a recess for half an hour.

Lost.

Mr. Cutter renewed the motion to adjourn.

Carried, and the House adjourned at ten minutes past one, P. M., until to-morrow at ten o'clock A. M.

SECOND DAY.

TUESDAY, January 2, 1866.

The House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called, and a quorum present.

Absent—Mr. Lane.

On motion, Mr. Prince came forward and took the oath of office.

On motion of Mr. Mayhugh, the reading of the minutes of yesterday's proceedings was temporarily dispensed with.

Mr. Haskell moved that the printed rules of the last session be temporarily adopted for the guidance of the House.

Mr. Mayhugh offered an amendment thereto, upon which

Mr. Clemens offered a substitute.

Mr. Glover then came forward and took the oath of office.

Mr. Fisher moved that the whole subject matter under discussion be laid on the table.

Carried.

Mr. Hinckley moved that a committee of five, on Standing Rules, be appointed.

The previous question was called, and sustained Mr. Hinckley's motion.

Carried.

On motion of Mr. Fisher, "Jefferson's Manual" was adopted temporarily, for the guidance of the House, until further ordered.

The House then proceeded to the election of Sergeant-at-Arms.

Mr. Gaige nominated H. P. Burnham, of Douglas.

Mr. Wood nominated George Sherman, of Storey.

Mr. Elliott nominated James Showers, of Storey.

Mr. Grey nominated Patrick Donnelly, of Storey.

Mr. Bearss nominated R. T. Smith, of Storey.

Mr. Vandewater nominated Thomas M. Carson, of Storey.

The roll was called, with the following result:

For Mr. Burnham—Messrs. Beck, Canfield, Clemens, Edwards, Fisher, Gaige, Haskell, Hayden, Hinckley, James, Julien, Linn, Mason, Munckton, O'Neil, Prince, Williams, and Mr. Speaker—18.

For Mr. Sherman—Messrs. Crawford, Cutter, Grey, Glover, Hudson, Ingham, Mayhugh, Taylor, Walton, Wood, and Work—11.

For Mr. Showers—Messrs. Elliott, Hall and McDougall—3.

For Mr. Carson—Messrs. Vandewater and Woodruff—2.

Mr. Burnham having received a majority of all the votes cast, was declared duly elected.

For Assistant Sergeant-at-Arms, Mr. Mayhugh nominated L. L. Demming, of _____.

Mr. Edwards nominated George Chedic, of Ormsby.

Mr. Grey nominated Mr. Rafferty, of Lyon.

The roll was called, with the following result:

For Mr. Demming—Messrs. Bearss, Beck, Canfield, Cutter, Elliott, Fisher, Gaige, Hall, Haskell, Hayden, Hinckley, Ingham, Julien, Linn,

Mason, Mayhugh, O'Neil, Prince, Vandewater, Walton, Williams, Wood, and Mr. Speaker—23.

For Mr. Chedic—Messrs. Clemens, Edwards, Grey, Glover, Hudson, James, Munckton, McDougall, Taylor, and Woodruff—10.

For Mr. Rafferty—Messrs. Crawford and Work—2.

Mr. Demming having received a majority of all votes cast, was declared duly elected.

For Assistant Clerk, Mr. Mason nominated J. R. Williamson, of Lander county.

There being no other nomination, the roll was called, and Mr. Williamson was unanimously elected by the following vote :

Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—35.

Absent—Mr. Lane.

For Minute Clerk, Mr. Beck nominated Mr. Fish, of Washoe county. There being no other nomination, the roll was called with the following result :

Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

Mr. Fish was declared duly elected.

For Enrolling Clerk, Mr. Glover nominated Philip Stoner, of Storey. Mr. Cutter nominated John E. Plater, of Storey.

The roll was called, resulting as follows :

For Mr. Stoner—Messrs. Canfield, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Munckton, O'Neil, Prince, Williams, Woodruff, and Mr. Speaker—17.

For Mr. Plater—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Grey, Hudson, Ingham, Mayhugh, McDougall, Taylor, Vandewater, Walton, Wood, and Work—17.

Neither having received a majority of the votes cast, the roll was again called, resulting as follows :

For Mr. Stoner—Messrs. Canfield, Clemens, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, James, Julien, Linn, Mason, Munckton, O'Neil, Prince, Taylor, Vandewater, Williams, Woodruff, and Mr. Speaker—21.

For Mr. Plater—Messrs. Bearss, Beck, Crawford, Cutter, Edwards, Elliott, Grey, Hudson, Ingham, Mayhugh, McDougall, Walton, Wood, and Work—14.

Mr. Stoner having received a majority of all the votes cast, was declared duly elected.

For Engrossing Clerk, Mr. Canfield nominated R. L. Thomas, of Lander county.

Mr. Linn nominated J. S. Hammer, of Ormsby county.

Mr. Crawford nominated M. J. Henley, of Lyon county.

The roll was called with the following result :

For Mr. Thomas—Messrs. Bearss, Beck, Canfield, Gaige, Hall, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Williams, Work, and Mr. Speaker—18.

For Mr. Hammer—Messrs. Clemens, Edwards, Elliott, Glover, and McDougall—5.

For Mr. Henley—Messrs. Crawford, Cutter, Fisher, Grey, Hudson, Ingham, James, Taylor, Vandewater, Walton, Wood, and Woodruff—12.

Mr. Thomas having received a majority of all the votes cast, was declared duly elected.

For Journal Clerk, Mr. Elliott nominated E. W. Haines, of Storey.

Mr. Mayhugh nominated W. C. Kennedy, of Washoe.

The roll was called, resulting as follows :

For Mr. Haines—Messrs. Clemens, Edwards, Elliott, Fisher, Grey, Hall, James, Munckton, Taylor, Vandewater, Woodruff, and Work—12.

For Mr. Kennedy—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Walton, Williams, Wood, and Mr. Speaker—23.

Mr. Kennedy having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Glover, the election of Mr. Kennedy was declared to be unanimous.

For Chaplain, Mr. Cutter nominated the Rev. Father Rubi, of Ormsby.

Mr. Edwards nominated the Rev. Mr. Nims, of Ormsby.

Mr. Gaige nominated the Rev. S. P. Hale, of Ormsby.

Mr. Elliott nominated the Rev. A. F. White, of Ormsby.

The roll was called, with the following result :

For Rev. Father Rubi—Mr. Vandewater—1.

For Rev. Mr. Nims—Messrs. Clemens, Crawford, Cutter, Edwards, Fisher, Grey, Glover, Hall, Hudson, Ingham, Munckton, McDougall, Taylor, Walton, Wood, Woodruff, and Work—17.

For Rev. S. P. Hale—Messrs. Bearss, Beck, Canfield, Gaige, Haskell, Hayden, Hinckley, James, Julien, Linn, Mason, Mayhugh, O'Neil, Prince, Williams, and Mr. Speaker—16.

For Rev. Mr. White—Mr. Elliott—1.

No one having received a majority of the votes cast, there was no election.

The roll was, therefore, called again with the following result :

For Rev. Father Rubi—Mr. Vandewater—1.

For Rev. Mr. Nims—Messrs. Crawford, Cutter, Edwards, Fisher, Grey, Glover, Hudson, Munckton, McDougall, Taylor, Walton, Wood, Woodruff, and Work—14.

For Rev. Mr. Hale—Messrs. Bearss, Beck, Canfield, Clemens, Elliott,

Gaige, Hall, Haskell, Hayden, Hinckley, Ingham, James, Julien, Linn, Mason, Mayhugh, O'Neil, Prince, Williams, and Mr. Speaker—20.

The Rev. Mr. Hale having received a majority of all the votes cast, was declared duly elected.

Mr. Mayhugh offered the following resolution :

Resolved, That the Chief Clerk of the Assembly be directed to inform the Senate that the Assembly is now duly organized and ready to proceed with the business of the session, by the election of the following named officers: Speaker, J. A. Banks; Speaker *pro tem.*, John C. James; Chief Clerk, U. E. Allen; Assistant Clerk, J. R. Williamson; Sergeant-at-Arms, H. P. Burnham; Assistant Sergeant-at-Arms, L. L. Demming; Enrolling Clerk, Philip Stoner; Engrossing Clerk, R. L. Thomas; Minute Clerk, H. L. Fish; Journal Clerk, W. E. Kennedy.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 1, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has organized, by the choice of the following officers: President *pro tem.*, Jas. S. Slingerland; Secretary, George R. Ammond; Sergeant-at-Arms, L. D. Noyes; Enrolling Clerk, Clement T. Rice; Engrossing Clerk, James D. Miner; and that the Senate is now awaiting the annual communication of the Governor, and will, upon the reception of his message, be prepared to proceed with the business of the session.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Mr. Crawford moved that a committee of three be appointed to wait upon his excellency, the Governor, in conjunction with a like committee from the Senate, and inform him of the organization of the House.

Carried.

Mr. Speaker appointed as such committee Messrs. Crawford, James and Williams.

On motion of Mr. Beck, the attachés elect came forward and took the oath of office.

Mr. Speaker appointed as Committee on Standing Rules, Messrs. Hinckley, Haskell, Cutter, Beck and Bearss.

On motion of Mr. Haskell, Mr. Speaker was added to the committee.

On motion of Mr. Fisher, Mr. Clemens was added to the committee.

Mr. Munckton offered the following resolution :

Resolved, That the Assistant Sergeant-at-Arms be requested to ring the city bell ten minutes prior to the time to which the House has adjourned, after each adjournment.

Adopted.

Mr. Fisher moved to adjourn until to-morrow at eleven o'clock A. M.

Lost.

On motion of Mr. Julien, the House took a recess at ten minutes past twelve o'clock P. M. for one hour.

AFTERNOON SESSION.

House re-assembled at ten minutes past one o'clock P. M.

Mr. Speaker in the chair.

Roll called.

Quorum present.

Mr. James offered the following resolution :

Resolved, That the Sergeant-at-Arms is hereby authorized and required to receive and receipt for any and all stationery required for the use of the members and clerks of this House.

Adopted.

Mr. Speaker *pro tem.* in the chair.

Mr. Beck offered the following resolution :

Resolved, That the Sergeant-at-Arms be instructed to furnish the Journal Clerk with the necessary stationery.

Adopted.

Mr. Fisher in the chair.

Mr. Mayhugh moved that the Sergeant-at-Arms be ordered to furnish locks and keys for the desks of members.

Carried.

Mr. Glover moved that the Sergeant-at-Arms be instructed to arrange the seats for each delegation.

Mr. Haskell moved, as a substitute, that the members occupy the same seats according to their delegations, as at the last session.

Carried, and so ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 2, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has appointed James S. Slingerland, F. A. Tritle and M. S. Thompson to act in conjunction with a committee appointed by the Assembly, to wait upon the Governor, and inform him that the Legislature is fully organized and ready to proceed with the legislative business of the session.

Respectfully,

GEO. R. AMMOND, Secretary.

The Clerk announced that he had appointed J. E. Plater and W. G. Gates as Copying Clerks.

Mr. Haskell moved that the resolution of yesterday, authorizing the Clerk to appoint two Copying Clerks, be rescinded.

The previous question being called, the main question was not sustained.

Mr. Cutter moved to indefinitely postpone the whole matter.

The previous question, having been called, was sustained.

The question now being, "Shall the whole subject matter be indefinitely postponed," the yeas and nays were called for by Messrs. Cutter, Grey and McDougall, and the roll was called with the following result :

In the affirmative—Messrs. Clemens, Crawford, Cutter, Edwards, Fisher, Grey, Glover, Hinckley, Hudson, Ingham, James, Linn, Munckton, McDougall, Taylor, Vandewater, Walton, Wood, Woodruff, and Work—20.

And in the negative—Messrs. Bearss, Beck, Canfield, Elliott, Gaige, Haskell, Hayden, Julien, Mason, Mayhugh, O'Neil, Prince, and Williams—13.

Carried, and the whole subject matter indefinitely postponed.

REPORT OF COMMITTEE.

Mr. Crawford, from the special committee appointed to wait on the Governor, reported as follows :

Mr. Speaker :

Your committee, appointed to wait on his excellency the Governor, to inform him that this House was organized, and ready to receive any communication that he might have to make to this body, beg leave to report that we have performed that duty, and were informed by his excellency that he would transmit his annual message immediately.

CRAWFORD,
Chairman.

GOVERNOR'S MESSAGE (See App. No. 1).

Mr. Edwards offered the following resolution :

Resolved, That one thousand copies of the Governor's Message be printed for the use of the Assembly, and be equally distributed among the members of such body.

Pending which, on motion of Mr. Haskell, the House adjourned at three o'clock P. M., until to-morrow at eleven o'clock A. M.

APPROVED: JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRD DAY.

WEDNESDAY, January 3, 1866.

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

Mr. Speaker in the chair.

Roll called.

Quorum present.

Absent—Messrs. Woodruff and James.

Prayer by the Chaplain.

Minutes of January 1st being read, when, upon motion of Mr. Crawford, the reading was suspended and Mr. Lane sworn into office by Judge Beatty.

Reading of Journal continued and approved.

Rules suspended, and Mr. Hickley reported from the Special Committee on rules, as follows :

Mr. Speaker :

The Select Committee appointed to prepare a code of rules for the government of the Assembly, respectfully beg leave to report, recommending the adoption of the Standing Rules of the House for the last session, as printed in the Journals of 1864-5, with the exception of rule seven, which is recommended to be amended so as to read as follows :

“Rule Seven—Every bill shall be read by sections on three several days, unless in case of emergency two thirds of the House where such bill may be pending shall deem it expedient to dispense with this rule. The Speaker shall give notice, at each reading of a bill, whether it be the first, second or third reading. 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 proper course.”

The committee further recommend that the usual number of copies of rule seven, as amended, be ordered printed on slips, that they may be pasted over the rule as at present contained in the pamphlet copy of last session, thereby avoiding the necessity of a reprint of the entire body of rules, which would be a useless expense.

All of which is respectfully submitted.

J. L. HINCKLEY,
Chairman Select Committee.

Report adopted.

Mr. Speaker announced the following Standing Committees :

Mines and Mining Interests—Messrs. Mayhugh, Work, O’Neil, Lane, and Walton.

Federal Relations—Messrs. Mason, Prince, James, Cutter, and Lane.

Engrossment—Messrs. Beck, Crawford, and Ingham.

Enrollment—Messrs. Bearss, Grey, and Mason.

Mileage—Messrs. Linn, McDougall, and Grey.

Public Morals—Messrs. Walton, Hall, and Linn.

State Library—Messrs. Cutter, Glover, and Hayden.

Counties and County Boundaries—Messrs. Williams, Munckton, Bearss, Canfield, and Beck.

Trade and Manufactures—Messrs. Vandewater, Lane, Canfield, Prince, and McDougall.

Education—Messrs. Edwards, Williams, Hudson, James, and Wood.

Agriculture—Messrs. Hinckley, Taylor, Fisher, O’Neil, and Munckton.

Internal Improvements—Messrs. O’Neil, Woodruff, Glover, Fisher, and Hinckley.

State Institutions—Messrs. Hall, Prince, Julien, Cutter, and Elliott.

Contingent Expenses and Accounts—Messrs. Fisher, Crawford, Edwards, Woodruff, and Hudson.

Elections—Messrs. Haskell, Canfield, Gaige, Wood, and McDougall.

Corporations—Messrs. Elliott, Wood, Julien, Woodruff, and Williams.

Public Printing—Messrs. Crawford, Hall, and Mayhugh.

Ways and Means—Messrs. Clemens, Canfield, Prince, Grey, Hudson, Work, and Gaige.

Claims—Messrs. Taylor, Glover, Vandewater, Gaige, and Walton.

Judiciary—Messrs. Hayden, Haskell, James, Clemens, Elliott, Edwards, and Williams.

Military and Indian Affairs—Messrs. Ingham, Munckton, Taylor, Julien, and Work.

Mr. Speaker announced the following persons as Pages, Messenger and Porter:

Pages—Homer Young, of Storey, and Charles Myers, of Humboldt.

Messenger—Geo. W. Richards, of Ormsby county.

Porter—Wm. F. McIntosh, of Storey county.

The following message was received from the Secretary of State:

STATE OF NEVADA, CARSON CITY, }
January 3, 1866. }

To the Assembly of Nevada:

GENTLEMEN—I have the honor to lay before you Assembly Bill No. 219, entitled "An Act to provide pay for the members of the two late Constitutional Conventions," together with the objections of the Governor thereto, filed in this office March 21st, 1865, which bill was passed at the last session, and which the Governor was prevented in returning by the final adjournment of the Legislature.

Very respectfully,

C. N. NOTEWARE,
Secretary of State.

Mr. Ingham offered the following resolution:

Resolved, By the Assembly, the Senate concurring, That this Legislature adjourn *sine die*, at noon, 31st January, 1866.

Mr. Munckton, of Ormsby, moved that the resolution be indefinitely postponed.

Mr. Fisher moved, as an amendment, to lay the resolution on the table.

Carried.

Mr. Elliott offered the following resolution:

Resolved, That the Sergeant-at-Arms be, and is, hereby instructed and required to have such newspapers as may be ordered, placed on the desks of the members of the Assembly.

Mr. Glover moved to amend by inserting "not to exceed five (5) daily papers."

Mr. Munckton moved to further amend, as follows:

Resolved, That the Sergeant-at-Arms be requested to furnish the members with whatever newspapers they may wish, and charge to their account.

Mr. Grey moved to lay the whole subject matter on the table.

Carried.

Mr. Crawford offered the following resolution :

Resolved, That so much of the Governor's Message as refers to the State finances, be referred to the Committee on Ways and Means ; so much as refers to the insane of the State, be referred to the Committee on State Institutions ; so much as refers to the State Prison, to the Committee on State Prison ; so much as refers to Judicial Districts, Practice Act, Grand and Trial Jurors, and Crimes and Punishments, to the Committee on Judiciary ; so much as refers to Elections and Registration, be referred to Committee on Elections ; so much as refers to employés of the Senate and Assembly, be referred to the Committee on Contingent Expenses ; so much as refers to Counties and County Boundaries, to the Committee on Counties and County Boundaries ; so much as refers to Education, be referred to the Committee on Education ; so much as refers to Public Institutions, be referred to the Committee on State Institutions ; so much as refers to Agriculture, to the Committee on Agriculture ; so much as refers to the Agricultural Lands, to the Committee on Agriculture ; so much as refers to Indian Affairs, to the Committee on Military Affairs, and so much as refers to Mines and Mining, to the Committee on Mines and Mining.

Adopted.

Mr. Gaige offered the following resolution :

Resolved, That a committee of three be appointed to secure suitable rooms for the attachés of the House.

Adopted.

Mr. Clemens offered the following :

Resolved, That five hundred copies of the Governor's Message be printed for the use of the Assembly.

Adopted.

The following messages were received from the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, January 2, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that, with the Governor's Message, a copy of the Report of the Superintendent of Public Instruction was received by the Senate, and five hundred copies of the same ordered to be printed.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, January 3, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the report of the

Warden of the State Prison for the fiscal year ending December 31st, 1865, has been received and filed in the Senate this day.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Mayhugh—An Act to amend an Act to authorize the incorporation of the town of Aurora to the city of Aurora, approved February 9th, 1864.

By Mr. Edwards—An Act to provide for the changing of names of persons.

Also, an Act to provide for the election of officers, and for filling vacancies in office.

Also, an Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary.

By Mr. Haskell—An Act concerning mining customs and usages.

By Mr. Beck—An Act for the repeal of the stamp duties of the State of Nevada.

By Mr. Glover—An Act providing for the maintenance and medical attention of the indigent sick and disabled residents of the State.

By Mr. Elliott—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.

By Mr. McDougall—An Act to encourage the establishment of National banks in the State of Nevada.

By Mr. Grey—An Act supplemental to an Act entitled "An Act to provide for the maintenance and supervision of common schools."

By Mr. Mayhugh—An Act to amend an Act entitled "An Act concerning Courts of Justice of this State and Judicial officers," approved January 26th, 1865.

By Mr. Crawford—A bill in relation to crimes and punishments.

By Mr. Mayhugh—An Act in relation to the hours of labor, be it mechanical or otherwise.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Cutter introduced Bill No. 1, entitled "An Act to provide for the adoption of the legal tender currency of the United States."

Read first time by sections.

Also, Bill No. 2, entitled "An Act to create certain funds."

Read first time by sections.

Mr. Cutter moved to suspend the rules and read the bill a second time.

Mr. Mayhugh moved to take a recess until half past one P. M.

Mr. Beck moved to amend by substituting two o'clock P. M.

Carried.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Business renewed upon Mr. Cutter's motion to suspend rules.

Yeas and nays called for by Messrs. Cutter, Grey, and Clemens, resulting as follows :

YEAS—Messrs. Beck, Crawford, Cutter, Edwards, Fisher, Gaige, Glover, Hall, Haskell, Ingham, James, Julien, Lane, Mason, McDougall, Taylor, Vandewater, Wood, and Work—19.

NAYS—Messrs. Bearss, Canfield, Clemens, Elliott, Grey, Hayden, Hinckley, Hudson, Linn, Munckton, O'Neil, Prince, Walton, Williams, and Mr. Speaker—15.

It requiring a two thirds vote, motion lost.

By unanimous consent, Mr. James introduced Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes."

Read first time by sections.

Mr. Haskell, by unanimous consent, introduced the following Concurrent Resolution No. 1, "in relation to mail service between Carson and Bridgeport."

Read first time.

Mr. Haskell moved that the rules be suspended and the resolution read a second time, and referred.

Yeas and nays called for by Messrs. Grey, Clemens and Linn, resulting as follows :

YEAS—Messrs. Beck, Cutter, Edwards, Fisher, Gaige, Grey, Glover, Hall, Haskell, Ingham, James, Julien, Lane, Mason, Mayhugh, McDougall, Taylor, Vandewater, Wood, and Work—20.

NAYS—Messrs. Bearss, Canfield, Clemens, Crawford, Elliott, Hayden, Hinckley, Hudson, Linn, Munckton, O'Neil, Prince, Walton, Williams, and Mr. Speaker—15.

It requiring a two thirds vote, motion lost.

Mr. Speaker appointed as special committee, on resolution to furnish rooms for attachés of the House, Messrs. Gaige, Munckton and Elliott.

Mr. Cutter renewed his motion for suspending the rules for a second reading of Bill No. 2, entitled "An Act to create certain funds."

The yeas and nays were called for by Messrs. Cutter, Grey and Clemens, with the following result :

YEAS—Messrs. Beck, Cutter, Edwards, Fisher, Grey, Glover, Hall, Haskell, Ingham, James, Julien, Lane, Mason, Mayhugh, McDougall, Vandewater, Wood, and Work—18.

NAYS—Messrs. Bearss, Canfield, Clemens, Crawford, Elliott, Gaige, Hayden, Hinckley, Hudson, Linn, Munckton, O'Neil, Prince, Taylor, Walton, and Williams—16.

It requiring two thirds vote, motion lost.

Mr. Crawford moved to adjourn.

Carried.

House adjourned at three o'clock and fifteen minutes P. M.

APPROVED: JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FOURTH DAY.

THURSDAY, January 4, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Minutes of yesterday read and approved.

Mr. Linn, of Standing Committee on Mileage, reported as follows :

To the Hon. the 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.
<i>Storey County—</i>		
Wm. M. Cutter.....	30	\$12 00
A. B. Elliott.....	30	12 00
O. H. Grey.....	30	12 00
E. F. Glover.....	30	12 00
J. F. Hall.....	30	12 00
E. Ingham.....	30	12 00
J. C. James.....	30	12 00
Thomas Lane.....	30	12 00
H. C. McDougall.....	30	12 00
John Vandewater.....	30	12 00
Dunois Wood.....	30	12 00
J. W. Woodruff.....	30	12 00
<i>Esmeralda County—</i>		
D. H. Haskell.....	220	88 00
J. S. Mayhugh.....	220	88 00
J. G. Canfield.....	220	88 00
B. S. Mason.....	220	88 00
<i>Humboldt County—</i>		
J. A. Banks.....	330	132 00
T. V. Julien.....	330	132 00
J. J. Linn.....	330	132 00
<i>Lander County—</i>		
B. H. Williams.....	400	160 00
J. Work.....	400	160 00
Charles Hayden.....	400	160 00
J. L. Hinckley.....	400	160 00

Name.	Miles.	Amount.
<i>Lyon County—</i>		
J. Crawford.....	24	9 60
G. W. Walton.....	24	9 60
George A. Hudson.....	24	9 60
<i>Churchill County—</i>		
W. H. Taylor.....	140	56 00
<i>Washoe and Roop Counties—</i>		
Felix O'Neil.....	86	34 40
H. H. Beck.....	24	9 60
Thomas Prince.....	24	9 60
<i>Nye County—</i>		
A. C. Bearss.....	360	144 00
<i>Douglas County—</i>		
Robert Fisher.....	30	12 00
M. M. Gaige.....	30	12 00

All of which is most respectfully submitted.

J. J. LINN, Chairman,
H. C. McDOUGALL,
O. H. GREY.

Adopted.

Mr. Hinckley, from Committee on Rules, reported as follows:

Honorable Speaker of the Assembly:

Your Committee on Rules beg leave to report that we have met a like committee appointed by the Senate, and the two committees have agreed to recommend the Joint Rules of the last session, except rule first, which it is recommended should read as follows:

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 committees shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the difference between the two Houses, as indicated by the amendment made in one House and rejected in the other, and shall report as early as convenient the result of their conference, to their respective Houses, for their action. If, after such report, the two Houses shall disagree upon the recommendations of the reporting committee, as to the amendments of either House, a Committee of Free Conference may be appointed, to whom the whole subject matter embraced in the bill submitted, shall be referred; and the said Committee on Free Conference may report by new bill, or otherwise.

All of which is respectfully submitted.

J. L. HINCKLEY,
Chairman Select Committee.

Report adopted.

Mr. Speaker appointed Messrs. Crawford, Hall and Mayhugh as a joint

committee on conference, in accordance with amendments offered by Committee on Rules.

House considered the Governor's message in regard to Assembly Bill No. 219, of last session, entitled "An Act to provide pay for the members of the two late Constitutional Conventions."

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 21, 1865. }

MESSAGE FROM THE GOVERNOR.

To the Hon. C. N. Noteware, Secretary of State :

In accordance with the provision of section thirty-five, of article ten, of the Constitution of this State, I herewith deposit with you Assembly Bill No. 219, entitled "An Act to provide pay for the members of the two late Constitutional Conventions." This bill came to me from the Assembly on the 9th day of March, 1865, and its return thereto was prevented by the final adjournment of the Legislature, on the 11th day of March, A. D. 1865. I cannot approve this bill for the following reasons: This is indebtedness of the late Territory of Nevada, and should be funded and paid as the balance of the claims against said Territory have been. I think it would be unfair to pay one class of creditors cash, and compel the balance to wait our pleasure. The Constitution provides for levying a tax specially to pay the Territorial indebtedness, and also provides for a tax for State purposes. When the framers of the Constitution prohibited us from levying more than one per cent. for State purposes, they could not have intended that any portion of it should be applied toward paying the Territorial debt.

Said bill, with these objections, you will lay before the next Legislature (first in the Assembly), when convened, for further action.

H. G. BLASDEL,
Governor.

Mr. Cutter moved the vote by which said bill passed, be reconsidered.

Mr. James rose to a point of order, that the question before the House is, "Shall the bill pass notwithstanding the objections of the Governor;" and that the motion of Mr. Cutter is out of order.

Mr. Speaker decided the point of order well taken.

Mr. Cutter appealed from the decision of the chair.

The question being "Shall the decision of the chair be sustained," the yeas and nays called for by Messrs. Cutter, Grey, and Beck, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Woodruff, and Work—30.

NAYS—Messrs. Cutter, Haskell, Mayhugh, McDougal, and Taylor—5.

Decision of the chair sustained.

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

Mr. Elliott moved to make the bill the special order of business on Monday next at twelve o'clock M.

Messrs. Beck, Crawford, and Cutter moved the previous question.

Previous question sustained, and bill made special order for Monday next at twelve o'clock M.

MOTIONS AND RESOLUTIONS.

Mr. Cutter offered the following resolution :

Resolved, That whenever any committee of this House is allowed a Clerk, a majority of such committee shall appoint said Clerk.

Adopted.

Mr. Edwards offered the following resolution :

WHEREAS, The eighteenth section of article four of the Constitution requires that every bill shall be read by sections, on three several days, except in case of emergency, when the House by a two thirds vote may suspend the rule, provided they deem it expedient; and,

WHEREAS, The said rule, in our judgment, does not prevent hasty and crude legislation, but only tends to delay in the reference and printing of bills, particularly the latter, which must be done before any measure can be fairly and carefully considered, thereby causing an unnecessary consumption of time, and entailing a great and useless expense upon the State; 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 are presented for its consideration, said emergency has arisen, as contemplated by the Constitution.

To which Mr. Gaige moved to strike out all after the word resolved, and insert as follows :

Resolved, That within the meaning of the Constitution, the House of Assembly at any time holds the right to consider and act upon any bill or resolution by a suspension of the rules, as named and contemplated by the eighteenth section of article four of the Constitution of the State, and that the members hereof are the sole judges as to the necessity of such suspension.

To which Mr. Glover offered the following amendment to the resolution :

Amend by substituting for the words "the emergency has arisen," the following words: "the House shall judge whether an emergency exists requiring the suspension of the rules."

Previous question called for and sustained.

The question being upon the adoption of the amendment of Mr. Glover.

Lost.

The question being upon adopting the amendment to the resolution.

Lost.

The question then being upon the adoption of the resolution of Mr. Edwards, yeas and nays were called for, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Fisher, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Julien,

Lane, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Wood, Woodruff, Work, and Mr. Speaker—27.

NAYS—Messrs. Clemens, Elliott, Gaige, Hayden, Hinckley, Linn, Munckton, Walton, and Williams—9.

Adopted.

Mr. McDougall offered the following resolution :

Resolved, That Mr. Work, member from Lander, be allowed the privilege of addressing the chair sitting, an accident having rendered it difficult, if not impossible, for him to follow the usual course.

Adopted.

Mr. Bearss offered Concurrent Resolution No. 2, in regard to a mail route from Wellington Station, Esmeralda county, to Austin, Lander county, Nevada.

Read first time, and laid over one day.

Mr. Beck moved to adjourn.

Lost.

Mr. Crawford offered Concurrent Resolution No. 3, in regard to Jefferson Davis.

Mr. Cutter moved that the rules be suspended, the resolution read a second time and referred.

Carried.

Read a second time and referred to Committee on Federal Relations.

Mr. Haskell offered the following resolution :

Resolved, That the Sergeant-at-Arms is hereby instructed to procure one dozen chairs to be placed in this room for the use of visitors.

Adopted.

NOTICES OF BILLS.

Notices for the introduction of bills, etc., were given as follows :

By Mr. Ingham—An Act to amend section eighty-eight of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

By Mr. Julien—An Act to regulate fees and compensation for official and other services in the State of Nevada.

By Mr. O'Neil—An Act to amend an Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada, approved March 8th, 1865.

Also, an Act for the protection of game in the State of Nevada.

Also, an Act to amend an Act to provide revenue for the support of the Government of the State of Nevada, the same approved March 9th, 1865.

By Mr. Munckton—A Concurrent Resolution memorializing Congress to grant a liberal subsidy of money and lands to aid in the extension of the Placerville railroad to this State and within this State.

Also, an Act to amend an Act entitled "An Act authorizing M. D. Harmon, his associates and assigns, to construct and maintain a toll road," approved February 20th, 1864.

By Mr. Glover—An Act in relation to incorporated mining companies and for the protection of stockholders in the same.

By Mr. Work—An Act to amend the city charter of Austin.

By Mr. Mayhugh—An Act to authorize the survey and establishment of the boundaries between the several counties of this State.

By Mr. Haskell—An Act to provide for the interest of agriculture in the State of Nevada.

By Mr. Beck—An Act to reinstate the office of Tax Collector in the several counties in the State of Nevada.

Mr. Hinckley, by unanimous consent, offered the following resolution :

Resolved, That the House take a recess each day from one to two o'clock, and that the Speaker announce, when the hour arrives, that the hour for recess has arrived, instead of a motion each day to take a recess.

Laid over one day under the rules.

By Mr. Banks—A bill for a general Act concerning the location and possession of mining ground.

Also, a bill for an Act to establish a mining school and create the office of State Mineralogist.

Also, a bill for an Act to provide for the location and possession of timber lands and mill sites.

Also, a bill for an Act to provide for the registration of voters.

Also, a bill for an Act concerning the purchase of mining ground by a corporation.

Also, a bill for an Act to prohibit lotteries.

By Mr. Fisher—An Act abolishing the office of Deputy State Controller; also, State Treasurer's Clerk.

On motion of Mr. Julien, the House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

SECOND READING OF BILLS.

Assembly Bill No. 1, entitled "An Act to provide for the adoption of the National currency of the United States," was read a second time, and, upon motion of Mr. Cutter, was referred to a special committee of five, consisting of Messrs. Cutter, Taylor, Edwards, Linn, and Hinckley.

Assembly Bill No. 2, entitled "An Act to create certain funds," was read a second time, and, upon motion of Mr. Cutter, the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr. Speaker in the chair.

Mr. Speaker reported that the Committee of the Whole had under consideration Assembly Bill No. 2, entitled "An Act to create certain funds," had gone through therewith, had made some amendments thereto, and directed the chairman to report the bill to the House and recommend its passage as amended.

Adopted.

Mr. Cutter moved that the rules be suspended, and bill be considered engrossed and read a third time, and placed upon its final passage.

Carried.

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

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden,

Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker.

NAYS—None.

Assembly Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes," on motion, read a second time by title.

Mr. James moved that the bill be ordered printed.

Carried.

Mr. Crawford moved that it be referred to the Committee on Corporations.

Mr. Cutter moved that the bill be referred to the Committee of the Whole, and made the special order for Thursday next, at two o'clock P. M.

The previous question called for and sustained.

The question being on the motion of Mr. Cutter, for referring the bill to Committee of the Whole, the yeas and nays were called, resulting as follows :

YEAS—Messrs. Beck, Clemens, Cutter, Edwards, Fisher, Gaige, Grey, Glover, Hall, Ingham, James, Lane, Mason, McDougall, Taylor, Vandewater, Woodruff, and Mr. Speaker—18.

NAYS—Messrs. Bearss, Canfield, Crawford, Elliott, Haskell, Hayden, Hinckley, Hudson, Julien, Linn, Mayhugh, Munckton, O'Neil, Prince, Walton, Williams, Wood, and Work—18.

Motion lost.

Question being upon motion to refer the bill to Committee on Corporations, yeas and nays were called for by Messrs. Glover, Grey and Gaige, resulting as follows :

YEAS—Messrs. Bearss, Canfield, Crawford, Elliott, Haskell, Hayden, Hinckley, Julien, Linn, Mayhugh, O'Neil, Prince, Walton, Williams, Wood, and Work—16.

NAYS—Messrs. Beck, Clemens, Cutter, Edwards, Fisher, Gaige, Grey, Glover, Hall, Hudson, Ingham, James, Lane, Mason, Munckton, McDougall, Taylor, Vandewater, Woodruff, and Mr. Speaker—20.

Motion lost.

Mr. Cutter moved to refer the bill to Committee of the Whole, and made special order for one week from next Monday, January 15th, at two o'clock P. M.

Previous question called and sustained.

The question being upon the motion of Mr. Cutter, that the bill be referred to Committee of the Whole, and made the special order for January 15th,

Carried.

Concurrent Resolution No. 1, concerning mail service between Carson and Bridgeport, was read second time and referred to Committee on Federal Relations.

On motion of Mr. Glover rules suspended and Concurrent Resolution No. 4 introduced, concerning mail route from Carson City to American City, Storey county.

Assembly Bill No. 4, concerning mining customs and usages, read a second time by title, and referred to Committee on Mines and Mining Interests.

Assembly Bill No. 5, entitled "An Act to provide for the registration of names of electors," etc., rules suspended, and read a first time by title.

By unanimous consent, Mr. James introduced Assembly Bill No. 6, entitled "An Act to secure persons and animals from danger arising from mining and other excavations."

Rules suspended, bill read first time by title.

On motion of Mr. Edwards, House adjourned at three o'clock and thirty minutes P. M.

APPROVED : JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTH DAY.

FRIDAY, January 5, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Leave of absence granted Mr. Grey for one day.

Minutes read, amended and approved.

By unanimous consent, Mr. Beck read the following communication :

STATE OF NEVADA, SENATE CHAMBER, }
January 5, 1866. }

Hon. J. S. Slingerland,

DEAR SIR: Ask for indefinite leave of absence for me. My house burnt last night; my youngest boy perished in the flames; my oldest son is not expected to live.

C. LAMBERT.

Mr. Beck moved, that in view of the sad calamity which has befallen our worthy Senator from Washoe, Mr. Lambert, this House do now adjourn until Monday next.

Carried, and the House adjourned at forty-five minutes past eleven o'clock A. M.

EIGHTH DAY.

MONDAY, January 8, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Quorum present.

Absent—Messrs. Beck, O'Neil, and Prince.

Leave of absence granted Messrs. Beck, O'Neil, and Prince for one day.

Prayer by the Chaplain.

Journal of Friday read and approved.

MOTIONS AND RESOLUTIONS.

Mr. Clemens offered Concurrent Resolution No. 5, as follows :

Resolved, by the Assembly, the Senate concurring, That one thousand copies of the report of the Superintendent of Public Instruction, and the Warden of the State Prison, be printed for the use of the two Houses.

Rules suspended, and the resolution adopted.

Mr. Cutter offered the following additional rule :

Whenever the usual number of copies of any bill or document is ordered printed, it shall be understood to mean two hundred and forty copies ; and all bills shall be printed, unless otherwise ordered.

Rules suspended for the consideration of the rule.

Mr. Elliott moved to strike out the words "and all bills shall be printed, unless otherwise ordered."

Mr. Fisher rose to a point of order, that the whole subject matter is out of order, inasmuch as the Standing Rule No. 64 requires one day's notice to be given.

Mr. Speaker ruled the point of order not well taken.

Motion of Mr. Elliott to strike out lost.

The question being upon the adoption of the rule introduced by Mr. Cutter, pending which Mr. James appealed from the decision of the chair on Mr. Fisher's point of order.

Decision of the chair sustained.

Mr. Munckton moved to amend the rule by striking out the following : "all bills shall be ordered printed," and insert "no bill shall be ordered printed except acted upon in committee."

The question being upon the adoption of the amendment offered by Mr. Munckton.

Lost.

The question being upon the adoption of the rule offered by Mr. Cutter.

Yeas and nays called for by Messrs. Cutter, McDougall, and Julien, resulting as follows :

YEAS—Messrs. Canfield, Crawford, Cutter, Edwards, Glover, Hudson, Ingham, Julien, Linn, Mason, Mayhugh, McDougall, Vandewater, Walton, Woodruff, and Work—16.

NAYS—Messrs. Bearss, Clemens, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, James, Lane, Munckton, Taylor, Williams, and Mr. Speaker—16.

It requiring a two third vote, motion lost.

Mr. McDougall offered the following resolution :

Resolved, That the Controller of the State be, and he is, hereby authorized and required to draw his warrant in favor of each member of the Assembly for the sum of sixty dollars, for stationery, newspapers, postage, and express charges, for the present session ; the same to be payable out of the Contingent Fund of the Assembly.

Mr. Elliott moved to amend by inserting after the word "dollars," as follows: "or so much thereof as may be incurred."

Pending which, on motion, special order of the day postponed for ten minutes.

Previous question moved, and main question ordered.

The question being upon the adoption of the amendment of Mr. Elliott,

Lost.

The question being upon the adoption of the resolution offered by Mr. McDougall,

Motion carried, and resolution adopted.

Mr. Munckton offered the following resolution :

Resolved, That, this day being the anniversary of the Battle of New Orleans, that this House adjourn at one o'clock p. m., till to-morrow morning at the usual hour.

Mr. Grey offered the following amendment: "to strike out one o'clock, and insert three o'clock."

Resolution, as amended, adopted.

Mr. Williams moved that leave of absence having been granted the Washoe delegation, they be recorded as now present.

Carried.

Mr. Grey offered the following resolution :

Resolved, That the Speaker be authorized to appoint an Assistant Messenger.

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

Carried.

House proceeded to consider the message of the Governor, in regard to Assembly Bill No. 219, of last session, entitled "An Act to provide pay for the members of the two late Constitutional Conventions," it being the special order of the day.

The question being, shall the bill pass, notwithstanding the objections of the Governor, the yeas and nays called for, and resulted as follows:

YEAS—Mr. Julien—1.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh,

Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—35.

Lost, and veto of the Governor sustained.

Mr. Speaker *pro tem.* in the chair.

Mr. Speaker offered the following resolution :

Resolved, That the Committee on Printing be requested to inquire into, and, on to-morrow, or as soon as possible thereafter, report what was the cost of printing bills for the Legislature during the last session, and what would be the difference between the cost of printing the same amount of similar matter in the form as found in the statutes, or some other compact form, allowing to the State Printer the same net profits as he now derives from printing in the usual form.

Adopted.

Mr. Speaker in the chair.

MESSAGE FROM THE SENATE.

To the Honorable the Assembly :

I am directed to inform your honorable body that the report of the Adjutant-General, for the fiscal year ending December 31st, 1865, has been received by the Senate, and two hundred and forty copies of the same ordered printed.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

NOTICES OF BILLS.

Notices of the introduction of bills, etc., were given as follows :

By Mr. Edwards—An Act to amend section one hundred and eighty of an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26th, 1861.

Also, an Act to enforce the collection of delinquent taxes.

By Mr. Elliott—An Act to provide a Seal of State for the State of Nevada.

By Mr. Williams—An Act to amend an Act entitled "An Act in relation to common jails, and the prisoners thereof," approved November 25th, 1861.

By Mr. Walton—An Act to amend an Act concerning roads and highways, approved November 29th, 1861.

By Mr. O'Neil—An Act defining the duties of Tax Collectors.

By Mr. Walton—An Act to amend an Act to create a Board of County Commissioners in the several counties in this State, and define their duties and powers.

By Mr. Taylor—An Act to amend an Act concerning District Attorneys, approved March 11th, 1865.

Also, an Act to apportion the representation of the Legislature of the several counties of this State.

By Mr. Bearss—An Act to amend an Act entitled "An Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled, 'An Act to provide for the appointment of Notaries Public, and

defining their duties,' " approved February 9th, 1864, approved March 20th, 1865.

By Mr. Crawford—An Act to provide for the election of Presidential Electors, Members of Congress, and State and County officers.

SECOND READING OF BILLS, ETC.

Concurrent Resolution No. 2, in regard to a mail route from Wellington's Station to Austin, read a second time by title and referred to Committee on Federal Relations.

Also, Concurrent Resolution No. 4, in regard to mail service from Carson to American City, read a second time and referred to Committee on Federal Relations.

Also, Assembly Bill No. 5, entitled "An Act to provide for the registration of names of electors," read a second time by title, and referred to Committee on Elections, and usual number of copies ordered printed.

Also, Assembly Bill No. 6, entitled "An Act to secure persons and animals from danger arising from mining or other excavations," read second time and referred to Committee on Mines and Mining Interests.

Mr. Hinckley's resolution, that the House take a recess each day, from one to two o'clock, and that the Speaker announce, when the hour arrives, that the hour for recess has arrived, instead of a motion each day to take a recess, and laid over one day, under the rules, was read.

Mr. Fisher moved to lay it on the table.

Carried.

On motion of Mr. Crawford, at twelve o'clock and forty-five minutes P. M., House took a recess until one o'clock and thirty minutes P. M.

AFTERNOON SESSION.

House re-assembled at one o'clock and thirty minutes P. M.

Mr. Speaker in the chair.

Quorum present.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Edwards introduced Assembly Bill No. 7, entitled "An Act in relation to officers, and their election, and terms of office, and to regulate the transmission and canvassing of election returns, to prescribe the manner of declaring the results of elections, and provide for filling vacancies in office."

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

Also, Mr. Mayhugh introduced Assembly Bill No. 8, entitled "An Act to amend an Act entitled 'An Act to authorize the incorporation of the Town of Aurora to the City of Aurora,'" approved February 9th, A. D. 1864.

Rules suspended, bill read first and second time by title, and referred to Esmeralda delegation.

By leave, Mr. Wood introduced Assembly Bill No. 9, entitled "An Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State, and Judicial officers,'" approved January 26th, 1865.

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

Also, Mr. Cutter introduced Assembly Bill No. 10, entitled "An Act authorizing the issuance and sale of certain State Bonds, and levying a tax to provide means for the paying thereof."

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

Pursuant to previous notice, Mr. Edwards introduced Assembly Bill No. 11, entitled "An Act to provide for changing the names of persons."

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

Also, Mr. Crawford introduced Assembly Bill No. 12, entitled "An Act concerning crimes and punishments."

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

Also, Mr. Ingham introduced Assembly Bill No. 13, entitled "An Act to amend section eighty-eight of the revenue law."

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

Also, Mr. Fisher introduced Assembly Bill No. 14, entitled "An Act to repeal an Act to provide for the appointment of Deputy State Controller and fix his compensation."

Read first time.

Mr. Cutter moved the bill be rejected.

Lost.

Laid over one day, under the rules.

Also, Mr. Fisher introduced Assembly Bill No. 15, entitled "An Act to repeal an Act to authorize the State Treasurer to employ a Clerk and fixing his compensation."

Read first time, rules suspended, bill read second time by title.

Mr. James moved that it be referred to special committee of three to be appointed by the chair.

Mr. Edwards moved to refer to Committee on Ways and Means.

Lost.

The question being on the motion of Mr. James to refer to special committee of three.

Carried, and Mr. Speaker appointed as such committee Messrs. James, Prince, and Hinkley.

On motion of Mr. Haskell, Mr. Fisher was added to said special committee.

Also, Mr. Glover introduced Assembly Bill No. 16, entitled "An Act in relation to mining companies and for the protection of stockholders."

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

By leave, Mr. Mayhugh introduced Assembly Bill No. 17, entitled "An Act to re-district the State of Nevada into Judicial Districts, and provide for the election and fix the salaries of Judges therein."

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

Also, Mr. Cutter introduced Assembly Bill No. 18, entitled "An Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State and Judicial officers,'" approved January 26th, 1865.

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

Pursuant to previous notice, Mr. Edwards introduced Assembly Bill No. 19, entitled "An Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary."

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

Also, Assembly Bill No. 20, entitled "An Act to enforce the collection of delinquent taxes."

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

Also, Mr. Beck introduced Assembly Bill No. 21, entitled "An Act for the repeal of the stamp duties of the State of Nevada."

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

Also, Mr. Banks introduced Assembly Bill No. 22, entitled "An Act concerning the location and possession of mining claims."

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

Also, Mr. O'Neil introduced Assembly Bill No. 23, entitled "An Act to amend an Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada."

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

By unanimous consent, Mr. Mayhugh introduced Assembly Bill No. 24, entitled "An Act to protect the election of voluntary political associations, and to punish frauds thereon."

Rules suspended, bill read first and second time by title, and referred to Committee on Elections."

On motion of Mr. Beck, House adjourned at two o'clock and forty-five minutes P. M.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

NINTH DAY.

TUESDAY, January 9th, 1866.

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

Mr. Speaker in the chair.

All present.

Prayer by the Chaplain.

Minutes of yesterday read and approved.

REPORT FROM STANDING COMMITTEES.

Mr. Linn, from Committee on Mileage, reported as follows:

Mr. Speaker:

Your Committee on Mileage beg leave to submit the following report, in lieu of report adopted January 5th, 1866:

Names.	Miles.	Amount.
<i>Storey County—</i>		
Wm. M. Cutter.....	32	12 80
A. B. Elliott.....	32	12 80
O. H. Grey.....	32	12 80
E. F. Glover.....	32	12 80
J. F. Hall.....	32	12 80
E. Ingham.....	32	12 80
J. C. James.....	32	12 80
Thos. Lane.....	32	12 80
H. C. McDougall.....	32	12 80
J. Vandewater.....	32	12 80
Dunois Wood.....	32	12 80
J. W. Woodruff.....	32	12 80
<i>Lander County—</i>		
Chas. Hayden.....	400	160 00
J. L. Hinckley.....	400	160 00
B. H. Williams.....	400	160 00
J. Work.....	400	160 00
<i>Washoe and Roop Counties—</i>		
H. H. Beck.....	24	9 60
Thos. Prince.....	38	15 20
Felix O'Neil.....	80	32 00
<i>Esmeralda County—</i>		
J. G. Canfield.....	220	88 00
D. H. Haskell.....	220	88 00
B. S. Mason.....	220	88 00
J. S. Mayhugh.....	220	88 00
<i>Humboldt County—</i>		
J. A. Banks.....	390	156 00
J. J. Linn.....	330	132 00
T. V. Julien.....	350	140 00
<i>Nye County—</i>		
A. C. Bearss.....	440	176 00
<i>Lyon County—</i>		
James Crawford.....	24	9 60
Geo. A. Hudson.....	26	10 40
G. W. Walton.....	44	17 60
<i>Douglas County—</i>		
Robert Fisher.....	44	17 60
M. M. Gaige.....	30	12 00
<i>Churchill County—</i>		
W. H. Taylor.....	220	88 00

All of which is respectfully submitted.

J. J. LINN, Chairman,
H. C. McDOUGALL,
O. H. GREY.

Mr. Cutter moved to amend and insert as follows: "and the amounts hereinafter named shall be considered to be in lieu of that specified in said report."

The question being upon the adoption of the report as amended.

Adopted.

The special committee appointed to procure rooms for attachés of Assembly, reported as follows:

Mr. Speaker:

Your committee, appointed to procure suitable rooms for the attachés of the Assembly, would respectfully report that they have performed the duty assigned them, and have secured rooms at the Mansion House for the Engrossing and Enrolling Clerks, at fifty dollars per month; also, room at the Ormsby House, for the Copying Clerk, at twenty-five dollars per month, same furnished with light and fuel.

M. M. GAIGE,
Chairman.

Adopted.

Mr. Clemens offered the following resolution:

Resolved, That all bills, upon their first reading, shall be considered ordered printed solid, in newspaper measure, with small margin on one side of the paper; four hundred and eighty copies of each bill; the Printer being requested to print them expeditiously, with a view to having six copies of each bill laid on the desks of the members on the morning after its introduction; *provided*, that, when any bill is pending, upon its first reading, the House may, by majority vote, except it from the operation of this rule, and make such orders in relation thereto as it may see fit.

Laid over one day, under the rules.

Mr. Munckton offered the following resolution:

Resolved, That the Sergeant-at-Arms be, and is, hereby instructed and authorized to procure, for the use of the Assembly, a copy of Holt's latest map of the State of Nevada.

Adopted.

Mr. Elliott offered the following resolution:

Resolved, That the Committee on Ways and Means be, and is, hereby authorized and instructed to inquire into and report, whether the State Board of Examiners have audited and allowed any claim or claims of members of the late Constitutional Convention, for services in said Convention; and if so, to what amount, by what authority, or under what law the same was done, and what law is necessary, if any, in the premises.

Adopted.

Mr. Bearss offered the following resolution:

Resolved, That Wm. M. Gillespie be, and is, hereby declared elected Official Reporter of this House, at a per diem of ten dollars, to commence from the convening of this House.

Mr. Grey moved to amend by striking out the following words: "the convening of this House," and inserting "the ninth day of January."

Carried, and resolution so amended.

Mr. Cutter moved to amend by adding the words: "payable out of the Contingent Fund of the Assembly."

Carried, and resolution so amended.

The question now being upon the adoption of the resolution of Mr. Bearss, as amended, the yeas and nays were called with the following result:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Gaige, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munkton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—31.

NAYS—Messrs. Elliott, Fisher, Hayden, Hinckley, and Woodruff—5.

Carried, and Mr. Gillespie declared duly elected.

Mr. Beck offered the following resolution:

Resolved, That a committee of three be appointed, by the chair, to ascertain the amount of revenue derived from the stamp tax of the State of Nevada during the past year.

Adopted, and Messrs. Beck, Woodruff, and Mason were appointed as such committee.

NOTICES OF BILLS, ETC.

By Mr. Elliott—An Act relating to elections, the manner of conducting and contesting the same, election returns and canvassing the same, ballot box stuffing, destroying or attempting to destroy the ballot box, illegal or attempted illegal voting, and misconduct at elections.

By Mr. Wood—An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865.

By Mr. Taylor—An Act to authorize the construction of a bulkhead in the stream known as Old River, at or near its junction with the main Carson river.

By Mr. Crawford—An Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861.

By Mr. Walton—An Act repealing an Act amendatory of, 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, and approved January 4th, 1865.

By Mr. Beck—An Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale in certain cases," approved March 6th, 1865.

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 29th, 1861.

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 29th, 1861.

By Mr. Williams—An Act relating to attachments.

By unanimous consent, Mr. Cutter offered the following resolution:

Resolved, That the Committee on Mines and Mining Interests be increased to seven, the two additional members to be appointed by the Speaker.

Rules suspended.

Adopted, and Messrs. Woodruff and Vandewater appointed on said committee.

SECOND READING OF BILLS.

Assembly Bill No. 14, entitled "An Act to repeal an Act to provide for the appointment of Deputy State Controller and fix his compensation."

Read second time by title, and, on motion of Mr. Fisher, referred to special committee of three, consisting of Messrs. Fisher, Julien, and Hall, appointed by the chair.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Edwards introduced Assembly Bill No. 25, entitled "An Act to amend section one hundred and eighty of an Act entitled 'An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada,'" approved November 26th, 1861.

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

Also, by Mr. Elliott, Assembly Bill No. 26, entitled "An Act to provide a seal of State for the State of Nevada."

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

Also, by Mr. O'Neil, Assembly Bill No. 27, entitled "An Act for the collection of State and county taxes, and to define the duties of the collector, or collectors, thereof."

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

Also, by Mr. Williams, Assembly Bill No. 28, entitled "An Act to amend an Act entitled 'An Act relating to common jails, and prisoners thereof.'"

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

Also, by Mr. Munckton, Assembly Bill No. 29, entitled "An Act amendatory of an Act entitled 'An Act authorizing M. D. Harmon and his associates to construct a toll road and bridges.'"

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

By unanimous consent, by Mr. Gaige, Assembly Bill No. 30, entitled "An Act to amend an Act entitled 'An Act to regulate fees and compensation for officers' and other services in the State of Nevada.'"

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

Also, by Mr. Work, Assembly Bill No. 31, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

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

Pursuant to previous notice, Mr. Walton introduced Assembly Bill

No. 32, entitled "An Act to amend an Act concerning roads and highways."

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

Also, by Mr. Crawford, Assembly Bill No. 33, entitled "An Act to provide for the election of Presidential Electors, Members of Congress, and State and County officers."

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

On motion of Mr. Beck, at one o'clock p. m., House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

NOTICES OF BILLS.

Rules suspended, and notices of bills offered as follows :

By Mr. Glover—A bill licensing certain kinds of gambling.

By Mr. Ingham—An Act to create the office of State Prison Warden, and define his duties and powers, and to provide for the government of the State Prison of the State of Nevada.

Official Reporter, Mr. Gillespie, sworn into office by Judge Brosnan.

INTRODUCTION OF BILLS.

By leave Mr. James introduced Assembly Bill No. 34, entitled "An Act to amend sections two hundred and nineteen and two hundred and forty-three 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, 1861.

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

Also, by Mr. Haskell, Assembly Bill No. 35, entitled "An Act concerning Constables."

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

Also, by Mr. James, Assembly Bill No. 36, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9th, 1865.

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

On motion of Mr. Crawford, message from the Senate was read, as follows :

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 2, an Act to create certain funds, which passed the Senate this day with the following amendment: In section two, line four, strike out "five" and insert "six;" and in line seven, same section, strike out "two" and insert "three." Yeas, 16; nays, none.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

The question being, Shall the House concur in the Senate amendments to Assembly Bill No. 2, entitled "An Act to create certain funds," as per message? concurred in by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Mr. Speaker—31.

NAYS—None.

Mr. Elliott offered the following resolution :

Resolved, That a final vote, on concurring in amendments made to a bill in the Senate, is not the final action on the bill as amended, and therefore not the final action on the bill as contemplated by the Constitution.

Yeas and nays called for by Messrs. Linn, Crawford, and Elliott, resulting as follows :

YEAS—Messrs. Beck, Elliott, McDougall, O'Neil, Taylor, and Walton—6.

NAYS—Messrs. Bearss, Canfield, Crawford, Cutter, Edwards, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Vandewater, Williams, Wood, Woodruff, and Mr. Speaker—24.

Resolution lost.

MESSAGES FROM THE SENATE.

January 9, 1866.

To the Honorable the Assembly :

I am directed to transmit herewith, for the consideration of your honorable body, Senate Concurrent Resolution, relative to the printing of the message of the Governor and reports of State officers, which passed unanimously this day.

Respectfully submitted, GEO. R. AMMOND, Secretary.

Senate Concurrent Resolution, relative to printing, read and adopted unanimously.

January 9, 1866.

To the Honorable the Assembly :

I am directed to transmit herewith, for the consideration of your honorable body, the following bills and railroad resolutions, which passed the Senate this day :

First—Senate Bill No. 15, an Act to repeal sections two and three of an Act entitled "An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill counties," approved January 20th, 1865. Final action thereon—yeas, 16; nays, none.

Also, Senate Bill No. 8, an Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of elections," approved January 10th, 1865. Final action—yeas, 15; nays, none.

Also, Senate Concurrent Railroad Resolution No. 1. Final action—yeas, 16; nays, none.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Senate Bill No. 15, House Introductory No. 37, entitled "An Act to repeal sections two and three of an Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill counties," approved January 20th, 1865, as reported in Senate message, was considered.

Rules suspended, bill read first and second time by title, and, on motion of Mr. Bearss, referred to delegations of Nye and Churchill counties.

Also, Senate Bill No. 8, House Introductory No. 38, entitled "An Act to amend an Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January 10th, 1865.

Rules suspended, bill read first and second time by title, and referred to Committee on Printing.

Senate Concurrent Railroad Resolution No. 1, received from Senate.

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

REPORTS OF COMMITTEES.

Mr. Mason, from special committee on mail routes, reported the following :

Mr. Speaker :

Your committee, to which was committed Concurrent Resolution No. 4, in regard to mail service between Carson City, Ormsby county, and American City, Storey county, Nevada, having had the same under consideration, have instructed their chairman to respectfully report the same back, and recommend its adoption.

All of which is respectfully submitted.

B. S. MASON,
Chairman.

Rules suspended, resolution read third time, on motion, considered engrossed, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hudson, Hinckley, Ingham, James, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

NAYS—None.

Mr. O'Neil, from Committee on Internal Improvements, reported as follows :

The Committee on Internal Improvements, to whom was referred Assembly Bill No. 23, an Act entitled "An Act amendatory of an Act to provide for the constructing and maintaining toll roads and bridges in the State of Nevada," beg leave to report that they have had the same under consideration, and recommend the passage of the same, with the

following amendments: In lieu of the words "and built," substitute the words "or building;" after these words insert the following: "Provided that nothing in this Act shall be so construed as to prevent the constructing of railroads or free bridges.

FELIX O'NEIL,
Chairman Committee on Internal Improvements.

Report adopted.

Bill placed on file.

Mr. Clemens, from Committee on Ways and Means, reported as follows:

Mr. Speaker:

The Committee of Ways and Means having had under consideration Assembly Bill No. 10, an Act authorizing the issuance and sale of certain State Bonds, and levying a tax to provide means for the payment thereof, respectfully report favorably thereon, and recommend the passage of the same as amended.

ORION CLEMENS,
Chairman.

Report adopted, and bill placed on file.

On motion of Mr. Cutter, rules were suspended, the House resolved itself into Committee of the Whole, Mr. Speaker in the chair, for the consideration of Assembly Bill No. 10, just reported from committee.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole having had under consideration Assembly Bill No. 10, entitled "An Act authorizing the issuance and sale of certain State Bonds, and levying a tax to provide means for the payment thereof," have made some progress therewith, and ask leave to sit again.

Report adopted, and upon motion of Mr. James, Bill No. 10, was made the special order for two o'clock p. m., to-morrow.

By unanimous consent, Mr. Linn offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to investigate the legality of the election of the Engrossing Clerk.

On motion of Mr. Beck, resolution was laid on the table.

Mr. Clemens offered the following resolution:

Resolved, That a committee of three be appointed to confer with the State Printer, and ascertain whether, in consideration of all bills being ordered by the Assembly to be printed, said Printer will contract to waive his rights to print bills as prescribed in section ten of an Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election, approved January 10th, 1865, and which section provides that bills and other work of a similar character shall be printed with long primer type, on white plain cap paper, commencing the heading one fourth of the length of the sheet from its top, and where said printing does not occupy more than two pages of such sheet, or less, the same shall be printed upon

half sheets, and the State Printer shall only charge for the same, and in like ratio for a greater amount, and be forty-six ems wide and seventy-three ems long, including running head, blank line under it, and foot line; and between each printed line there shall be a white line corresponding with four lines of the body of the type, and each printed line shall be numbered, whether the State Printer will agree to print all bills ordered printed, as expeditiously as possible, four hundred and eighty copies of each, on one side of slips of paper, single leaved, narrow margins, and of the width of the columns of the Enterprise, each line being numbered.

Mr. Mason moved to indefinitely postpone the whole subject matter.

Yeas and nays called for, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Gaige, Glover, Haskell, Hudson, Ingham, Lane, Linn, Mayhugh, McDougall, O'Neil, Taylor, Vandewater, and Walton—19.

NAYS—Messrs. Clemens, Elliott, Fisher, Grey, Hall, Hayden, Hinckley, James, Julien, Prince, Williams, Wood, Woodruff, Work, and Mr. Speaker—15.

Carried, and the whole subject matter indefinitely postponed.

On motion of Mr. Mayhugh, at three o'clock and forty-five minutes, House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TENTH DAY.

WEDNESDAY, January 10, 1866.

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

Mr. Speaker in the chair.

All present.

Prayer by the Chaplain.

Minutes of yesterday read and approved.

PRESENTATION OF PETITIONS.

By Mr. Edwards—A petition to legalize the formation of Stewart county.

Referred to Committee on Counties and County Boundaries, with instructions to report as soon as possible.

REPORTS FROM STANDING COMMITTEES.

The Judiciary Committee, to which was referred the bill entitled "An Act to amend section one hundred and eighty of an Act entitled 'An Act to regulate proceedings in criminal cases in the Courts of Justice in

the Territory of Nevada," being a bill in relation to grand jurors, ask leave to report as follows:

That they have examined said bill and approve of the amendment to the criminal procedure Act embodied in the bill. The bill, however, as drawn contains no repealing clause, as in the opinion of the committee it should. Your committee have, therefore, drawn another bill, which, with this exception, and the exception of some verbal alterations of no importance, is the bill submitted to them. The committee recommend the passage of the bill as re-drawn.

C. S. HAYDEN,
Chairman of Committee.

Substitute read first time, rules suspended, read second time by title, and placed on file.

By Mr. Crawford, from the Committee on Public Printing to which was referred Senate Bill No. 8, House Bill No. 38, entitled "An Act to amend an Act to create the office of State Printer, define the duties and the compensation thereof," begs leave to report that they 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.

CRAWFORD,
Chairman of Committee.

REPORT OF SELECT COMMITTEE.

Mr. Taylor presented the following:

Mr. Speaker:

Your committee to whom was referred Senate Bill No. 15, an Act to repeal sections two and three of an Act entitled "An Act for the relief of L. S. Baker and Alfred James, late Probate Judges of Nye and Churchill counties," approved January 20th, 1865, beg leave to report that they have had the same under consideration, and recommend its passage.

W. H. TAYLOR,
A. C. BEARSS.

MOTIONS AND RESOLUTIONS.

Mr. Fisher offered the following:

WHEREAS, The resolution adopted by this House, on the 9th day of January, 1866, creating the office of Official Reporter, is in direct conflict with the twenty-eighth section of article four of the Constitution of the State of Nevada, to wit:

"No money shall be drawn from the State Treasury as salary or compensation to any officer or employé of the Legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employé, and the salary or compensation so fixed shall neither be increased nor diminished so as to apply to any officer or employé of the Legislature, or either branch thereof, at such session; *provided*, that

this restriction shall not apply to the first session of the Legislature;" and,

WHEREAS, By section two of an Act entitled "An Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and to establish their pay," approved January 21st, 1865, the following officers are created for the Assembly, to wit: One Chief Clerk, one Assistant Clerk, one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, one Minute Clerk, one Journal Clerk, one Enrolling Clerk, one Engrossing Clerk, one Porter, two Pages, one Messenger, and two Copying Clerks; and,

WHEREAS, No such office or officer as that of reporter is either directly or indirectly provided for, or contemplated by, any law now in force, and,

WHEREAS, Therefore the payment of any money for the service of any such officer would be an open and palpable violation of one of the plainest and most important provisions of the Constitution of this State; therefore, be it

Resolved, That the office of official reporter is hereby abolished.

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

Carried.

Mr. Cutter moved that the resolution heretofore adopted, requiring the Sergeant-at-Arms to ring the bell ten minutes before eleven each morning, to notify members of the time of assembling, be rescinded.

Agreed to.

Mr. Munckton offered the following:

Resolved, That on and after Monday, 15th inst., the time for the meeting of the Assembly shall be at ten o'clock A. M.

Laid over.

MESSAGE FROM THE SENATE.

January 9, 1866.

To the Honorable the Assembly:

I am directed to inform your honorable body that the report of the State Treasurer has this day been filed in the Senate, and herewith find concurrent resolution relating thereto.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

As per Senate message, concurrent resolution relative to printing report of State Treasurer read and adopted unanimously.

NOTICES OF BILLS.

By Mr. Mason—An Act to restrain the taking of usury.

By Mr. Edwards—An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled "An Act for the relief of citizens of towns upon the lands of the United States, under certain circumstances."

By Mr. Elliott—An Act relating to electors and their qualifications.

By Mr. McDougall—An Act to salary County Officers in counties having a population of over four thousand inhabitants.

By Mr. Julien—An Act to create a Board of Commissioners to examine the claims of citizens of Humboldt county, and report to the Governor of this State the amount of just claims held by the citizens of said county, for property destroyed, and for losses sustained, by Indian depredations in said county, in the years A. D. 1864, 1865 and 1866.

SECOND READING OF BILLS.

Mr. Clemens' resolution relative to printing, read second time, and by unanimous consent, withdrawn.

Also, Concurrent Resolution No. 5, relative to printing, withdrawn.

Rules suspended, and Mr. Clemens offered the following resolution:

Resolved, That the Committee on Ways and Means, and Judiciary, be each allowed a clerk.

Mr. Cutter moved to strike out all after the word "resolved," and insert the following amendment:

That the Committees on Judiciary, Ways and Means, Elections, and Mines and Mining Interests, be each, and the Committees on Federal Relations and State Institutions, be jointly, allowed the privilege of appointing a clerk, whenever, in the opinion of a majority of such committees respectively, such clerk is necessary; the pay of said clerks to date from the time of their appointment, respectively.

Previous question moved, and so ordered.

The question being upon the adoption of Mr. Cutter's amendments, yeas and nays called for by Messrs. Cutter, Grey and Ingham, resulting as follows:

YEAS—Messrs. Canfield, Cutter, Edwards, Gaige, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Julien, Lane, Mason, Mayhugh, McDougall, Taylor, Vandewater, Walton, Williams, Woodruff, and Work—22.

NAYS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Hayden, Hinckley, Linn, Munckton, O'Neil, Prince, Wood, and Mr. Speaker—14.

Carried.

The question being upon the adoption of the resolution as amended, yeas and nays were called for by Messrs. Grey, Mayhugh and Cutter, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Clemens, Cutter, Edwards, Gaige, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Julien, Lane, Mason, Mayhugh, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Woodruff, and Mr. Speaker—25.

NAYS—Messrs. Beck, Crawford, Elliott, Fisher, Hayden, Hinckley, Linn, Munckton, Prince, Wood, and Work—11.

Adopted, and Mr. Speaker gave notice that he would, on to-morrow, move a reconsideration.

REPORT OF COMMITTEE.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 2, entitled "An Act to create certain funds," has been care-

fully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

A. C. BEARSS,
Chairman Enrolling Committee.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Williams introduced Assembly Bill No. 39, entitled "An Act amending an Act regulating civil proceedings in civil cases," approved November 29th, 1861.

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

Also, by Mr. Glover—Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick and insane of the State."

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

Also, by Mr. Wood—Assembly Bill No. 41, entitled "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved March 10th, 1865.

Rules suspended, read first and second time by title, and referred to Committee on Corporations.

Also, by Mr. Walton—Assembly Bill No. 42, entitled "An Act repealing 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, and January 4th, 1865.

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

Also, by Mr. O'Neil—Assembly Bill No. 43, entitled "An Act to provide for the construction of ditches and flumes, and to provide for the right of way."

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

Also, by Mr. Crawford—Assembly Bill No. 44, entitled "An Act supplementary to an Act entitled 'An Act concerning crimes and punishments,'" approved November 26th, 1861.

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

On motion of Mr. Mayhugh, at one o'clock House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Special order of the day, Assembly Bill No. 10, was considered, and, upon motion of Mr. Clemens, made the special order for Wednesday next, at two o'clock P. M.

INTRODUCTION OF BILLS.

By Mr. Banks—Assembly Bill No. 45, entitled "An Act to prohibit lotteries, raffles, gift enterprises, and other schemes of a like character."

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

By unanimous consent, Mr. James introduced Assembly Bill No. 46, entitled "An Act for the relief of certain officers of the Virginia Fire Department."

Rules suspended, read first and second time by title, and referred to Storey County Delegation.

Pursuant to previous notice, Mr. Beck introduced Assembly Bill No. 47, 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 29th, 1861.

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

Also, Assembly Bill No. 48, 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 29th, 1861.

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

Also, Assembly Bill No. 49, entitled "An Act to amend an Act entitled 'An Act to exempt the homestead and other property from forced sale, in certain cases,'" approved March 6th, 1865.

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

Mr. Cutter moved to suspend the rules for the reconsideration of the vote by which Assembly Bill No. 10 was made special order for Wednesday next.

Carried.

Mr. Cutter moved to have the bill made special order for to-morrow at two o'clock P. M., and that a special committee of three be appointed to wait on the State Treasurer and Controller for information.

Carried, and Mr. Speaker appointed as such committee, Messrs. Cutter, James and Edwards.

GENERAL FILE.

Assembly Bill No. 23, entitled "An Act to amend an Act to provide for the constructing and maintaining toll roads and bridges in the State of Nevada," was considered, amended, and ordered engrossed for a third reading.

Also, Assembly Substitute Bill No. 25, entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada,'" approved November 26th, 1861, was considered and ordered engrossed for a third reading.

On motion, original bill by Mr. Edwards laid on the table.

Also, Senate Bill No. 8, House Introductory No. 38, entitled "An Act to amend an Act 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,'" approved January 10th, 1865, was considered, amended, read third time, and passed as amended by the following vote:

YEAS—Messrs. Bearss, Canfield, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall Haskell, Hayden, Hudson, Ingham, James, Julien, Lane, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—28.

NAYS—Messrs. Clemens and Hinckley—2.

Mr. Fisher moved to adjourn.

Lost.

Also, Senate Bill No. 15, House Introductory Bill No. 37, entitled "An Act to repeal sections two and three of an Act entitled "An Act for the relief of S. L. Baker and Alfred James, late Probate Judges of Nye and Churchill counties," approved January 20th, 1865, was read a third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—27.

NAYS—None.

On motion of Mr. Munckton, at three o'clock and forty-five minutes P. M., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

ELEVENTH DAY.

THURSDAY, January 11, 1866.

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

Mr. Speaker in the chair.

All present.

Prayer by the Chaplain.

Minutes of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Mason submitted the following :

Mr. Speaker :

Your committee to which was referred Concurrent Resolution No. 2, by Mr. Bearss, in regard to mail service from Wellington's Station, Esmeralda county, to Austin, Lander county, Nevada, have had the same under consideration and instructed their chairman to report the same back with the following substitute, and recommend its adoption :

WHEREAS, The growing importance, increasing population, and extensive developments imperatively require mail facilities for Mammoth and Ione, Nye county; therefore,

Resolved, That our Senators in Congress be instructed, and Representative requested, to secure the establishment of a weekly mail from Wellington's Station to Austin, via Mammoth and Ione.

All of which is respectfully submitted.

B. S. MASON,
Chairman.

Mr. Williams submitted the following :

To the Honorable the Speaker of the Assembly :

Your committee, to whom was referred the petition of certain persons representing themselves as citizens of Nye county, Nevada, and as having organized a county in the eastern part of the same, by said petitioners denominated Stewart county ; also, as having elected therein the officers necessary to a County Government, praying that this honorable body legalize what the petitioners have thus done, and that the Hon. James M. Day be admitted to a seat therein, as the representative of said petitioners, do report as follows :

Your committee have carefully examined and duly considered the application and prayer of the petitioners, and find :

First—That the alleged organization of the so-called “Stewart county,” by the petitioners, is wholly unauthorized by law.

Second—That your committee are unable to state whether that portion of country, called by the petitioners “Stewart county,” is situate in the State of Nevada or in the Territory of Utah, and that on this question the reputed representative of petitioners—Mr. Day—could not give your committee any information whatever, it requiring for that purpose that the boundary lines of Nye county, as set forth and described in the statute organizing said county, be run out and shown by physical marks and monuments.

Third—That your committee are uninformed as to the number of persons residing in the locality ; how many voted at the mass meeting named in said petition, (even if vested with a legal right so to do), or in what manner said election was called.

Fourth—That it does not appear to your committee that an election was called for “Stewart county” (if any such county existed) in the proclamation provided by law, without which no election known thereto can be legally held ; neither does it appear that any return of said election has been made to the proper officer, or the custodian thereof.

Fifth—That in view of the above facts, and of law governing the same, no Representative can be legally elected to the General Assembly from said “Stewart county,” and therefore your committee believe Mr. Day is not entitled to a seat therein.

Sixth—That while your committee believe the people living in what they call “Stewart county” are in an unsafe and precarious situation, both in person and property, chiefly because of their isolated and unprotected location, and to whom every feasible and practical protection ought to be extended ; yet, your committee beg to state, they do not know of any law vesting in this body the right or power to legalize the acts, or any one of the acts, done by said petitioners, as in their petition set forth, and therefore beg leave to recommend that the respective prayers therein be denied.

All of which is respectfully submitted.

R. H. WILLIAMS,

Chairman Committee on Counties and County Boundaries.

Mr. Edwards moved that the report of the committee be made special order for Monday, the 15th inst., at seven p. m., and that James M. Day be then admitted to a seat on the floor, with the privilege of speaking on question involved.

Agreed to, and so ordered.

REPORT FROM THE COMMITTEE ON WAYS AND MEANS.

Mr. Clemens presented the following report :

Mr. Speaker :

The Committee on Ways and Means have had Assembly Bill No. 21, "An Act for the repeal of the stamp duties of the State of Nevada," under consideration, and herewith report the same back to the House, with a recommendation that it do not pass.

ORION CLEMENS,
Chairman.

Report adopted.
Bill ordered on file.

REPORTS OF COMMITTEES.

Mr. Hayden presented the following :

Mr. Speaker :

The Judiciary Committee, to which was referred Assembly Bill No. 11, entitled, "An Act to provide for the changing the names of persons, report that they have considered the same favorably, and they recommend the passage of said bill.

C. S. HAYDEN,
Chairman Judiciary Committee.

Report adopted.
Bill ordered on file.

Mr. Crawford reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the originals, and found the same correctly engrossed, viz : Substitute for Assembly Bill No. 25, "An Act to amend an Act, entitled an Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada.

Also, Assembly Bill No. 23, an Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada.

CRAWFORD, for Committee.

Mr. Hayden presented the following :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 19, entitled "An Act in relation to certain fees heretofore collected by the Governor's Private Secretary," report that they have had the same under consideration, that they approve the bill, and recommend its passage.

C. S. HAYDEN,
Chairman Judiciary Committee.

Mr. Hayden also presented the following :

Mr. Speaker :

The Judiciary Committee, to whom was referred the resolution offered by Mr. Fisher, concerning the action of this House in regard to an Offi-

cial Reporter, have considered the same, and report an amendment to the same, the passage of which they recommend as follows: Strike out all after the word "resolved," and insert as follows:

"That this House can appoint, but have no power under the Constitution and laws, to authorize any payment for the services of a Reporter of this Assembly. Your committee also recommend that so much of the original resolution as authorizes the payment of a certain sum for the services of a Reporter, be rescinded.

C. S. HAYDEN,
Chairman.

Yeas and nays called by Messrs. Cutter, Elliott and Mayhugh, on the adoption of the resolution of Mr. Fisher, as amended, resulting as follows:

YEAS—Messrs. Clemens, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Mason, Munchton, O'Neil, Taylor, Vandewater, Williams, Wood, Woodruff, and Mr. Speaker—22.

NAYS—Messrs. Beck, Canfield, James, Lane, Mayhugh, McDougall, Prince, Walton, and Work—9.

Adopted.

On motion of Mr. Haskell, rules suspended, and resolution relative to petition from James M. Day, was made special order for Monday, 15th inst., at seven P. M.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your special committee appointed to wait on the Controller, and inquire into the amount of the State indebtedness, respectfully report, presenting the accompanying statement made out by that officer:

[See Appendix No. 2.]

W. M. CUTTER,
Chairman.

Made special order for to-day at two P. M.

MESSAGE FROM THE GOVERNOR.

January 11th, 1866.

To the Honorable Assembly of Nevada:

I have this day approved Assembly Bill No. 2, an Act to create certain funds.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Mayhugh offered the following:

Resolved, That the Sergeant-at-Arms be directed to procure, and cause to be erected, at some suitable place within the lobby, a bulletin board, for the use of the Assembly.

Carried.

Mr. Haskell moved that Assembly Bill No. 45, in regard to lotteries, etc., be printed.

Carried.

Mr. Speaker *pro tem.* in the chair.

Mr. Banks moved a reconsideration of the vote by which a resolution was adopted yesterday, authorizing the employment of Committee Clerks.

Previous question called and sustained.

Yeas and nays called by Messrs. Beck, Lane, and Grey, resulting as follows:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Hayden, Hinckley, Julien, Linn, Munckton, Prince, Woodruff, and Mr. Speaker—15.

NAYS—Messrs. Canfield, Cutter, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Lane, Mason, Mayhugh, McDougall, O'Neil, Taylor, Vandewater, Walton, Wood, and Work—19.

Lost.

Mr. Banks rose to point of order: that it required, to reconsider, only over a one third vote, or the proportionate vote which, on yesterday, would have been required to defeat the resolution.

Mr. Speaker, *pro tem.* ruled point of order not well taken.

Mr. Beck called for a new count on the motion to reconsider.

Pending which, Mr. Haskell moved a call of the House.

Mr. Gaige absent.

On motion, further call dispensed with.

The new count resulting as follows:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Hayden, Hinckley, Julien, Linn, Munckton, O'Neil, Prince, Williams, and Mr. Speaker—16.

NAYS—Messrs. Canfield, Cutter, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Lane, Mason, Mayhugh, McDougall, Taylor, Vandewater, Walton, Wood, Woodruff, and Work—19.

House refused to reconsider their vote of yesterday.

On motion of Mr. Crawford, at one o'clock, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Assembly Bill No. 10, relative to certain State bonds, the special order of the day, was taken up.

On motion of Mr. Fisher, the House resolved itself into Committee of the Whole.

Mr. Fisher in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 10, entitled "An Act authorizing

the issuance and sale of certain bonds, and levying a tax to provide means 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 as amended. †

Mr. Elliott moved to strike out all after the words "State Treasurer," in the latter portion of the amendment.

Yeas and nays called, resulting as follows :

YEAS—Messrs. Elliott, Hayden, Hinckley, Julien, and Williams—5.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Woodruff, Work, and Mr. Speaker—30.

Motion lost.

On motion of Mr. Cutter, rules suspended, bill considered engrossed, read a third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—Messrs. Hayden, Julien, and Williams—3.

On motion of Mr. Mason, rules suspended, vote reconsidered, and the Committee on Federal Relations were allowed to withdraw their former report relative to mail service, and introduce a substitute.

Rules suspended, substitute resolution read first and second time by title, and placed on file.

Mr. Haskell moved that the rules be suspended, and report of special committee, relative to a petition of James M. Day, from Stewart county, with said petition, be printed.

Carried.

Pursuant to previous notice, Mr. Elliott introduced Assembly Bill No. 50, entitled "An Act relating to electors and their qualifications."

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

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Cutter introduced Assembly Bill No. 51, entitled "An Act to extend the provisions of an Act entitled 'An Act to provide for the formation of corporations for certain purposes,' approved March 10th, 1865, to corporations created prior to that time, and confirm proceedings taken for the purpose of disincorporating corporations, and for the purpose of increasing the capital stock of corporations."

Rules suspended, read first and second time by title, and referred to Committee on Judiciary, with instructions to report to-morrow morning.

Pursuant to previous notice, Mr. Munckton introduced Concurrent Resolution No. 8, entitled "Memorial to Congress asking aid for the Sacramento Valley and Placerville Railroad."

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

By unanimous consent, Mr. Hayden introduced Assembly Bill No. 52, entitled "An Act in aid of the construction of a line of telegraph through the State of Nevada, and connecting with the city of San Francisco, California."

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

Also, Mr. Beck was allowed to withdraw Assembly Bill No. 21, entitled "An Act to repeal the stamp duties of the State of Nevada."

On motion of Mr. Mayhugh, at four o'clock and fifteen minutes P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWELFTH DAY.

FRIDAY, January 12, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Minutes of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Hayden submitted the following :

Mr. Chairman :

The Judiciary Committee, to whom was referred the bill entitled "An Act to extend the provisions of an Act entitled 'An Act to provide for the formation of corporations for certain purposes,' approved March 10th, 1865, to corporations created prior to that time, and confirm proceedings taken for the purpose of disincorporating corporations, and for the purpose of increasing the capital stock of corporations," have considered said bill favorably, and recommend the passage of the same.

C. S. HAYDEN,
Chairman Judiciary Committee.

On motion of Mr. Cutter, rules suspended for consideration of Assembly Bill No. 51, relative to disincorporation of incorporations, as mentioned in the above report.

Mr. Clemens moved to recommit the bill to the Judiciary Committee.
Lost.

Mr. Cutter moved that the rules be further suspended, and the bill considered engrossed.

Yeas and nays called, resulting as follows :

YEAS—Messrs. Bearss, Canfield, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ing-

ham, James, Julien, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Work—31.

NAYS—Messrs. Beck, Clemens, and Mr. Speaker—3.

Adopted.

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

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munchton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

NAYS—Mr. Clemens—1.

Mr. O'Neil submitted the following :

Mr. Speaker :

The Committee on Internal Improvements have had under consideration an Act to authorize the United States Telegraph Company to maintain and construct a telegraph line through the State of Nevada, and connecting with the city of San Francisco, California, have come to a favorable conclusion thereon, and directed their chairman to report the same back to the House, and recommend its passage.

FELIX O'NEIL, Chairman,
ROBERT FISHER,
J. W. WOODRUFF,
J. L. HINCKLEY.

MINORITY REPORT.

Mr. Speaker :

Your minority of the Committee on Internal Improvements, to which was referred an Act authorizing the United States Telegraph Company to erect and construct a telegraph line through the State of Nevada, beg leave to report that it is the opinion of your minority that section third, of the said Act, is in conflict with a franchise already granted, and your minority therefore propose to amend the said section three by striking out all of the same preceding the word "but."

E. F. GLOVER,
Minority from Committee on Internal Improvements.

Reports adopted and ordered on file.

Mr. O'Neil submitted the following :

Mr. Speaker :

The Committee on Internal Improvements beg leave to report that they have had under consideration "An Act to provide for the constructing of ditches and flumes, and to provide for the right of way," have come to a favorable conclusion thereon, and directed their chairman to report the same back to the House and recommend its passage.

FELIX O'NEIL,
Chairman Committee on Internal Improvements.

Adopted.

Mr. Ingham, from the select committee comprising the Storey County Delegation, to which was referred Assembly Bill No. 46, entitled "An Act for the relief of certain officers of the Virginia Fire Department," beg leave to report that they have had the same under consideration, and directed their chairman to report the same back to the House, amended by adding to the first section, the words "during their present term of office," and recommend its passage as amended.

Report adopted, and ordered on file.

MAJORITY REPORT.

Mr. James submitted the following :

Mr. Speaker :

Your committee, to whom was referred Assembly Bill No. 15, "An Act to repeal an Act entitled an Act to authorize the State Treasurer to employ a clerk, and fixing his compensation, approved March 9th, one thousand eight hundred and sixty-five," report that they have had the same under consideration, have visited the office of the State Treasurer as contemplated in the resolution, under which your committee was appointed, and find that, in our opinion, a clerk is necessary in said office; that it is impossible for any one person to perform the duties imposed by law upon the State Treasurer, and that it is impossible for the Treasurer to perform the duties of his office without the assistance of at least one clerk or deputy. Your committee would therefore respectfully recommend that the bill referred to, be indefinitely postponed.

JOHN C. JAMES,
Chairman.

Adopted.

By leave, Mr. Cutter submitted the following :

Mr. Speaker :

The Committee on State Library, to whom was referred Assembly Bill No. 26, entitled "An Act to provide a Seal of State for the State of Nevada," respectfully beg leave to report, recommending its passage without amendment.

W. M. CUTTER.
Chairman.

Adopted.

MOTIONS AND RESOLUTIONS BY MR. MAYHUGH.

Concurrent Resolution No. 9, relating to the Monroe Doctrine.

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

On motion of Mr. Canfield, at one o'clock p. m., House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two p. m.

Mr. Speaker in the chair.

Quorum present.

By leave, Mr. Mason offered the following report :

Mr. Speaker :

Your Standing Committee on Federal Relations, to whom was referred Senate Concurrent Railroad Resolution, have had the same under consideration, and propose the following amendment: strike out in the third preamble, the words "thence by the most practicable route to the eastern boundary of the State; and respectfully recommend its passage, as amended. Respectfully submitted.

R. S. MASON,
Chairman.

Accepted, and placed on file.

Also, by Mr. Mason :

Mr. Speaker :

Your Standing Committee on Federal Relations, to whom was referred memorial to Congress asking aid for the Sacramento Valley and Placer-ville Railroad, having had the same under consideration, have instructed their chairman to report the same back and recommend its passage.

All of which is respectfully submitted.

B. S. MASON,
Chairman.

Accepted and placed on file.

Mr. Hayden offered the following :

Resolved, That so much of the resolution whereby the Assembly appointed an Official Reporter at a certain amount per day, as relates to the per diem named in such resolution, be, and is hereby, rescinded.

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

Carried.

Mr. McDougall offered the following :

Resolved, That a special committee of three be appointed by the chair to investigate into the matter of the report of the debates of the Constitutional Convention; to inquire as to the reason why said report has not yet been written out and printed, and whether any moneys have been paid out of the treasury, and if so by what authority, to the Official Reporter.

Adopted, and Messrs. McDougall, Hudson, and Mason appointed as such committee.

MESSAGES FROM THE SENATE.

January 11, 1866.

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate refuse to concur in the amendment made in Assembly to Senate Bill No. 8, an Act to amend an Act to create the office of State Printer, etc., and have appointed Messrs. Doron, Kellogg, and Hastings a conference committee to act with a like committee from your honorable body.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

On motion of Mr. Cutter, in accordance with the above report, Messrs. Cutter, Beck, and Fisher were appointed as such committee on conference.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 11, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has this day, by unanimous vote, adopted the following Concurrent Resolution, the report of the Secretary of State being received :

Resolved, by the Senate, the Assembly concurring, That four hundred and eighty copies of the report of the Secretary of State be ordered printed.

Respectfully submitted,

GEO. R. AMMOND, Secretary.

Adopted unanimously.

NOTICES OF BILLS, ETC.

By Mr. Mason—An Act to create the office of Reporter and fix his compensation.

By Mr. Linn—An Act to regulate the salaries of District Judges.

By Mr. McDougall—An Act supplementary to, and amendatory of, an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county," approved January 27th, 1865.

By Mr. Elliott—An Act relating to officers and their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office, and to enforce official duty.

By Mr. Crawford—An Act in relation to Public Highways.

By Mr. Hayden—An Act to regulate the practice and proceedings in Justices' Courts, and to consolidate into one Act former provisions on the subject.

By Mr. Haskell—An Act to provide for recording certain judgments obtained in Justices' Courts, and other documents.

By Mr. Hayden—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 29th, 1861.

By leave, rules suspended, and Mr. Canfield introduced Assembly Bill No. 53, entitled "An Act to amend an Act entitled An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865.

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

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Hayden introduced Assembly Bill No. 54, 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 29th, 1861.

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

Pursuant to previous notice, Mr. Bearss introduced Assembly Bill No. 55, entitled an Act to amend section one of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appointment of Notaries Public, and defining their duties," approved February 9th, 1864, approved March 20th, 1865.

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

By unanimous consent, Mr. Julien introduced Assembly Bill No. 56, entitled "An Act for the relief of Hiram Welsh."

Read first time, rules suspended, read second time by title, and referred to Humboldt Delegation.

Pursuant to previous notice, Mr. Elliott introduced Assembly Bill No. 57, entitled "An Act relating to elections, the manner of conducting and contesting the same; election returns and canvassing the same; ballot box stuffing, &c."

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

Also, by Mr. Mason, Assembly Bill No. 58, entitled "An Act relating to the taking of usury."

Read first time and, on leave, withdrawn.

By leave, Mr. Banks introduced Assembly Bill No. 59, entitled "An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865.

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

Also, pursuant to previous notice, Assembly Bill No. 60, entitled "An Act to provide for establishing and maintaining a mining school, and create the office of State Mineralogist."

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

Also, by Mr. Edwards, Assembly Bill No. 61, entitled "An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled an Act for the relief of citizens of towns upon the lands of the United States, under certain circumstances."

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

By leave, Mr. Mayhugh introduced Assembly Bill No. 62, entitled "An Act to amend an Act concerning officers," approved November 29th, 1861.

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

GENERAL FILE.

Mr. Banks, by leave, offered the following protest:

I hereby enter my solemn protest against the action of the House in the adoption of a resolution, passed January 10th, 1866, providing for the appointment of five committee clerks to perform duties, which, in my opinion, it is notorious can easily be performed by two competent persons. With due respect to the gentlemen by whom said resolution was adopted and afterwards sustained, and earnestly hoping that the superior firmness and regard for economy which characterize those who

were thus granted power to appoint such clerks, will, in this instance, prevent any serious abuse of such privilege. In view of the foregoing consideration, and the fact that in almost every instance, when such power to fill positions exists, economy becomes secondary to the persistent solicitations of applicants for such positions, I am compelled to regard such action as unwise, uncalled for, and, as a precedent, exceedingly dangerous, and as utterly inconsistent with the financial condition of the State, the demands of our constituents, and our professions of an earnest desire to economize.

JAS. A. BANKS.

By leave, Mr. Fisher offered the following minority report from special committee appointed relative to State Treasurer's Clerk :

To the Honorable the Speaker of the Legislature of Nevada :

The undersigned, a minority of special committee to whom was referred an Act entitled "An Act repealing the office of State Treasurer's Clerk," beg leave to report :

First—That in the opinion of your minority, the office of State Treasurer's Clerk is wholly unnecessary, so far as the performance of clerical duty in said office is concerned.

Second—That owing to the impoverished condition of the State finances, it becomes the duty of this Legislature to economize in every particular, and in order more fully to impress upon the Legislature their duty in these premises, I would call the attention of the House to the very sound recommendation of the State Treasurer himself, which is as follows: "It will be noticed that the expenses of the State should be materially reduced for the year 1866, not only on account of a shorter session of the Legislature, but also because a considerable portion of the expenditure for the year just closed was incidental to the organization of the State Government." By abolishing the office of Treasurer's Clerk, we are only carrying out the recommendation of that officer. He has had the benefit of a Clerk during his organization of his department. Your minority admits that he has no data upon which to establish his belief that the Treasurer can find ample time in which to discharge all the duties of his office in person; but of this fact he is convinced. Your minority, therefore, respectfully recommends that all after the enacting clause be stricken out and that the following clause be inserted in lieu thereof: "Section One. An Act of the Legislature of the State of Nevada entitled 'An Act authorizing the State Treasurer to employ a Clerk, and fixing his compensation,' approved March 9th, 1864 [1865], is hereby repealed."

All of which is respectfully submitted.

ROBERT FISHER.

Ordered on file with majority report.

THIRD READING OF BILLS.

Assembly Bill No. 23, entitled "An Act to amend an Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada."

Read third time.

Mr. Haskell moved to make it special order for to-morrow morning.

Lost.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliot, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

NAYS—Mr. Vandewater—1.

By leave, rules suspended, and Mr. Haskell offered the following resolution :

Resolved, That a committee of three be appointed to ascertain what Insurance Companies, doing business in this State, have complied with the requirements of the law enacted last session, regulating the same ; also, to ascertain what company or companies, if any, are doing business regardless of the provisions of said law.

Adopted.

Assembly Bill No. 25, entitled " An Act to amend an Act entitled an Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26, 1861, read a third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

NAYS—Mr. Prince—1.

Assembly Bill No. 19, entitled " An Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary, considered by the House, and ordered engrossed for a third reading.

Assembly Bill No. 11, entitled " An Act to provide for the changing of the names of persons," was being considered.

Pending which, on motion of Mr. McDougall, at five o'clock p. m., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTEENTH DAY.

SATURDAY, January 13, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Leave of absence granted Mr. O'Neil.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORT OF STANDING COMMITTEE.

Mr. Beck reports, that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 19, an Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary.

H. H. BECK,
Chairman.

REPORT OF SELECT COMMITTEE.

Mr. Speaker:

The Humboldt County delegation, to whom was referred Assembly Bill No. 56, entitled "An Act for the relief of Hiram Welch," respectfully report the same back without amendments, and recommend its passage.

T. V. JULIEN,
J. J. LINN.

Adopted.

MOTIONS AND RESOLUTIONS.

By Mr. Julien.

Resolved, by the Assembly, the Senate concurring, that hereafter, when bills are ordered printed by the Assembly or Senate, members of both branches of the Legislature shall be served with a copy.

Carried unanimously.

In accordance with a resolution introduced by Mr. Haskell, yesterday, relative to insurance companies doing business in this State, Mr. Speaker appointed Messrs. Haskell, Clemens, and Elliott to act as a committee in conformity therewith.

REPORT FROM THE JUDICIARY COMMITTEE.

By leave, Mr. Hayden offered the following report:

Mr. Speaker:

The Judiciary Committee, to which was referred the bill entitled "An Act to amend an Act entitled An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, have considered the same favorably, and recommend that said bill be passed with amendments, as follows: In line 6, after the word "follows," insert the word and figures "section 24." In line 11, after the word "rendered," insert the words "by him." In line 11, after the word "parties," insert the word "from."

The Judiciary Committee further report that they have had under consideration Assembly Bill No. 39, entitled "An Act to amend an Act entitled an Act concerning the Courts of Justice of the State, and judicial officers," approved January 26th, 1865; and herewith report a substitute for such bill, which substitute, on account of informality in the title of bill as offered, they recommend to be passed in lieu of the original bill.

The Judiciary Committee further report that they have considered Assembly No. 54 entitled "An Act to amend an Act to regulate pro-

ceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, and respectfully recommend its passage.

C. S. HAYDEN,
Chairman of Judiciary Committee.

Assembly Substitute Bill No. 39, as per report, entitled "An Act to amend an Act entitled an Act concerning the Courts of Justice of the State, and judicial officers," approved January 26th, 1865.

Rules suspended, read first time by title, read second time, and ordered on file.

NOTICES OF BILLS, ETC.

By Mr. Clemens—An Act in relation to town and village titles in the State of Nevada.

Also, an Act concerning mining locations.

Also, an Act to provide for the formation and regulation of mining corporations.

Also, an Act to provide for the formation of corporations for certain purposes.

Mr. Speaker *pro tem.* in the chair.

Leave of absence granted Mr. Banks for one day.

By Mr. Hayden—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.

Also, 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.

Also, an Act to amend an Act entitled "An Act concerning conveyances," approved November 5th, 1861.

By Mr. Hall—An Act to amend an Act entitled "An Act to grant the right to construct a toll road from Virginia City to Truckee Meadows and Steamboat Valley, in Storey and Washoe counties," approved November 29th, 1861.

INTRODUCTION OF BILLS, ETC.

Pursuant to previous notice, Mr. Crawford introduced Assembly Bill No. 63, entitled "An Act in relation to public highways."

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

By unanimous consent Mr. Haskell introduced Assembly Bill No. 64, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada.'"

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

Rules suspended, and Assembly Bill No. 11, entitled "An Act to provide for the changing of the names of persons," was taken up, amended, and ordered engrossed for third reading.

Assembly Bill No. 19, entitled "An Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary."

Read third time, and passed by the following vote:

YEAS—Messrs. Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaije, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson

Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, and Work—31.

NAYS—None.

Assembly substitute Concurrent Resolution No. 2, in regard to mail service from Wellington's Station to Austin, was considered and ordered engrossed.

Senate Concurrent Railroad Resolution No. 1 taken up.

Assembly Concurrent Resolution No. 8, asking aid for Sacramento Valley and Placerville Railroad, considered, and, on motion, both resolutions made special order for Tuesday next at twelve o'clock M.

Assembly Bill No. 52, entitled "An Act in aid of the construction of a line of telegraph through the State of Nevada, and connecting with the city of San Francisco, California," was considered; majority and minority reports relative thereto were read, and, on motion, made special order for Wednesday next at two o'clock P. M.

On motion of Mr. Williams, at one o'clock P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTEENTH DAY.

MONDAY, January 15, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Bearss and Hudson and the Chaplain, to whom leave of absence was granted.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Beck reported that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 11, an Act to provide for the changing of the names of persons.

Also, substitute for Assembly Concurrent Resolution No. 2, in regard to mail service from Wellington's Station, Esmeralda county, to Austin, Lander county.

H. H. BECK,
Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. Fisher presented the following minority report :

Mr. Speaker :

Your committee, to whom was referred an Act to repeal an Act to provide for the appointment of a Deputy State Controller, and to fix his

compensation, beg leave to report that they have had the same under consideration, and report herewith a substitute for said bill.

ROBERT FISHER,
Chairman.

Accepted.

Assembly Bill No. 65, relative to a Deputy State Controller, as per report.

Read first time.

The question being, shall the bill be rejected? Mr. Munckton moved to make it special order for Monday next, at twelve m.

Motion withdrawn; and renewed by Mr. Elliott.

Mr. Cutter raised the point of order, that the motion to reject being a privileged motion, no other motion was in order until that was disposed of.

Mr. Speaker ruled the point of order not well taken.

Point of order withdrawn.

Messrs. James, Grey, and Cutter moved the previous question.

Sustained.

Mr. Elliott's motion to set Monday next for consideration of the bill, was lost.

The question being, shall the bill be rejected? Yeas and nays called, by Messrs. James, Cutter, and Williams, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Gaige, Grey, Hall, Hinckley, Ingham, James, Linn, O'Neil, Taylor, Walton, Williams, and Work—18.

NAYS—Messrs. Clemens, Elliott, Fisher, Glover, Haskell, Hayden, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, Prince, Vandewater, Wood, Woodruff, and Mr. Speaker—17.

Bill rejected.

Mr. Speaker ruled that the rejection of the substitute, being an entire bill, did not carry with it the rejection of the original bill, as referred to the committee.

Mr. Cutter appealed from the decision of the chair.

Previous question called, by Messrs. Hudson, Cutter, and Beck, and sustained.

The question being, shall the decision of the chair stand as the decision of the House? Yeas and nays called, by Messrs. Cutter, Grey, and Beck, resulting as follows:

YEAS—Messrs. Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Julien, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, and Woodruff.—24.

NAYS—Messrs. Bearss, Canfield, Cutter, Grey, Ingham, James, McDougall, Williams, and Work—9.

Chair sustained.

On motion of Mr. Edwards, at one o'clock, House took a recess until two o'clock p. m.

AFTERNOON SESSION.

House re-assembled at two p. m.

Mr. Speaker in the chair.

Quorum present.

Leave of absence granted to Mr. Gaige for the day.

On motion of Mr. Cutter, the special order was postponed for ten minutes.

Rules suspended for consideration of Senate Message of January 13th, 1866.

SENATE MESSAGE.

To the Honorable the Assembly:

I am directed to transmit herewith, for the consideration of your honorable body, Senate Concurrent Resolution relative to the transportation of troops; the same having passed the Senate this day. Yeas—13. Nays—None.

I also return to your honorable body Assembly Bill No. 51, an Act to extend the provisions of an Act entitled "An Act to provide for the formation of corporations for certain purposes, approved March 10th, 1865; to corporations created prior to that time, and to confirm proceedings taken for the purpose of disincorporating corporations, and for the purpose of increasing the capital stock of corporations;" the same having passed the Senate this day without amendment.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

Senate Concurrent Resolution, relative to the transportation of troops; as per message.

Rules suspended, read first and second time by title, and referred to Committee on Military and Indian affairs.

Assembly Bill No. 51, ordered enrolled and transmitted to the Governor.

REPORTS.

Mr. Grey, from Enrolling Committee, reports that the Standing Committee on Enrollment, delivered the following entitled bill to his excellency, the Governor, for his approval, on the 15th inst., viz: an Act to extend the provisions of an Act entitled "An Act to provide for the formation of corporations, for certain purposes; approved March 10, 1865; to corporations created prior to that time, and to confirm proceedings taken for the purpose of increasing the capital stock of corporations," and that the same has this day been delivered to the Governor for his approval.

The House resolved itself into Committee of the Whole, Mr. Crawford in the chair, for consideration of special order of the day:

Assembly Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes," which reported as follows:

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 3 entitled "An Act to provide for the formation of corporations for certain purposes;" have made some progress, and directed their chairman to report the bill to the House, and ask leave to sit again.

Leave granted.

Mr. Speaker in the chair.

Mr. Ingham offered a substitute for Assembly Bill No. 3, and moved it be ordered printed and made special order for Monday next, at 2 o'clock.

Motion to print—carried.

Mr. Williams moved to refer the bill to a special committee of three,

with instructions to report on or before Monday next, at 2 o'clock, p. m.

Previous question called and sustained.

The question being, upon the motion of Mr. Ingham, making it the special order, yeas and nays called by Messrs. Ingham, Cutter, and Grey, resulting as follows:

YEAS—Messrs. Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Hall, Ingham, James, Lane, Munckton, McDougall, Prince, Vandewater, and Woodruff—17.

NAYS—Messrs. Bearss, Canfield, Glover, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Mayhugh, O'Neil, Taylor, Walton, Williams, Wood, Work, and Mr. Speaker—17.

Lost.

The question being upon the motion of Mr. Williams to refer to a special committee of three.

Carried, and Mr. Speaker appointed as said committee, Messrs. Canfield, Clemens and James.

REPORT OF SPECIAL COMMITTEE.

Mr. Hall submitted the following:

Mr. Speaker:

A majority of your committee, to whom was referred Assembly Bill No. 14, entitled "An Act to repeal an Act entitled 'An Act to provide for the appointment of a Deputy State Controller, and fix his compensation'" approved February 21st, 1865, beg leave to report that they have had the same under consideration, have visited the office of the Controller, and find that, in their opinion, a clerk is necessary in said office; that it is impossible for any one person to perform the duties imposed by law upon said Controller; and that it is impossible for said Controller to perform the duties of his office without the assistance of a clerk or deputy. Your committee would, therefore, respectfully recommend that the bill be indefinitely postponed.

J. F. HALL,

T. V. JULIEN,

Majority of Committee.

Placed on file with bill.

Mr. James moved to suspend the rules, and reconsider the vote by which Assembly Bill No. 52, an Act in aid of a line of telegraph through the State, connecting with San Francisco, was, on Saturday last, made special order for Wednesday next, at two o'clock p. m.

Carried.

By unanimous consent, Mr. Elliott introduced Assembly Bill No. 66, entitled "An Act to provide for constructing and maintaining telegraph lines in the State of Nevada."

Rules suspended, read first and second time by title, and referred to Committee on Corporations.

Mr. James moved to suspend the rules, and consider Assembly Bill No. 52, relative to a line of telegraph through the State.

Carried.

The majority and minority reports were read.

The question being upon the adoption of the minority report.

Mr. Elliott moved to indefinitely postpone the bill.

Pending which, on motion of Mr. Munckton, at four o'clock and twenty minutes, House took a recess until seven p. m.

EVENING SESSION.

Mr. Speaker *pro tem.* in the chair.

Quorum present.

On motion of Mr. Cutter, Rule 67, relative to smoking, was suspended, temporarily.

On motion of Mr. Glover, special order postponed for ten minutes.

Mr. Speaker in the chair.

Mr. McDougall offered Concurrent Resolution No. 16, relative to the competency of Justices of the Peace to act as Registry Agents.

Yeas and nays called, resulting as follows :

YEAS.—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Williams, Wood, Work, and Mr. Speaker—31.

NAYS—Mr. Walton—1.

Carried.

The petition of James M. Day, being the special order, was considered; report of committee relative thereto was read; when Mr. Bearss moved that the whole subject matter be laid on the table.

Pending which, Mr. Day, by invitation addressed the Assembly.

The question being upon the motion, that the whole subject matter be laid upon the table. Yeas and nays called by Messrs. Cutter, Mayhugh and Vandewater, resulting as follows :

YEAS.—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—31.

NAYS—Messrs. Cutter, Glover, Lane, and Mason—4.

Carried.

On motion of Mr. Williams, at nine p. m., House adjourned.

JAMES A. BANKS, Speaker.

U. E. Allen, Clerk.

 SIXTEENTH DAY.

TUESDAY, January 16, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Cutter and Crawford, to whom was granted leave of absence for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Williams moved to adjourn to hear the argument before the Supreme Court.

Previous question called and sustained.

The question being, shall the main question be now put? yeas and nays called by Messrs. Lane, Williams, and Julien, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Elliott, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hudson, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Work—27.

NAYS—Messrs. Fisher, Ingham, Julien, Munckton, and Mr. Speaker—5.

Carried.

The question being upon the motion to adjourn, yeas and nays called, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Elliott, Gaige, Haskell, Hudson, Lane, Mayhugh, O'Neil, Williams, and Woodruff—11.

NAYS—Messrs. Beck, Clemens, Fisher, Grey, Glover, Hall, Hayden, Hinckley, Ingham, James, Julien, Linn, Mason, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—22.

Lost.

REPORTS FROM COMMITTEES.

Mr. Hall submitted the following:

Mr. Speaker:

The Committee on State Institutions to whom was referred Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick and insane of the State of Nevada," have had the same under consideration, and herewith report the same back, unanimously recommending its passage with the following amendments:

Section Two. In place of "seven days" insert "thirty days," and in place of "at the State Capital" insert "at such time and place as may suit the convenience of a majority;" also, striking out all after the word "necessary."

Section four to be amended by inserting after the word "meeting" "the Treasurer shall file such bonds as may be required of him by the Board."

Section six shall be amended by inserting the word "quarterly" after the word "payable."

All of which is respectfully submitted.

JOSEPH F. HALL,
Chairman.

Placed on file with bill.

Mr. O'Neil submitted the following:

Mr. Speaker:

Your Committee on Internal Improvements, to whom was referred the bill entitled "An Act amendatory of an Act authorizing M. D. Harmon to establish and maintain a toll road," approved February 20th,

1864, have had the same under consideration, and beg leave to report favorably on the same, and to recommend its passage.

FELIX O'NEIL,
Chairman.

Mr. Elliott submitted the following :

Mr. Speaker :

The Committee on Corporations, to whom was referred Assembly Bill No. 66, entitled "An Act to provide for the constructing and maintaining telegraph lines in the State of Nevada," beg leave to report that they have duly considered the same, have come to a favorable conclusion thereon, and recommend its passage without amendments.

A. B. ELLIOTT,
Chairman.

Mr. Fisher submitted the following :

Mr. Speaker :

Your committee of conference, appointed to confer with a like committee on the part of the Senate, in relation to the disagreement of the two houses with reference to Senate Bill No. 8, entitled "An Act to amend an Act 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,'" approved January 10th, 1865, respectfully beg leave to report, recommending that the House recede from their amendment, striking out section third of said Act, and that the following provision be added thereto: "Provided, that none of the provisions of this section shall apply to the journals of the Assembly for the present session, unless the copying of the same shall be unfinished at the time of the adjournment; but so far as said journals are concerned, section eight of the Act, of which this is amendatory, shall remain in full force and effect; and further provided, that the Secretary of State shall be allowed a compensation not to exceed five cents per folio of one hundred words for the copying of the journals, as herein provided."

W. M. CUTTER,
Chairman.

Mr. James moved that the subject matter be recommitted to the committee on conference.

Carried.

MOTIONS AND RESOLUTIONS.

Mr. Munckton offered the following resolution :

Resolved, That the currency question is a question of vital importance; and in view thereof, therefore,

Resolved, That a committee of three be appointed to wait on Judge Beatty, and request him, at his earliest convenience, to come before this body, at an evening session appointed for that purpose, to lecture on the currency question.

Lost.

Mr. Hayden offered the following :

Resolved, That the Speaker be requested to increase the special com-

mittee, to whom was referred the bill on corporations, offered by Mr. James, and the amendment proposed by Mr. Ingham, by adding to that committee a member of this House, from each county not now represented on that committee.

Pending which, Senate Concurrent Railroad Resolution No. 1, and Assembly Railroad Resolution No. 8, being special order, came up, and on motion, made special order for seven o'clock p. m.

The consideration of the resolution by Mr. Hayden resumed.

Mr. James rose to a point of order, that Mr. Hayden, in discussing the merits of the bill as per resolution, was out of order.

Mr. Speaker ruled point of order not well taken.

Previous question called and sustained.

The question being upon the passage of the resolution. Yeas and nays called by Messrs. McDougall, Hall and Vandewater, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Elliott, Hayden, Hinckley, Hudson, Julien, Linn, Mason, Mayhugh, O'Neil, Taylor, Walton, Williams, and Work—16.

NAYS—Messrs. Clemens, Cutter, Edwards, Fisher, Gaige, Grey, Glover, Hall, Ingham, James, Lane, Munckton, McDougall, Prince, Vandewater, Wood, Woodruff and Mr. Speaker—18.

Lost.

By Mr. Fisher—Assembly Concurrent Resolution No. 19, relative to Robert Lyon, County Assessor of Douglas County.

Laid over one day.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
January 15, 1866. }

To the Honorable the Assembly:

I am directed to return to your honorable body Assembly Concurrent Resolution No. 4, in regard to mail service, the same having passed the Senate this day, with the following amendments, viz: Strike out "Carson," in the fourth line of first resolution, and insert "Virginia."

I am also directed to transmit Senate Concurrent Resolution, relative to establishing semi-weekly mail from Aurora, via Columbus, to Silver Peak, the same having passed the Senate this day—yeas, 16; noes, 0.

I am further directed to return Assembly Concurrent Resolution relative to bills ordered printed by the Assembly or Senate, the Senate having concurred in the same this day—yeas, 15; nays, 0.

GEO. R. AMMOND, Secretary.

The question being upon the adoption of Resolution No. 4, as amended in the Senate, adopted by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edward, Elliott, Fisher, Gaige, Glover, Hall, Hayden, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Mr. Speaker—29.

NAYS—Messrs. Grey, Lane, and Munckton—3.

Ordered enrolled.

Senate Concurrent Resolution No. 31, relative to establishing semi-weekly mail from Aurora, via Columbus, to Silver Peak.

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

NOTICES OF BILLS, ETC.

By Mr. Munckton—An Act to organize a new county, to be called Stewart County, leaving it to the voters of the proposed territory.

By Mr. Hayden—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 20th, 1861. 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 29th, 1861.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Elliott introduced Assembly Bill No. 67, entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office, and to enforce official duty."

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

Also, by Mr. Clemens—Assembly Bill No. 68, entitled "An Act concerning mining locations."

Read first time, rules suspended, read second time by title, and referred to Committee on Mines and Mining Interests.

By unanimous consent, Mr. Ingham introduced Assembly Bill No. 69, entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,' approved March 4th, 1865.

Rules suspended, read first and second time by title, and referred to Virginia delegation—Messrs. James, Ingham, Grey, Elliott, Hall, McDougall, and Cutter.

Pursuant to previous notice, Mr. Haskell introduced Assembly Bill No 70, entitled "An Act to provide for recording certain judgments obtained in Justices' Courts, and other documents."

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

Also, by Mr. Work, Assembly Bill No. 71, entitled "An Act to amend an Act to incorporate the city of Austin," approved March 8th, 1865.

Rules suspended, read first and second time by title, and referred to Lander County delegation.

Also, by Mr. McDougall, Assembly Bill No. 72, entitled "An Act supplementary to, and amendatory of, an Act entitled 'An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county,'" approved January 27th, 1865.

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

Rules suspended.

Mr. Bearss moved that Assembly Bill No. 68 be printed.

Carried.

Pursuant to previous notice, Mr. Grey introduced Assembly Bill No. 73, entitled "An Act in relation to public schools."

Rules suspended, read first and second time by title, and referred to Committee on Education.

By unanimous consent, Mr. Work introduced Assembly Bill No. 74, entitled "An Act to amend an Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," approved February 7th, 1865.

Rules suspended, read first and second time by title, and referred to Committee on Corporations.

Pursuant to previous notice, Mr. Hayden introduced Assembly Bill No. 75, 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 29th, 1861.

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

Also, Assembly Bill No. 76, entitled "An Act to amend an Act entitled 'An Act concerning conveyances,'" approved November 5th, 1861.

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

Also, Assembly Bill No. 77, 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,'" approved November 29th, 1861.

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

Mr. Wood moved to suspend the rules, and that Assembly Bill No. 74 be ordered printed.

Carried, and so ordered.

Rules suspended, and Mr. Elliott gave notice that he would, at some future day, ask leave to introduce a bill, entitled "An Act to repeal an Act entitled 'An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,'" approved March 4th, 1865, and to provide for the payment of the indebtedness of the city of Virginia.

Pursuant to previous notice, Mr. Banks introduced Assembly Bill No. 78, entitled "An Act concerning the powers of corporations."

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

Also, by unanimous consent, Assembly Bill No. 79, entitled "An Act concerning the collection of taxes on personal property."

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

Mr. Mayhugh moved to adjourn.

Lost.

On motion of Mr. Hayden, at one o'clock, House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Mr. Ingham moved to suspend the rules, and take up Assembly Bill No. 66, relative to telegraph lines.

Carried.

Mr. Glover moved to make the bill the special order for Friday next, at two o'clock.

Previous question called and sustained.

Motion withdrawn by Mr. Glover, and renewed by Mr. Williams.

Motion lost.

The question being upon the engrossment of the bill, carried and so ordered.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. James introduced Assembly Bill No. 80, an Act concerning conveyances.

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

Rules suspended, and Mr. Clemens made the following report :

Mr. Speaker :

The Committee of Ways and Means have had Assembly Bill No. 36, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, under consideration, and herewith report the same back to the House, with the recommendation that it do pass, with the following amendments : First, in section one, second page, in the fourth line, strike out after the word "Assessor," "as ex-officio License Collector." Second, in section four, fourth page, in the tenth line of said section, strike out after the word "full," the word "amount," and substitute the word "number." Third, in section seven, eighth page, in the tenth line, strike out after the word "retain," "six," and substitute the word "five."

ORION CLEMENS,
Chairman.

Mr. Elliott moved to have the bill printed.

Motion withdrawn; renewed by Mr. Grey.

Lost.

Bill and report placed on file.

GENERAL FILE.

Assembly Bill No. 43, relative to ditches and flumes, was considered by the House, amended, and ordered engrossed.

Assembly Bill No. 46, relative to the Virginia Fire Department, was considered by the House, committee amendment adopted, and bill ordered engrossed.

On motion of Mr. Williams, rules suspended, and unfinished business placed at the bottom of general file.

Substitute for Assembly Concurrent Resolution No. 2, relative to mail service from Wellington's Station to Austin, was considered, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Hayden, Hincley, Hudson, Ingham, James, Julien, Lane, Linn, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—28.

NAYS—None.

Assembly Bill No. 11, relative to changing names of persons, was read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—29.

NAYS—None.

Assembly Bill No. 17, relative to the employment of a Clerk by the State Treasurer, was considered by the House.

Previous question called and sustained.

The question being upon the adoption of the minority amendment proposed by Mr. Fisher.

Lost.

The question being upon the adoption of the majority report indefinitely postponing the bill, yeas and nays called by Messrs. Fisher, Canfield, and Vandewater, resulting as follows :

YEAS—Messrs. Canfield, Crawford, Grey, Hall, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mayhugh, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—20.

NAYS—Messrs. Bearss, Beck, Clemens, Edwards, Elliott, Fisher, Glover, Ingham, Mason, Munckton, McDougall, Prince, and Woodruff—13.

Indefinitely postponed.

REPORT FROM COMMITTEE OF FREE CONFERENCE.

Mr. Beck offered the following report :

Mr. Speaker :

Your committee of conference appointed to confer with a like committee on the part of the Senate, in relation to the disagreement of the two Houses with reference to Senate Bill No. 8, entitled "An Act to amend an Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January 10th, 1865, beg leave to report that they cannot reconcile the difference existing between the two Houses.

H. H. BECK,
ROBERT FISHER.

Mr. James moved a committee of free conference of three, be appointed in accordance with the above report.

Carried, and Mr. Speaker appointed as said committee Messrs. James, Crawford, and Linn.

On motion of Mr. Elliott, at four o'clock P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

SEVENTEENTH DAY.

WEDNESDAY, January 17, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present except Mr. Cutter, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Edwards moved that the Reporter be respectfully requested to publish the letter of Mr. James M. Day.

Carried.

REPORTS OF STANDING COMMITTEES.

Mr. Mayhugh submitted the following :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 4, entitled "An Act declarative of the 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 most respectfully submitted.

JOHN S. MAYHUGH,
Chairman.

By Mr. Mason :

From Committee on Federal Relations, a substitute for Joint Resolutions in regard to Jefferson Davis.

Mr. Mayhugh moved that five hundred copies of the resolution be printed.

Laid over one day under the rules.

By Mr. Hayden :

Mr. Speaker.

The Committee on the Judiciary, to whom was referred Assembly Bill No. 75, entitled an "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, have considered the same favorably, and recommend its passage without amendment. Also, that they have considered Assembly Bill No. 80, entitled "An Act concerning conveyances," and recommend the passage of a substitute bill therefor, which substitute bill is herewith presented.

C. S. HAYDEN,
Chairman Committee on Judiciary.

Substitute to Assembly Bill No. 80, [as per report of Committee on Judiciary], entitled "An Act to amend an Act entitled 'An Act concerning the acknowledgment of conveyances,'" approved February 20th, 1864, read first time, rules suspended, read second time by title, and ordered on file with the original.

Mr. Mayhugh reported as follows :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 6, entitled "An Act to secure persons and animals from danger arising from mining and other excavations," 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 said bill be returned, as per request, to the introducer; for the purpose of making some corrections thereto, or to introduce a new bill, as he may deem necessary. All of which is respectfully submitted.

JOHN S. MAYHUGH,
Chairman.

Bill mentioned in report, withdrawn.
By Mr. Clemens :

Mr. Speaker :

The Committee of Ways and Means have had Assembly Bill No. 31, "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" approved March 9th, 1865, under consideration, and herewith report the same back to the House, with a recommendation that it pass, amended as follows: substitute the word "an" for "a" in the first line; strike out the word "an" where it is repeated in the second line; and strike out the word "the" from between the words "March" and "9th" in the last line of the title. Substitute the word "said" for "this" in section one; and strike out the words "this Act to take effect from and after its passage."

ORION CLEMENS,
Chairman.

Report and bill ordered on file.
Also, by Mr. Clemens :

Mr. Speaker :

The Committee of Ways and Means had Assembly Bill No. 13, an Act to amend section eighty-eight of an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, under consideration, and herewith report the same back to the House, with a recommendation that it do not pass.

ORION CLEMENS,
Chairman.

Bill ordered on file.

Mr. Ingham, chairman Committee on Military and Indian Affairs, to which was referred Senate Concurrent Resolution No. 24, relative to transportation of troops, beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend its passage.

E. INGHAM.

Ordered on file.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following resolutions to the Secretary of State on the 17th inst.: Assembly Concurrent Resolution No. 10, relative to furnishing both branches of the Legislative Assembly with copies of all printed bills;

also, Assembly Concurrent Resolution No. 4, relative to the establishment of a daily mail from Virginia City to American City, in Storey county, the same having been carefully compared with the engrossed resolutions as passed by the two Houses, and found carefully enrolled.

A. C. BEARSS,
Chairman Enrolling Committee.

Mr. Crawford reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz: Assembly Bill No. 46, an Act for the relief of certain officers of the Virginia Fire Department; also, Assembly Bill No. 66, an Act to provide for constructing and maintaining telegraph lines in the State of Nevada.

CRAWFORD, for Committee.

Mr. James moved to recommit Assembly Bill No. 66, relative to telegraph lines, as per report, to a special committee of one, with instructions to report as follows:

Pending which, on motion of Mr. Haskell, at twelve o'clock and forty minutes, House took a recess until two o'clock P. M.

AFTERNOON SESSION

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Consideration of Mr. James' motion on resolution relative to telegraph lines, resumed, when Mr. James withdrew his motion.

Rules suspended and Mr. James moved to reconsider the vote by which the bill was ordered engrossed.

Carried.

Mr. Ingham moved that the bill be printed, including amendments proposed by Mr. James—amendments in the body of the bill to be printed in italics, so that the bill will appear as if engrossed with amendments.

Carried.

REPORT OF SELECT COMMITTEE.

Mr. Haskell reported as follows:

January 18, 1866.

Hon. D. H. Haskell, Chairman of Select Committee:

SIR—In answer to your request, asking for information as to how many companies have complied with the law regulating Foreign Insurance Companies doing business in this State, I would most respectfully submit the following named companies: The Pacific Fire Insurance Company; the Imperial Fire Insurance Company; the Mutual Life Insurance Company, as being all that have complied with said law.

Very respectfully yours,

A. W. NIGHTINGILL,
State Controller.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 Carson City, January 16, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved Assembly Bill No. 51, entitled "An Act to extend the provisions of an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved March 10th, 1865.

H. G. BLASDEL,
 Governor.

MOTIONS AND RESOLUTIONS.

Mr. Ingham offered the following :

Resolved, That a committee of three be appointed by the chair to wait on the Attorney-General and request of that officer a written reply to the following interrogatories :

Have the two Houses a right to set apart, by law, moneys which shall constitute an Assembly and Senate contingent fund ?

If so, have they a right to draw on said funds by resolution simply, the law by which the funds were created giving them authority so to do ?

If so, have they a right, by resolution, to draw on said funds in favor of each member for the sixty dollars allowed by the Constitution for stationery, etc., at once ?

Adopted.

Mr. Speaker appointed as said committee Messrs. Ingham, Prince, and Haskell.

Mr. Speaker *pro tem.* in the chair.

Mr. Munckton offered the following :

Resolved, That in no instance, hereafter, the first reading of bills for information shall be dispensed with.

On motion of Mr. Haskell, resolution indefinitely postponed.

Mr. Beck offered the following :

Resolved, That whenever a bill asking special legislation is introduced in this House, that the same be printed at the expense of those who will, if the bill pass, receive the benefit of the same.

Laid on the table.

Mr. Haskell moved to adjourn.

Lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
 January 16, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 10 an Act authorizing issuance and sale of certain State bonds and levying

a tax to provide means for the payment thereof, the same having this day passed the Senate with the following amendments: Strike out "on" before "an" in the fourth line, section five; insert "of" between "constitution" and "the," in last line of section six.

Also, Assembly Bill No. 23, an Act to amend an Act entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," approved March 8th, 1865, the same having been, by unanimous vote of the Senate, indefinitely postponed.

I am also directed to transmit Senate Concurrent Resolutions asking the President of the United States to bring Jefferson Davis to a speedy trial, and that he be punished if found guilty, the same having passed the Senate this day—yeas, 11; nays, 2.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Mr. Speaker in the chair.

The question being, upon concurring in Senate amendments to Assembly Bill No. 10, "An Act authorizing issuance and sale of certain State bonds, and levying means for the payment thereof."

Yeas and nays called, and bill finally passed as amended by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hudson, Ingham, Julien, Lane, Linn, Mason, Munckton, McDougall, O'Niel, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—26.

NAYS—None.

Ordered enrolled.

Senate Concurrent Resolution No. 35, relative to a speedy trial of Jefferson Davis, read first time, rules suspended, read second time by title, and referred to Committee on Federal Relations.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, January 17, 1866. }

To the Honorable the Assembly:

I am directed to transmit herewith, for the consideration of your honorable body, Senate Memorial to Congress against the sale of the mineral lands, and Senate Concurrent Resolution, relative to mineral lands claimed by the Central Pacific Railroad Company; both of which have this day passed the Senate unanimously.

I am also directed to inform your honorable body, that Messrs. Doran, Kellogg, and Hastings, have been appointed a free conference committee to confer with a like committee on the part of the Assembly, relative to Senate Bill, No. 8, entitled "An Act to create the office of State Printer, etc.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

Senate Concurrent Resolution No. 16, against the sale of mineral lands, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Mines and Mining Interests.

Senate Concurrent Resolution No. 21, relative to mineral lands claimed by the Central Pacific Railroad Company, read first time, rules suspended, read second time by title, and referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Mayhugh introduced Assembly Bill No. 81 entitled "An Act authorizing the survey and establishment of the boundaries between the several counties of this State."

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

Also, by Mr. Clemens, Assembly Bill No. 82, entitled "An Act to provide for the formation of corporations for certain purposes."

Rules suspended, read first and second time by title, and referred to Committee on Corporations.

Mr. James moved the bill be ordered printed.

Yeas and nays called by Messrs. Hall, James, and Glover, pending which—

Mr. Haskell moved to adjourn.

Lost.

The question being, upon ordering the bill printed, yeas and nays resulted as follows :

YEAS—Messrs. Bearss, Clemens, Crawford, Edwards, Gaige, Grey, Glover, Hall, Hudson, James, Julien, Linn, McDougall, Vandewater, Walton, Williams, Work, and Mr. Speaker—18.

NAYS—Messrs. Beck, Canfield, Elliott, Fisher, Haskell, Ingham, Lane, Mason, Mayhugh, Munckton, O'Niel, Prince, and Mr. Wood—13.

Carried.

Also, Mr. Walton introduced Assembly Bill No. 83, entitled "An Act amendatory of an Act entitled 'An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers,'" approved March 8th, 1865.

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

Also, by Mr. Julien, Assembly Bill No. 84, entitled "An Act to create a Board of Commissioners, to examine claims of citizens of Humboldt County, and report to the Governor of the State the amount of just claims held by citizens of said county for property destroyed and losses sustained by Indian depredations in said county, in the years 1864, 1865, 1866.

Rules suspended, read first and second time by title, ordered printed, and referred to Committee on Military and Indian Affairs.

By unanimous consent, Mr. Banks introduced Assembly Bill No. 85, entitled "An Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State and judicial officers,'" approved January 26th, 1865.

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

On motion of Mr. Lane, at three o'clock and forty minutes P. M., the House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

EIGHTEENTH DAY.

THURSDAY, January 18, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PRESENTATION OF PETITIONS.

By Mr. James :

JANUARY 17th, 1866.

To Hon. I. C. James, Ingham, McDougall, and the other Representatives of Storey County, at Carson :

GENTLEMEN :—The following resolution was unanimously adopted at a regular meeting of the Board of Aldermen of the city of Virginia, held on Thursday evening, January 16th, 1866 :

Resolved; That this Board respectfully request the Storey County delegation at Carson to defer action on any bill amending the city charter, until such time as this Board can become acquainted with such proposed changes; and that the City Clerk be directed to forward a copy of this resolution to the Storey County delegation at Carson.

Yours, respectfully,

ALFRED DOTEN,
City Clerk.

Referred to Messrs. James, Ingham, Grey, McDougall, Elliott, Hall, and Cutter.

REPORTS OF STANDING COMMITTEES.

Mr. Hayden submitted the following :

Mr. Speaker :

The Committee on the Judiciary, to whom was referred Assembly Bill No. 9, entitled "An Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State and judicial officers,'" approved January 26th, 1865, have considered the same, and recommend that said bill be not passed.

Also, that they have considered Assembly Bill No. 47, entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in the Courts of Justice,'" approved November 29th, 1861, and recommend that the same do not pass.

Also, that they have considered Assembly Bill No. 77, 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 29th, 1861, and recommend that the same be passed without amendment.

Also, that they have considered Assembly Bill No. 49, entitled "An Act to amend an Act entitled 'An Act to exempt the homestead and

other property from forced sale in certain cases,'” approved March 6th, 1865, and recommend its passage without amendment.

Also, that they have considered Assembly Bill No. 61, entitled “An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled ‘An Act for the relief of cities and of towns upon the lands of the United States, under certain circumstances,’” approved May 23d, 1844, and recommend its passage with the following amendments :

In seventh line of first page insert after the word “circumstances,” the words and figures “approved May 23d, 1844.”

In fourth line of page four strike out the word “letters” before the word “patent.”

In the fourth line of section six, strike out the words “may bring a writ of error or,” and change the word “thereon” to “therefrom.”

In the fifteenth line of section seven insert after the [word] “grounds” the words “not exceeding twenty-five cents for each lot.”

In the nineteenth line of section seven, after the word “deed,” insert the words “not exceeding the sum of six dollars for the first lot, and fifty cents for each additional lot claimed by the same owner.”

Add after the word ———, in last line of section seven, as follows : “not exceeding one dollar and fifty-five cents for each lot, and the foregoing charges shall be in full payment of all expenses attending the execution of the trust, except revenue stamps.”

Also, that they have considered Assembly Bill No. 17, entitled “An Act to re-district the State of Nevada into Judicial Districts, and to provide for the election, and fix the salaries of the Judges therein,” and recommend the passage of a substitute bill, which they herewith present.

All of which is respectfully submitted.

C. S. HAYDEN,
Chairman.

Assembly Bill No. 9, entitled “An Act to amend an Act entitled ‘An Act concerning the Courts of Justice of this State, and judicial officers,’” approved January 26th, 1865, as per report.

Ordered on file.

Also, Assembly Bill No. 47, 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 29th, 1861, as per report.

Ordered on file.

Also, Assembly Bill No. 77, 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,’” approved November 29th, 1861, as per report.

Ordered on file.

Also, Assembly Bill No. 49, entitled “An Act to amend an Act entitled ‘An Act to exempt the homestead and other property from forced sale in certain cases,’” approved March 6th, 1865, as per report.

Ordered on file.

Also, Assembly Bill No. 61, entitled “An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled ‘An Act for the relief of cities and towns upon the lands of the United States, under certain circumstances,’” as per report.

Ordered on file.

Also, Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and to provide for the election, and fix the salaries of the Judges therein, as per report.

Ordered on file, with substitute bill.

Assembly Substitute for Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and to fix the salaries of Judges, and terms of Court therein, as per report.

Read first time, rules suspended, read second time by title, and on motion of Mr. Gaige, substitute and original committed to Committee of the Whole, and made special order for to-morrow at two o'clock P. M.

REPORTS OF COMMITTEES.

Mr. Crawford reports that the Standing Committee on Engrossment ad carefully compared the following entitled bill with the original, and und the same correctly engrossed, viz: Assembly Bill No. 43, an Act or the construction of ditches and flumes, and to provide for the right of way.

CRAWFORD, for Committee.

Mr. Clemens reported as follows:

Mr. Speaker:

The Committee of Ways and Means, to whom was referred the resolution of inquiry as to the authority of the State Board of Examiners to allow and provide for the payment of the members of the Constitutional Convention, report that the authority stated is an Act 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," approved February 14th, 1865, approved March 10th, 1865—Printed on page 367, Laws 1865.

ORION CLEMENS,
Chairman.

Mr. Bearss, Chairman Committee on Enrollment, reports that Assembly Bill No. 10, entitled "An Act authorizing the issuance and sale of certain State bonds, and levying a tax to provide means for the payment thereof," had been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and the same had this day been delivered to the Governor for his approval.

A. C. BEARSS.

Rules suspended, and two hundred and forty extra copies of Assembly Bill No. 22, ordered printed.

NOTICES OF BILLS, ETC.

By Mr. Munckton—A bill to incorporate the city of Carson.

By Mr. Walton—An Act amendatory of an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

SECOND READING AND REFERENCE OF BILLS.

Assembly Concurrent Resolution relative to Robert Lyon, Assessor

of Lyon [Douglas] County, was considered, and carried by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

NAYS—None.

Mr. Cutter offered the following resolution:

Resolved, That a committee of seven be appointed by the chair, whose duty it shall be to propose such amendments to the State Constitution as they may, on consideration, deem proper and necessary.

Carried.

Substitute for joint resolutions relative to Jefferson Davis, was read second time by title, and, with the original, was made special order for Thursday next, January 25th, at seven P. M.

GENERAL FILE.

Assembly Bill No. 43, an Act to provide for the constructing of ditches and flumes, and to provide for the right of way, was considered.

Rules suspended, and, on motion, vote reconsidered by which the bill was ordered engrossed, and recommitted to Committee on Internal Improvements.

Assembly Bill No. 46, an Act for the relief of officers of the Virginia Fire Department, read third time, and passed finally by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—34.

NAYS—None.

Mr. McDougall excused from voting, being interested in said bill.

Assembly bill No. 26, an Act to provide a State Seal for the State of Nevada, considered and ordered engrossed for a third reading.

Assembly Bill No. 56, an Act for the relief of Hiram Welch, considered, and ordered engrossed for a third reading.

Assembly Bill No. 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official, and other services in the State of Nevada," approved March 9th, 1865, considered, and ordered engrossed for third reading.

Mr. Haskell moved to adjourn.

Lost.

Committee Substitute for Assembly Bill No. 39, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865, was being considered.

Pending which, on motion of Mr. Lane, at one o'clock and ten minutes, House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Committee Substitute for Assembly Bill No. 39, further considered and ordered engrossed for a third reading; and original bill laid on the table.

Assembly Bill No. 54, 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, was being considered; when Mr. Clemens moved that the bill be recommitted to the Committee on Judiciary.

Lost.

Bill ordered engrossed for third reading.

By leave, Mr. Crawford from the Committee on Public Printing, to which was referred Assembly Bill No. 66, entitled "An Act to provide for the constructing and maintaining telegraph lines in the State of Nevada," with instructions to incorporate certain amendments therein, and have the same printed, beg leave to report that they have complied with said instructions, and herewith transmit printed bill.

CRAWFORD,
Chairman.

Mr. Speaker *pro tem* in the chair.

Assembly Bill No. 66, relative to telegraph lines, as per report, was considered, amended, and ordered engrossed for a third reading.

Assembly Bill No. 14, an Act to repeal an Act to provide for the appointment of Deputy State Controller and to fix his compensation, was considered, and indefinitely postponed by the following vote. Yeas and nays called by Messrs. Banks, Fisher and Beck:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Gaige, Grey, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Munckton, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—27.

NAYS—Messrs. Clemens, Elliott, Fisher, Glover, and McDougall—5.

The House resolved itself into Committee of the Whole, Mr. Beck in the chair, for the consideration of Assembly Bill No. 40, an Act to provide for the care and maintenance of the indigent sick and insane of the State, who reported as follows:

Mr. Chairman reported that the Committee of the Whole have had under consideration Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick and insane of the State," have made some progress, report the same back and ask leave to sit again.

Mr. Ingham moved that the bill be referred to a select committee of seven, who shall draft and present a substitute bill comprehending the amendments as proposed in Committee of the Whole.

Carried.

Rules suspended, and, on motion of Mr. Wood, Assembly Bill No. 67, an Act relating to officers, their qualifications, time of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, etc., ordered printed.

Mr. Cutter moved to suspend the rules and take up Assembly Bill No. 80, concerning the acknowledgments of conveyances.

Lost.

On motion of Mr. Crawford, at four o'clock and forty minutes P. M. House adjourned.

U. E. ALLEN, Clerk.

JAS. A. BANKS, Speaker.

NINETEENTH DAY.

FRIDAY, January 19, 1866.

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

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORT OF STANDING COMMITTEES.

Mr. Clemens submitted the following:

Mr. Speaker:

The Committee of Ways and Means have had Assembly Bill No. 79, an Act concerning the collection of taxes on personal property, under consideration, and herewith report the same back to the House with a recommendation that it pass.

ORION CLEMENS,
Chairman.

Assembly Bill No. 79, an Act concerning the collection of taxes on personal property, as per report, ordered on file.

Mr. Speaker:

Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 43, an Act to provide for the construction of ditches and flumes, beg leave to report the bill back and recommend its passage, together with an additional section, to wit:

Section Three. Should any damage accrue to the lands or other property of others, by reason of breakage of said ditch or flume, the owner, or owners, of said ditch or flume shall be held liable for such damage, to be collected by the parties so injured; said damage to be collected in any Court having competent jurisdiction.

FELIX O'NEIL,
Chairman.

Bill ordered on file.

Mr. Beck submitted the following:

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz:

Assembly Bill No. 26, an Act to provide a seal of State for the State of Nevada.

Also, Assembly Bill No. 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

Also, Assembly Bill No. 56, an Act for the relief of Hiram Welch.

Also, Assembly Bill No. 66, an Act for constructing and maintaining telegraph lines in the State of Nevada.

H. H. BECK,
Chairman.

On Mr. Cutter's motion of yesterday, Mr. Speaker appointed as committee to propose amendments to the State Constitution, Messrs. Cutter, Edwards, James, Crawford, Woodruff, Hudson, and Canfield.

Also, on Mr. Ingham's resolution, relative to care and maintenance of the indigent sick and insane of the State, Messrs. Ingham, Beck, Williams, Glover, Clemens, Taylor, and Cutter.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 18, 1866. }

To the Honorable the Assembly:

I am directed to inform your honorable body that the Annual Report of the Controller of State, for the fiscal year ending December 31st, 1865, has been received by the Senate this day. I am also directed to transmit for the consideration of your honorable body, Senate Concurrent Resolution relative to printing one thousand copies of the report of State Controller, the same having passed the Senate this day—yeas, 15; nays, none.

I am further directed to return Substitute for Assembly Bill No. 25, an Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26th, 1861, the same having passed the Senate this day.

Respectfully submitted,

GEO. R. AMMOND, Secretary.

Senate Concurrent Resolution relative to printing one thousand copies of report of State Controller, as per message, considered and adopted by the following vote:

YEAS—MESSRS. BEARSS, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—None.

Assembly Bill No. 25, as per message, ordered enrolled.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Cutter, rules suspended and substitute for Assembly Bill No. 80, an Act to amend an Act entitled "An Act concerning acknowledgments and conveyances," approved February 20th, 1864, considered, ordered engrossed for third reading, and original bill laid on the table.

Mr. Mayhugh offered the following :

Resolved, That the Committee on Education be, and they are hereby, required to report to this House, at as early a day as practicable, the following information : First—The amount of money received by the State Treasurer for school purposes, during the past fiscal year, from the several toll road companies, chartered within this State, whose charter requires the payment of two per cent. of the gross proceeds, for school purposes. Second—What toll road company or companies, if any, have failed to pay said two per cent., and what further legislation is needed to enforce the compliance of such company or companies with the provisions of their charter on this subject.

Carried.

Mr. Elliott submitted the following additional rule :

When the House adjourns pending the consideration of a bill or resolution, on general file, or when on any day the House adjourns without taking up and disposing of a bill or resolution made the special order for said day, such bill or resolution shall be placed at the head of the general file.

Laid over one day.

By Mr. Bearss—"Concurrent Resolution No. 19, in regard to Stockton and Copperopolis Railroad."

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

NOTICES OF BILLS, ETC.

By Mr. Banks—An Act concerning the location and possession of wood lands and mill sites.

INTRODUCTION OF BILLS, ETC.

By leave, Mr. Edwards introduced Assembly Bill No. 86, "An Act to provide for the publication of laws and resolutions passed during the second session of the Legislature of Nevada.

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

By unanimous consent, Mr. Hall introduced Assembly Bill No. 87, an Act to authorize the official publication of the General Laws passed at the second session of the State Legislature, and to provide compensation therefor.

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

Pursuant to previous notice by Mr. Hayden—Assembly Bill No. 88, an Act to regulate the civil jurisdiction and practice in Justice's courts, and to consolidate into one Act, former provisions on the subject."

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

By unanimous consent, Mr. Taylor introduced Assembly Bill No. 89, an Act to legalize the Acts of Edward Coldren, Thomas Plain, and William H. Taylor, as County Commissioners of Churchill county, during the year 1865.

Read first time, rules suspended, read second time by title, and referred to Committee on Judiciary, with instructions to report to-morrow morning.

Pursuant to previous notice, Mr. O'Niel introduced Assembly Bill No. 90, an Act to amend an Act entitled, "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

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

Also, Mr. Glover introduced Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming."

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

Also, Mr. O'Niel introduced Assembly Bill 92, an Act to amend an Act entitled "An Act relating to wild game and fish."

Read first time, rules suspended, read second time by title, and referred to special committee, consisting of Messrs. Fisher and Walton.

GENERAL FILE.

Assembly Bill No. 29, an Act amendatory of an Act entitled "An Act authorizing M. D. Harmon and associates, to establish and maintain a toll road," approved February 20th, 1864, was considered.

Mr. Elliott moved to strike out the enacting clause.

Yeas and nays called by Messrs. Hayden, Wood, and Elliott, resulting as follows:

YEAS—Messrs. Beck, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Julien, McDougall, Vandewater, Williams, Woodruff, and Mr. Speaker—16.

NAYS—Messrs. Bearss, Canfield, Cutter, Edwards, Hall, Haskell, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Walton, Wood, and Work—19.

Lost.

The question being on the ordering the bill engrossed, yeas and nays called by Messrs. Vandewater, Grey and Williams, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Cutter, Edwards, Glover, Hall, Haskell, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Walton, Wood, and Work—20.

NAYS—Messrs. Beck, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Hayden, Hinckley, Julien, McDougall, Vandewater, Williams, Woodruff, and Mr. Speaker—15.

Carried, and so ordered.

On motion of Mr. Munckton, at one o'clock and ten minutes, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.
Mr. Speaker in the chair.
Quorum present.

SPECIAL ORDER.

Substitute for Assembly Bill No. 17, an Act to re-district the State of Nevada into judicial districts, and to fix the salaries of Judges and terms of Court therein, considered.

Mr. Bearss moved to postpone the consideration of said bill until tomorrow, at two o'clock.

Carried.

GENERAL FILE (RESUMED.)

Assembly Bill No. 66, an Act to provide for constructing and maintaining telegraph lines in this State, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—35.

NAYS—None.

REPORT OF ENGROSSING COMMITTEE.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 80, an Act to amend an Act entitled "An Act concerning the acknowledgment of conveyances," approved February 20th, 1864.

H. H. BECK,
Chairman.

Assembly Bill No. 46, an Act for the relief of Hiram Welch, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—None.

Assembly Bill No 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince,

Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work and Mr. Speaker—32.

NAYS—None.

Assembly Bill No. 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—None.

Assembly Bill No. 26, an Act to provide for a State Seal for the State of Nevada, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—33.

NAYS—Mr. Beck—1

Assembly Bill, No. 80, an Act to amend an Act entitled "An Act concerning the acknowledgment of conveyances," approved February 20th, 1864, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—33.

NAYS—None.

Assembly Bill No. 52, an Act in aid of the construction of a line of telegraph through the State of Nevada, connecting with the city of San Francisco, California, was considered, and laid on the table.

Assembly Bill No. 30, an Act to amend an Act entitled "An Act to provide for revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, was considered, amended, and ordered engrossed for a third reading.

Rules suspended, and Mr. Williams offered the following :

Be it resolved, That this honorable body reconsider the resolution by which it voted to each member thereof, the sum of sixty dollars for stationery and like purposes.

On motion of Mr. Mnuckton, laid on the table.

Mr. Speaker *pro tem.* in the chair.

Assembly Bill No. 4, an Act concerning mining customs and usages, was considered.

Mr. Hayden moved the bill be referred to Committee on Judiciary, with instructions to report on Monday morning.

Carried, and so referred.

REPORT OF STANDING COMMITTEE ON ENGROSSMENT.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original and found the same correctly engrossed, viz :

Substitute for Assembly Bill No. 39, an Act to amend an Act entitled "An Act concerning Courts of Justice of this State and judicial officers," approved January 26th, 1865.

Also, Assembly Bill No. 54, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice in the Territory of Nevada," approved November 29th, 1861.

H. H. BECK,
Chairman.

On motion of Mr. Beck, at four o'clock and ten minutes p. m. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTIETH DAY.

SATURDAY, January 20, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Linn, O'Neil, and Vandewater, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

By leave, and in accordance with rule, Mr. James rose and requested the Clerk to take down the following language: That the gentleman from Lander, Mr. Hayden, made the remark upon the floor, the House being in session, as follows: 'I had rather preach political economy to a parcel of Piutes, than argue questions of constitutional law to the members of this House,' " which was agreed upon by the House as being correct; whereupon Mr. James gave notice that he would on tomorrow, or some subsequent day, move that the gentleman from Lander, Mr. Hayden, be expelled from this House.

Mr. Edwards moved the rules be suspended and Concurrent Railroad Resolution No. 1 be now considered.

Carried.

Messrs. Crawford, Cutter, and Beck called the previous question, which was sustained.

On motion Senate Concurrent Resolution No. 1 was read third time, and finally passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinckley,

Hudson, Ingham, Julien, Lane, Mayhugh, Munckton, McDougall, Prince, Taylor, Walton, Wood, Woodruff, Work, and Mr. Speaker—29.

NAYS—Messrs. Haskell and Mason—2.

Mr. Haskell offered the following explanation of his vote on the Resolution :

[See to-morrow's proceedings.]

Assembly memorial, relative to the Placerville Railroad, was called up, and, on motion of Mr. Munckton, laid on the table.

REPORT OF STANDING COMMITTEE.

Mr. Hayden submitted the following :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 89, entitled "An Act to legalize the acts of Edward Coldren, Thomas Plain, and Wm. H. Taylor, as County Commissioners of Churchill county during the year 1865," have considered the same, and herewith report a substitute bill, the passage of which they recommend.

C. S. HAYDEN,
Chairman.

Substitute for Assembly Bill No. 89, an Act to legalize the acts of Edward Coldren, Thomas Plain, and Wm. H. Taylor as County Commissioners of Churchill county during the year 1865, as per report, read first time, rules suspended, read second time by title, and placed on file with original bill.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, January 19, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved Assembly Bill No. 10, an Act authorizing the issuance and sale of certain State Bonds, and levying a tax to provide means for the payment thereof.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Crawford offered the following :

Resolved, That the Clerk of the Assembly be, and is hereby, authorized to certify to such extra copying as he has been, or may be, obliged to have done, at the rate of ten cents per folio; and the State Controller is hereby authorized and required to draw his warrants on the contingent fund of the Assembly for the amount or amounts set forth in such certificates.

Mr. Haskell moved to amend by striking out "Clerk of the Assembly," and insert "committee on contingent expenses."

Lost.

The question being on the adoption of the resolution of Mr. Crawford.
Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 19, 1866. }

To the Honorable the Assembly :

I am directed to transmit herewith, for the consideration of your honorable body, substitute for Senate Bill No. 4, an Act defining the duties of State Treasurer, the same having passed the Senate this day by the following vote : yeas, 14 ; nays, 0.

Also, Senate Bill No. 29, an Act to protect the wages of labor in the State of Nevada," passed by the following vote : yeas, 12 ; nays, 3.

I return Assembly Concurrent Resolution No. 18, relative to Robert Lyon, Assessor of Douglas county, the same having passed the Senate by the following vote : yeas, 15 ; nays, 0.

Also, for your consideration, Senate Concurrent Resolution relative to the Standing Committees on State Prison of the two Houses visiting the prison at an early day, the same having passed by the following vote : yeas, 15 ; nays, 0.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Substitute for Bill No. 4, an Act defining the duties of State Treasurer, as per message.

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

Senate Bill No. 29, an Act to protect the wages of labor in the State of Nevada, as per message.

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

Assembly Concurrent Resolution No. 18, relative to Robert Lyon, Assessor of Douglas County, as per message, was ordered enrolled.

Senate Concurrent Resolution No. 48, relative to the Standing Committee on State Prison visiting the Prison at an early day.

Mr. Cutter moved the following amendment : "And that they be authorized to send for persons and papers, and to administer oaths."

Carried.

Resolution so amended, and passed finally by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hincley, Hudson, Ingham, James, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, Prince, Walton, Wood, Woodruff, Work, and Mr. Speaker—31.

NAYS—None.

By leave, Mr. Crawford offered the following amendment to Standing Rule : That the Speaker appoint a standing committee on State Prison to correspond with such committee of the Senate.

The question being on suspension of the rules to admit the amendment offered by Mr. Crawford, lost.

Mr. Cutter offered the following :

Resolved, That the Standing Committee on State Institutions, of the Assembly, shall be, and is, considered the Assembly Committee on State Prison.

Messrs. Cutter, Fisher and Grey moved the previous question.

Sustained.

The question being on the adoption of the resolution of Mr. Cutter, yeas and nays called by Messrs. Cutter, McDougall and Crawford, resulting as follows :

YEAS—Messrs. Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Haskell, Ingham, Julien, Lane, Mason, Mayhugh, McDougall, Wood, Woodruff, Work, and Mr. Speaker—20.

NAYS—Messrs. Bearss, Beck, Edwards, Hayden, Hinckley, Hudson, James, Munckton, Prince, and Walton—10.

Adopted.

Mr. Crawford gave notice that he would, on to-morrow, move a reconsideration of the vote by which said resolution was adopted.

REPORT FROM COMMITTEE ON ENROLLMENT.

Mr. Bearss, Chairman Committee on Enrollment, reports that the substitute for Assembly Bill No. 25, an Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26th, 1861, has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

A. C. BEARSS.

By leave, Mr. Crawford gave notice that he would, on to-morrow, move to amend the standing rules, so as to allow the Speaker to appoint a Standing Committee on State Prison.

Mr. Edwards gave notice that he would, at some future day, ask leave to introduce a bill, entitled "An Act in relation to legal currency."

On motion of Mr. Mayhugh, at one o'clock and thirty minutes P. M., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTY-SECOND DAY.

MONDAY, January 22d, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Mayhugh, O'Neil and Woodruff, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Rules suspended, and Assembly Bill No. 64, an Act prescribing rules and regulations for the trust arising under the Act of Congress, entitled "An Act for the relief of citizens of towns upon the lands of the United States, under certain circumstances," approved May 23d, 1844, was considered, amended, and ordered engrossed.

In accordance with previous notice, Mr. Crawford moved that the vote, by which the Committee on State Institutions be declared the Committee on State Prison, be reconsidered.

Mr. Crawford moved that the motion to reconsider be indefinitely postponed.

Carried.

REPORTS OF STANDING COMMITTEES.

Mr. Ingham, Chairman of Committee on Military and Indian Affairs, to which was referred Assembly Bill No. 84, entitled "An Act to create a Board of Commissioners to examine claims of citizens of Humboldt county, and report to the Governor of the State the amount of just claims held by citizens in said county for property destroyed, and losses sustained, by Indian depredations in said county, in the years 1864, 1865 and 1866," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend its passage.

Assembly Bill No. 84, as per report, ordered on file.

By Mr. Clemens :

Mr. Speaker :

The Committee of Ways and Means, to whom was referred Assembly Bill No. 64, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, introduced by Mr. Haskell, January 13th, 1866, at the request of the introducer thereof, report the same back, with the request that he be allowed to withdraw said bill for correction.

ORION CLEMENS,
Chairman.

Assembly Bill No. 64 referred to the introducer, Mr. Haskell.

By Mr. Beck—Mr. Beck reports that the Standing Committee on engrossment, have carefully compared the following entitled bills with the originals, and found the same correctly engrossed, viz :

Assembly Bill No. 29, an Act amendatory of an Act entitled "An Act authorizing M. D. Harmon to establish and maintain a toll road," approved February 20th, 1864.

Also, Assembly Bill No. 80, An Act to amend an Act entitled "An Act concerning the acknowledgments of conveyances," approved February 20th, 1864.

Also, Assembly Bill No. 36, An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

H. H. BECK,
Chairman.

Assembly Bill No. 6, An Act to secure persons and animals from danger arising from mining and other excavations, as per report of Mr. James, ordered on file with amendments.

MAJORITY REPORT.

Mr. Speaker :

Your special committee, to whom was referred Assembly No. 8, substitute for Assembly Bill No. 3, an Act to provide for the formation of corporations for certain purposes, ask leave to report that they have had the same under consideration, and recommend that it be indefinitely postponed.

J. G. CANFIELD,
Chairman.

Substitute for Assembly Bill No. 3, an Act to provide for the formation of corporations for certain purposes, placed on file.

MESSAGE FROM THE GOVERNOR.

SENATE CHAMBER, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 22, 1866. }

To the Honorable Assembly of Nevada :

I have this day approved substitute for Assembly Bill No. 25, an Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26th, 1861.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Elliott called up the following additional rule :

When the House adjourns, pending the consideration of a bill or resolution on general file, or when on any day the House adjourns without taking up and disposing of a bill or resolution made the special order for said day, such bill or resolution shall be placed at the head of the general file.

Adopted.

By Mr. Banks :

WHEREAS, A system of rigid, practical economy is not only desirable, but, under present circumstances, indispensable to the honor and prosperity of our State, therefore

Resolved, That the Committee on Ways and Means be, and they are hereby, instructed to inquire and report, as soon as may be, by bill or otherwise, what reduction can properly be made in the cost of the management of the various departments of the State government; and they are hereby specially instructed to report in answer to the following questions:

First—What were the amounts paid, allowed and accruing, during the last fiscal year, for the contingent expenses of the various branches of the executive and judicial departments, and what amount for the services of clerks and deputies in the same?

Second—What was the amount paid, allowed and accruing, during the last fiscal year, for stationery for the use of the various departments?

Third—What was the amount so paid, allowed or accruing, during the last fiscal year, for clerical services, and for contingent expenses, in the Legislative departments, and what amendments to the law concerning

officers and attachés of the Legislature, and their compensation, are required?

Fourth—What was the entire cost of printing during the past fiscal year? What the amount and cost of bill printing, and other similar printing, and what amount would have been saved to the State if the bills and other similar matter had been printed in a compact form—as in the statutes—the lines being numbered, and the printing done on but one side of the paper?

Adopted.

Mr. Williams offered the following :

Resolved, That in view of the fact that this honorable body desires to have each one of its members fairly and truthfully reported, by our now Official Reporter, in the newspaper publication of the proceedings of said body, and, inasmuch as an honorable member of Ormsby county (Mr. Clemens) is, in yesterday's "Enterprise," represented as having made a certain speech therein published, a few words of which, if any, the said honorable member did not, on this floor, utter; that the said Reporter be asked to rescind and correct, if necessary, the speech so published.

Mr. Grey moved the resolution be laid on the table.

Carried.

On motion, rules suspended, and Assembly Bill No. 80, an Act to amend an Act entitled "An Act concerning acknowledgments of conveyances," approved February 20th, 1864, was read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, Vandewater, Williams, Wood, Work, and Mr. Speaker—28.

NAYS—Mr. Walton—1.

On motion, rules suspended, and Senate Concurrent Resolution No. 24, relative to the transportation of troops, was taken up, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—30.

NAYS—None.

NOTICES OF BILLS, ETC.

By Mr. Canfield—An Act to amend an Act entitled "An Act concerning the Courts of Justice and Judicial officers," approved January 28th, 1865.

By Mr. Fisher—An Act to secure liens to ranchmen and other persons.

By Mr. Williams—An Act to amend an Act relating to counties and county boundaries.

On motion of Mr. Vandewater, at one o'clock and ten minutes, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

On motion, substitute for Assembly Bill No. 3, special order, was postponed for ten minutes.

PETITION.

By Mr. Hinckley—A petition from citizens of Lander county relative to Corporation Act.

Read and placed on file with Assembly Bill No. 3.

NOTICES OF BILLS.

By Mr. Haskell—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this Territory," approved November 29th, 1861.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Munckton introduced Assembly Bill No. 95, an Act to create the county of Stewart and provide for its organization.

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

Pursuant to previous notice, Mr. Hayden introduced Assembly Bill No. 96, an Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in the Courts of Justice in this Territory,'" approved February 26th, 1864.

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

Pursuant to previous notice, Mr. Banks introduced Assembly Bill No. 97, an Act concerning the location and possession of wood lands and mill sites.

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

MINORITY REPORT.

Mr. James submitted the following:

Mr. Speaker:

The undersigned, one of the select committee to whom was referred Assembly Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes," begs leave to report that he has had the same under consideration, and respectfully recommends its passage.

JOHN C. JAMES,
Of Committee.

Ordered on file with majority report.

By unanimous consent, Mr. Hayden introduced Assembly Bill No. 98, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada."

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

GENERAL FILE.

Substitute for Assembly Bill No. 39, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865.

Read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Elliott, Gaige, Grey, Glover, Hayden, Hinekley, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, Prince, Williams, Wood, Work, and Mr. Speaker—25.

NAYS—Messrs. Clemens, Fisher, Hall, Haskell, Hudson, and Walton—6.

Substitute for Assembly Bill No. 3, an Act to provide for the formation of corporations for certain purposes, special order, was taken up.

By leave, Mr. Clemens offered a report and substitute for said bill :

Mr. Speaker :

The undersigned, one of the special committee to whom was referred Assembly Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes," introduced by Mr. James, and also, substitute therefor, with same title, introduced by Mr. Ingham, reports that he has had the same under consideration, has come to an unfavorable conclusion thereon, and recommends that neither bill pass, for the following reasons :

First—It includes mining in the first section, while the subsequent sections are inapplicable to quartz mining, as conducted in this State.

Second—The control of the corporation is taken from the stockholders, and placed in the hands of trustees.

Third—The trustees, and not the stockholders, are made to constitute the corporation.

Fourth—The trustees are wholly irresponsible to any person.

Fifth—The trustees have unlimited authority to assess other members of the corporation, but are not obliged to pay any assessments themselves, or to account for the disposition of the money raised by assessments from the other stockholders.

Sixth—The methods of electing and removing trustees of corporations are so arranged as to make it almost impossible for the owners of any mine to shake off these nightmares.

Seventh—The trustees employ the Secretary, Treasurer, Superintendent, and other officers and agents and employés, and control and dismiss them, independently of the stockholders, which virtually excludes the stockholders from all knowledge of, or control of, their own property.

Eighth—The trustees are required to be stockholders, and votes at election are given according to the number of shares, which throws all the power and control into the hands of the large stockholders, and enables them to freeze out the small ones.

Ninth—The bills before us are calculated to forward the development of the mines with great rapidity, but at the same time great loss and waste.

Tenth—The mines are the capital of the State, and are greater capi-

tal than all the world beside has in money, and therefore we need not go abroad for capital, and we should not be in haste to exhaust our capital, but the mines should be worked carefully, and carefully managed throughout; and in every case the presence and eye of the manager is essential to the correct management of any business, and hence all the trustees should be residents of this State; but said bill only makes it necessary for a majority to reside in this State.

Eleventh—Instead of looking to profits on buying and selling stock alone, to open up a market, and thus confining the market for such stock to the “Babes in the Wood” in Wall street, and their younger relatives in Montgomery street, we ought to protect the stockholders by our laws, so that any mechanic, merchant, farmer or laborer can buy stock in New York, London, Europe, Asia, or anywhere else in the world; can buy it like he would Government bonds, or notes of the United States or England, satisfied that under our laws a good mine will pay a steady, and the surest, interest in the world, without any attention whatever from the holder of the stock.

Twelfth—The substitute brings foreign corporations, heretofore formed, under the jurisdiction of our State Courts, but does not subject foreign corporations hereafter formed to such jurisdiction.

Thirteenth—The question of jurisdiction is only one of many defects to be remedied by a new law.

Fourteenth—The system of subscription is inapplicable to the kind of mining prevailing in Nevada; is unwieldy, clumsy, opens a wide door for fraud, and exhausts, without benefiting, the State.

Fifteenth—The bill only authorizes assessments in cases of subscriptions, and subscriptions are rarely made in incorporating for mining purposes in this State; and in all cases where no subscriptions are made, assessments and sales for delinquency are void, making it probable that a vast number of sales for assessments, from the first, in 1861, to the last, in 1866, have been utterly void, and incapable of being legalized by any Legislature, thus from year to year accumulating a storm of litigation that may yet sweep over this State with greater destruction than fire and sword might inflict.

Sixteenth—To stop this evil, assessments and sales for delinquency should be stopped instanter, not only under our laws, but the laws of other States, as the laws of other States have the same defect.

Seventeenth—Section twenty-eight is attempted to be applied to corporations not formed under any Act containing such section.

Eighteenth—Section twenty-eight construes into a contract that which is not intended as such by the parties.

Nineteenth—Section twenty-eight (of the substitute of Mr. Ingham) may make every man insolvent that incorporates under the Act.

In view of the foregoing, I beg leave to report by bill, herewith, entitled “An Act to provide for the formation and regulation of mining corporations,” and recommend that the same be passed as a substitute for both bills heretofore referred to said special committee.

Respectfully submitted,

ORION CLEMENS.

On motion of Mr. James, rules suspended, and said substitute bill of Mr. Clemens was read first and second time by title, and, with report, referred to Committee of the Whole.

On motion of Mr. Cutter the House resolved itself into Committee of

the Whole, Mr. Speaker in the chair, for the consideration of the several reports and substitutes, who reported as follows :

Mr. Chairman reported that the Committee of the Whole had had under consideration substitute for Assembly Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes," had progressed therewith, had made some amendments thereto, and ask leave to sit again at two o'clock p. m. to-morrow.

Leave granted, and bills and reports made special order for January 23d, at two p. m.

Mr. James moved that the report of Mr. Clemens, relative to Assembly Bill No. 3, be not spread upon the Journal.

Lost.

On motion of Mr. Williams, at four o'clock and twenty minutes House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTY-THIRD DAY.

TUESDAY, January 23, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Mayhugh submitted the following :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Senate Bill No. 29, entitled "An Act to protect the wages of labor in the State of Nevada," beg leave to report that they have had the same under consideration, and have come to a favorable conclusion thereon, and have directed their chairman to report the same back, without amendment, and recommend its passage.

All of which is respectfully submitted.

JOHN S. MAYHUGH,
Chairman.

Report and bill ordered on file.

Mr. Elliott, from Committee on Corporations, to which was referred Assembly Bill No. 74, entitled "An Act to amend an Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," approved February 7th, 1865, begs leave to

report that they have had the same under consideration, and have directed their chairman to report the same back to the House and recommend its passage with the following amendments: Strike out the word "or" between the words "disincorporated" and "by," in line seventeen, section one, and insert the following: "and in case no such newspaper be published in said city or town, then."

Report and bill ordered on file.

Mr. Clemens, from Committee on Ways and Means to which was referred Senate bill substitute for No. 41, entitled "An Act defining the duties of State Treasurer," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House with a recommendation that it pass.

ORION CLEMENS,
Chairman.

Report and bill ordered on file.

Also, Mr. Clemens, from Committee on Ways and Means, to which was referred Assembly Bill No. 90, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" approved March 9th, 1865, begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that it do not pass.

ORION CLEMENS,
Chairman.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses beg leave to report that they have had under consideration the following accounts, carefully examined the same, have found them correct, and directed their chairman to report that fact to the House, and recommend that they be paid out of the Contingent Fund, and that the Sergeant-at-Arms be directed to draw his warrants accordingly :

Purpose.	Amount.
To Wright & Grant, carpenter work.....	\$113 50
To Albert C. Bragg, for lumber.....	20 84
To Robert Douglass, for map of the State.....	5 00
To E. W. Keys, for chairs.....	42 00
To D. Wolf & Co., for carpeting.....	19 50
To W. F. Wilson, for freight.....	12 00

All of which is respectfully submitted.

ROBERT FISHER,
Chairman.

Adopted, and bills ordered paid.

By Mr. Mason :

Mr. Speaker:

Your Standing Committee on Federal Relations, to whom was referred Concurrent Resolutions relating to the Monroe Doctrine, introduced by Mr. Mayhugh, have had the same under consideration, report favorably thereon, and most respectfully recommend their adoption.

Also, Senate Concurrent Resolution relative to the establishment of semi-weekly mail from Aurora *via* Columbus to Silver Peak, have duly considered the same, and recommend the passage of the same. All of which is most respectfully submitted.

B. S. MASON,
Chairman.

Report and bill ordered on file.

REPORT OF SPECIAL COMMITTEE.

By Mr. Fisher:

Mr. Speaker:

Your special committee, to whom was referred an Act to amend an Act relating to wild game and fish, approved November 21st, 1861, beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend the following amendment to the title of the bill: amend after the figures should be words "1861;" add these words, also, "An Act approved February twentieth, one thousand eight hundred and sixty-four."

ROBERT FISHER,
G. W. WALTON.

Report and bill ordered on file.

Mr. Ingham submitted the following:

Mr. Ingham, chairman of select committee, to which was referred Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick and insane of the State, begs leave to report that they have had the same under consideration, have made certain amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage as amended.

Mr. James submitted the following:

Mr. Speaker:

Your committee of free conference, appointed to meet a like committee on the part of the Senate, in regard to the disagreement of the two Houses in relation to Senate Bill No. 8, entitled "An Act to amend an Act entitled 'An Act to create the office of State Printer, define the duties thereof, and provide for the time and manner of election,'" approved January 10th, 1865, beg leave to report that they have had the same under consideration, have agreed to amend section three of said Act by adding thereto the following proviso: "Provided, That none of the provisions of this section shall apply to the journals of the Assembly for the present session; but so far as said journals are concerned, section eight of the Act, of which this is amendatory, shall remain in full force and effect; and further provided, That the Secretary of State shall be

allowed a compensation not to exceed the sum of one hundred and eighty dollars for copying the journals of the Senate for the present session, and a sum not to exceed five hundred and forty dollars for copying the journals of both houses for any subsequent session.

All of which is respectfully submitted.

J. C. JAMES,
Chairman.

Report concurred in, and bill finally passed, as amended, by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Woodruff, Work, and Mr. Speaker—33.

NAYS—None.

MINORITY REPORT.

Mr. Beck submitted the following :

Mr. Speaker :

The minority of your select committee, to which was referred Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick and insane of the State," begs leave to report as follows :

That the committee have amended the said bill in numerous places. Your minority concurs in the amendments for the reason that they have been beneficial ; which, however, is not saying much for the original. The ten thousand dollars sought to be appropriated by said bill, would, in the opinion of this minority, be vastly more beneficial to a certain few than to the many sick and insane of the State. This minority is further of the opinion that ten thousand dollars is too small a sum to reach and benefit the affected, and too large to be lost to the State.

Your minority would therefore recommend the indefinite postponement of the bill.

H. H. BECK.

Ordered on file with majority report.

Also, Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz : Assembly Bill No. 61, an Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled "An Act for the relief of towns upon the lands of the United States, under certain circumstances."

BECK, Chairman.

Mr. Ingham submitted the following :

Mr. Ingham, chairman of select committee, to which was referred resolution propounding certain interrogations to the Attorney-General of the State, begs leave to report herewith the answers received by the committee from Attorney-General Geo. A. Nourse :

JANUARY 22d, 1866.

GENTLEMEN:—I am just now in receipt of yours of this date, asking my opinion in reply to these interrogatories propounded by the Assembly, through the resolution under which you were appointed a committee.

The first question is: Have the two Houses a right to set apart, by law, moneys which shall constitute an Assembly and Senate Contingent Fund?

To this I answer—yes.

The second interrogatory is this: If so, have they a right to draw on said funds, by resolution simply, the law by which the funds were created giving them authority so to do?

In my opinion, they have the right, unless in so doing they shall, on the face of the resolution, contravene some provision of the Constitution. I understand the law-making power of the State (where no constitutional provision stands in the way) to be without restraint in its disposition of the money of the State, except as specially limited by the Constitution. The power and responsibility must rest somewhere; and it is, by our Constitution, left with the Legislature, the Governor having only a qualified veto power. For any misuse of their powers in this respect, if such a thing be supposable in our State, the members are only responsible to their constituents.

The third question is: Have they a right, by resolution, to draw on said fund in favor of each member for the sixty dollars allowed by the Constitution for stationery, etc., at once?

The first proviso in section thirty-three of article four of our State Constitution, to which I presume you refer, provides that an appropriation may be made for the payment of such actual expenses as the members of the Legislature may incur, for postage, express charges, newspapers and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member. In my opinion, this gives each member only the right to reimbursement for actual expenses incurred by him for the purposes mentioned in said proviso. I do not think it authorizes the appropriation to each member of sixty dollars in advance, at the commencement of the session, even for the purposes mentioned. But this is a matter to be decided for itself by the Assembly, and not by myself.

If the Assembly shall take a different view of the matter from that which I have taken, it has the undoubted power to draw from the Treasury the whole of its contingent fund by mere resolution, directing the Controller to draw his warrant therefor in favor of the Sergeant-at-Arms, or such other person as may be designated. When so drawn, I understand the money to be entirely under the control of the Assembly. For the proper use of money so drawn, the members are not responsible to any other department of the Government, but only to our [their] own consciences and their constituents.

In conclusion, let me say, in self-vindication, that the questions which I have thus answered do not embrace the question of the Controller's right to issue his warrant in satisfaction of skeleton scrip issued by either House for claims against the State. Upon that matter, in answer to the Controller's inquiries, I have given my opinion that he cannot draw his warrant in payment of such claim (not being for salaries or compensation fixed by law) until the same has been considered and acted upon by the Board of Examiners.

Respectfully,

Your obedient servant,

GEO. A. NOURSE.

Mr. Cutter moved to order printed.

Previous question called and sustained.

The question being shall the usual number of copies be ordered printed? yeas and nays called by Messrs. Lane, Hayden, and Williams, resulting as follows :

YEAS—Messrs. Canfield, Crawford, Cutter, Edwards, Elliott, Gaige, Grey, Glover, Hall, Haskell, Hinckley, Hudson, Ingham, James, Mason, Mayhugh, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Work—24.

NAYS—Messrs. Bearss, Beck, Clemens, Fisher, Hayden, Julien, Lane, Linn, Munckton, O'Neil, Prince, and Mr. Speaker—12.

Carried, and so ordered.

Mr. Williams gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

MOTIONS AND RESOLUTIONS.

By Mr. Edwards—Assembly Concurrent Resolution No. 25, relative to Controller's circular upon agriculture and horticulture, which was read and adopted by the following vote :

YEAS.—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—35.

NAYS—None.

On motion of Mr. Cutter, rules suspended, and Assembly Concurrent Resolution No. 26, relative to printing extra copies of State Treasurer's and State Controller's reports, was adopted by the following vote :

YEAS—Messrs. Bearss, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Work—31.

NAYS—Messrs. Lane, Prince, and Mr. Speaker—3.

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

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Mr. Cutter moved the special order be postponed until to-morrow evening at seven P. M.

Yeas and nays called by Messrs. Haskell, Lane, and Mason, resulting as follows :

YEAS—Messrs. Bearss, Clemens, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Ingham, James, Munckton, McDougall, Taylor, Vandewater, Woodruff, and Mr. Speaker—18.

NAYS—Messrs. Beck, Canfield, Crawford, Haskell, Hayden, Hincley, Hudson, Lane, Linn, Mason, Mayhugh, Walton, Wood, and Work—14.

Carried, and so ordered.

MOTIONS AND RESOLUTIONS.

Mr. Cutter offered the following :

Resolved, That the honorable the Senate be respectfully requested to return to the House Assembly Bill No. 80, which passed this body on January 22d, a duplicate bill having passed on the 19th inst.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 22, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Concurrent Resolution, relative to the Standing Committees on State Prison, of the two Houses, visiting the Prison at an early day. Yeas, 14; nays, none.

I am also directed to herewith transmit, for your consideration, Senate memorial to joint resolution, relative to Indian depredations, the same having this day passed the Senate. Yeas, 13; nays, none.

Respectfully submitted,

GEO. R. AMMOND, Secretary.

Senate Memorial and Joint Resolution, relative to Indian affairs, as per message, was read first time, rules suspended, read second time by title.

On motion, rules further suspended, and resolution considered.

Mr. Fisher moved to amend by striking out the word "exterminated." Lost.

Previous question called and sustained.

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

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Grey, Glover, Hall, Haskell, Hayden, Hincley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Woodruff, Work, and Mr. Speaker—30.

NAYS—Messrs. Clemens, Fisher, and Gaige—3.

Mr. Williams, by request, excused from voting.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 23, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 46, an Act for the relief of certain officers of the Virginia Fire Department;

the same having passed the Senate this day by the following vote: yeas, 14; nays, none.

Very Respectfully,

GEO. R. AMMOND, Secretary.

Ordered enrolled.

Also, I am directed to inform your honorable body that the Senate has this day concurred in the amendments reported by the committee of free conference in relation to Senate Bill No. 8, an Act to amend an Act 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," approved January 10th, 1865. Yeas, 13; nays, none.

I am also directed to return Assembly Bill No. 56, an Act for the relief of Hiram Welch; the same having this day passed the Senate. Yeas, 12; nays, none.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

Bill No. 56, as per message, ordered enrolled.

NOTICES OF BILLS, ETC.

By Mr. Cutter:

A joint memorial to the Congress of the United States, asking a repeal of that portion of the Pacific Railroad Act granting lands and timber—except such as may be necessary for the purposes of construction—to the Central Pacific Railroad Company of California, and the issuance of bonds in lieu thereof.

By Mr. Woodruff:

An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

By leave, Mr. Elliott, from Committee on Corporations, to which was referred Assembly Bill No. 82, entitled "An Act to provide for the formation of corporations for certain purposes," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend that it be referred to Committee of the Whole.

A. B. ELLIOTT,
Chairman.

Made special order for to-morrow evening at seven o'clock.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Gaige introduced Assembly Bill No. 100, an Act concerning juries.

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

Pursuant to previous notice, Mr. Edwards [introduced] Assembly Bill No. 101, an Act relative to legal currency.

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

By unanimous consent, Mr. Woodruff introduced Assembly Bill No. 102, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada."

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

Pursuant to previous notice, Mr. Haskell introduced Assembly Bill No. 103, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice in this Territory," approved November 29th 1861.

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

Also, by Mr. Fisher—Assembly Bill No. 104, an Act to secure liens to ranchmen and other persons.

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

By Mr. Taylor—Assembly Bill No. 105, an Act to amend an Act entitled "An Act in relation to District Attorneys," approved March 11th, 1865.

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

Also, Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson River.

Rules suspended, read first and second time by title, and referred to Committee on Agriculture, with instructions to report to-morrow morning.

GENERAL FILE.

Assembly Bill No. 54, an Act to amend an Act to regulate proceedings in civil cases in Courts of Justice in the Territory of Nevada, approved November 29th, 1861, read third time and passed finally by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinkley, Hudson, Ingham, Julien, Lane, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Wood, Woodruff, Work, and Mr. Speaker—29.

NAYS—None.

Assembly Bill No. 36, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinkley, Hudson, Ingham, James, Julien, Lane, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—None.

Assembly Bill No. 29, an Act to amend an Act entitled "An Act authorizing M. D. Harmon to establish and maintain a toll road," approved February 20th, 1864, read third time, and lost by the following vote :

YEAS—Messrs. Canfield, Clemens, Cutter, Edwards, Glover, Hall, Haskell, Hudson, James, Mayhugh, McDougall, O'Neil, Taylor, Walton, Wood, and Work—16.

NAYS—Messrs. Bearss, Beck, Crawford, Elliott, Fisher, Grey, Hayden, Hinckley, Ingham, Julien, Lane, Linn, Vandewater, Woodruff, and Mr. Speaker—15.

By leave, Mr. James gave notice that he would, on to-morrow, move a reconsideration of the vote by which the bill was lost.

On motion, rules suspended, and substitute for Assembly Bill No. 89, an Act to legalize the acts of Edward Coldren, Thomas Plain, and William H. Taylor, as County Commissioners of Churchill county, during the year 1865, was considered.

Previous question called and sustained, and substitute bill rejected.

Original Assembly Bill No. 89, was then considered, and ordered engrossed.

Mr. Vandewater moved to adjourn.

Lost.

Rules suspended, Assembly Bill No. 61, an Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled "An Act for the relief of citizens of towns upon the lands of the United States, under certain circumstances," read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Wood, Woodruff, and Mr. Speaker—29.

NAYS—None.

Mr. Beck reports that the Standing Committee on Engrossment has carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 89, an Act to legalize the acts of Edward Coldren, Thomas Plain and William H. Taylor, as County Commissioners of Churchill county, during the year 1865.

H. H. BECK,
Chairman.

On motion of Mr. Canfield, at four o'clock and forty-five minutes P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTY-FOURTH DAY.

WEDNESDAY, January 24, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Rules suspended, and on motion of Mr. Mayhugh, Assembly Concurrent Resolutions relative to the Monroe Doctrine, were taken up, considered, amended, rules further suspended, resolutions considered engrossed for third reading; when, on motion, the vote by which the resolutions were considered engrossed, was reconsidered, when

Mr. James moved the resolutions be recommitted to special committee of one—Mr. Crawford—with instructions to strike out the word “foreign,” on page two, line eleven, and report immediately.

Mr. Crawford reported the word so stricken out.

The question being upon striking out the word “foreign,” yeas and nays called by Messrs. Grey, McDougall and Vandewater, resulting as follows:

YEAS—Messrs. Bearss, Beck, Crawford, Cutter, Edwards, Fisher, Gaige, Grey, Glover, Hall, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, O’Neil, Prince, Vandewater, Wood, Woodruff, and Work—25.

NAYS—Messrs. Clemens, Elliott, Haskell, Hayden, Hinckley, Mayhugh, Walton, and Mr. Speaker—8.

Carried.

The question then being, Shall the resolutions be considered engrossed and ordered to a third reading?

Carried.

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

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O’Neil, Prince, Vandewater, Walton, Wood, Woodruff, Work, and Mr. Speaker—33.

NAYS—Mr. Clemens—1.

Rules suspended, and Mr. Clemens introduced the following:

Resolved, That the special order for this evening be postponed till tomorrow evening, at seven o’clock.

Carried.

REPORTS.

Mr. Mayhugh submitted the following:

Mr. Speaker:

Your Standing Committee on Mines and Mining Interests, to which was referred Assembly Bill No. 16, entitled “An Act relating to incorporated mining companies, and for the protection of stockholders in the same,” 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 amendments, to-wit: To amend by striking out the word “quarterly,” in the eighth line, section first, and inserting the word “monthly.” To strike out after the word “shall,” in fifth line, section second, the words “willfully and designedly;” and after the word “than,” in twenty-first line, section second, strike out “one hundred,” and insert “one thousand.” Also, to strike out the words “five hundred,” in twenty-second line, same section, and insert “five thousand;” and after

the word "dollars," same line and section, add "or imprisonment in the county jail not less than one month or more than twelve months;" and recommend that said bill do pass as amended.

All of which is respectfully submitted.

JOHN S. MAYHUGH,
Chairman.

Report and bill ordered on file.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 85, entitled "An Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State and judicial officers,'" approved January 26th, 1865, have considered the same and report that the subject matter of said bill is embraced by another bill or bills before the House; and, therefore recommend that said bill do not pass.

Also, that they have considered Assembly Bill No. 103, entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in the Courts of Justice in this Territory,'" approved November 29th, 1861, and recommend that the same do not pass.

Also, that they have considered Bill No. 48, 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 29th, 1861, and recommend that the same do not pass.

Also, that they have considered Assembly Bill No. 42, entitled "An Act repealing 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, approved January 4th, 1865, and recommend that the same do not pass.

Also, that they have considered Assembly Bill No. 4, entitled "An Act concerning mining customs and usages," and recommend that the same do not pass.

Also, that they have considered the question referred to them by resolution, which question is, in substance, as follows: "Can a Justice of the Peace, being a judicial officer, act as a Registry Agent to register votes?" to which your committee reply: Whenever the Justice is, by law, made the judge of the qualification of the person applying to be registered, the Justice acts as a judicial officer, and the act of registry is not inconsistent with his functions as Justice of the Peace.

C. S. HAYDEN,
Chairman.

The several bills, as per report, ordered on file.

Mr. Haskell gave notice that he would report on Assembly Bill No. 4, on to-morrow.

By Mr. Walton :

Mr. Speaker :

Your Committee on Public Morals have had Assembly Bill No. 45, an Act relative to lotteries, under consideration, and herewith return the same and recommend its passage.

G. W. WALTON,
Chairman.

Bill ordered on file.

By Mr. Munckton :

Mr. Speaker :

Your Standing Committee on Counties and County Boundaries beg leave to report that they have had under consideration Assembly Bill No. 95, entitled "An Act to create the county of Stewart," and have come to a favorable conclusion thereon, and report the same back without amendment and recommend its passage.

All of which is respectfully submitted.

GEO. MUNCKTON,
J. G. CANFIELD,
H. H. BECK.

Also, Assembly Bill No. 81, entitled "An Act to authorize the survey and establishment of the boundaries between the several counties of this State," and have come to a favorable conclusion thereon, and report the same back without amendment, and recommend its passage.

All of which is respectfully submitted.

GEO. MUNCKTON,
J. G. CANFIELD,
H. H. BECK,
A. C. BEARSS.

Bills ordered on file.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to which was referred Assembly Bill No. 34, an Act to amend sections 219 and 243 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, 1861, have had the same under consideration, and herewith report the same back with amendments, and recommend its passage, as amended.

C. S. HAYDEN,
Chairman.

Report and bill ordered on file.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency, the Governor, for his approval, on the 29th inst, viz :

Assembly Bill No. 46, an Act for the relief of the Virginia Fire Department.

Also, Assembly Bill No. 56, an Act for the relief of Hiram Welch, have been carefully compared with the engrossed bills as passed by the two Houses, and found correctly enrolled.

A. C. BEARSS,
Chairman.

By Mr. Mason :

Mr. Speaker :

Your Standing Committee on Federal Relations, to which was referred Senate Concurrent Resolutions relative to mineral lands claimed by the Central Pacific Railroad Company, have had the same under consideration, and instructed their chairman to report favorably thereon, and recommend their adoption.

B. S. MASON,
Chairman.

Resolutions placed on file.

By Mr. Hinckley :

Mr. Speaker :

The Committee on Agriculture, to whom was referred Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, beg leave to report, that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend its passage.

J. S. HINCKLEY,
Chairman.

Bill placed on file.

INTRODUCTION OF BILLS, ETC.

By unanimous consent, Mr. Munckton introduced Assembly Bill No. 107, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Rules suspended, read first and second time by title, and referred to Ormsby County delegation.

Also, by Mr. Haskell :

Assembly Bill No. 108, an Act to repeal an Act entitled "An Act to authorize the incorporation of the town of Aurora to the city of Aurora," approved February 9th, 1864.

Rules suspended, read first and second time by title, and referred to Esmeralda County delegation.

Also, by Mr. Banks, Assembly Bill No. 109, an Act concerning the herding and protection of sheep.

Rules suspended, read first and second time by title, and referred to Committee on Agriculture.

On motion of Mr. Lane, rules suspended, and two hundred and forty extra copies of the resolution relative to the Monroe Doctrine ordered printed.

By unanimous consent, Mr. Glover introduced Assembly Bill No. 110, an Act relating to accounts against the State.

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

On motion of Mr. Ingham, at one o'clock P. M., House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two P. M.

Mr. Speaker in the chair.

Quorum present.

On motion, rules suspended; and Mr. Lane offered the following :

Resolved, That the Sergeant-at-Arms of the Assembly be, and is, hereby authorized and required to distribute *pro rata*, to each member, all printed matter to which they are entitled.

Carried.

GENERAL FILE

Assembly Bill No. 29, an Act to legalize the acts of Edward Coldren, Thomas Plain and William H. Taylor, as County Commissioners of

Churchill county, during the year 1865, was read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Fisher, Glover, Haskell, Hayden, Hinckley, Julien, Lane, Linn, Mason, Mayhugh, Munckton, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—23.

NAYS—None.

Substitute for Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and fix the salaries of the Judges therein, was taken up, and, on motion, was made (with original bill) special order for to-morrow, at two o'clock P. M.

Assembly Bill No. 75, 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," was considered, and ordered engrossed.

Assembly Bill No. 31, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada, was considered, amended, and ordered engrossed.

Assembly Bill No. 13, an Act to amend section eighty-eight of the revenue law; on motion of Mr. Ingham, bill laid on the table.

Mr. Hinckley in the chair.

Assembly Bill No. 9, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865, was considered and ordered engrossed.

Assembly Bill No. 47, 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, was considered, and on motion, laid on the table.

Assembly Bill No. 77, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice in the Territory of Nevada," approved November 29th, 1861, was considered and ordered engrossed.

Rules suspended, and Mr. Mayhugh offered the following report:

Mr. Speaker:

Your Standing Committee on Mines and Mining Interests, to whom was referred Senate Memorial to Congress, No. 16, against the sale of the mineral lands, beg leave to report that they have had the same under consideration, and have come to a favorable conclusion thereon, and have directed their chairman to report the same back without amendment, and recommend that said memorial do pass.

All of which is respectfully submitted.

JOHN S. MAYHUGH,
Chairman.

Rules further suspended, and Senate Memorial, as per report, read third time and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Wood, Work, and Mr. Speaker—30.

NAYS—None.

Mr. Speaker in the chair.

Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead, and other property from forced sale, in certain cases," approved March 6th, 1865, was considered, and ordered engrossed.

Assembly Bill No. 43, an Act to provide for the construction of ditches and flumes, and to provide for the right of way," rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—28.

NAYS—Messrs. Fisher and Gaige—2.

Mr. Ingham moved to suspend the rules and reconsider the vote by which Assembly Bill No. 49, was ordered engrossed.

Carried.

Mr. Ingham moved the bill be laid on the table.

Lost.

Mr. Beck moved to recommit the bill to Committee on Corporations.

Carried.

Assembly Bill No. 79, an Act concerning the collection of taxes on personal property, was considered and ordered engrossed.

Rules suspended, and Mr. James moved that time be granted him until to-morrow to move a reconsideration of vote on Assembly Bill No. 29.

Carried.

Mr. Cutter moved to suspend the rules to enable him to offer a resolution.

Yeas and nays called by Messrs. Cutter, Vandewater and Fisher.

Previous question called and sustained.

The question being on Mr. Cutter's motion to suspend the rules, yeas and nays were called, resulting as follows :

YEAS—Messrs. Bearss, Canfield, Clemens, Cutter, Edwards, Elliott, Fisher, Gaige, Glover, Hinckley, Hudson, James, Lane, Munckton, O'Neil, Taylor, Walton, Wood, and Work—19.

NAYS—Messrs. Beck, Crawford, Grey, Hayden, Ingham, Julien, Linn, Mayhugh, Prince, Vandewater, and Mr. Speaker—11.

Motion lost.

On motion of Mr. Hayden, at four o'clock and ten minutes P. M. House adjourned.

JAMES A. BANKS, Speaker.

U. E. Allen, Clerk.

TWENTY-FIFTH DAY.

THURSDAY, January 25, 1866.

House met, pursuant to adjournment.
 Mr. Speaker in the chair:
 Roll called.
 All present.
 Prayer by the Chaplain.
 Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Beck reports that the standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz:

Assembly Bill No. 31, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865.

Also, Assembly Bill No. 79, an Act concerning the collection of taxes on personal property.

Also, Assembly Bill No. 9, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865.

H. H. BECK,
 Chairman.

Bills ordered to a third reading.
 By Mr. Walton:

Mr. Speaker:

Your Committee on Public Morals, to which was referred Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming, have had the same under consideration, and recommend that it do not pass.

G. W. WALTON,
 Chairman.

By Mr. Haskell:

Mr. Speaker:

Your select committee, to whom was referred Assembly Bill No. 64, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, have had the same under consideration, and would report the bill back without amendment, and recommend its passage.

D. H. HASKELL,

On motion, bill ordered printed.

MOTIONS AND RESOLUTIONS.

By Mr. Cutter:

Resolved, That the State Controller be, and is, hereby authorized and required to draw his warrants as follows; payable out of the Contingent

Fund of the Assembly: In favor of Wright & Grant, for \$113 00; of A. C. Bragg, for \$20 84; of Robert Douglass, for \$5 00; of E. W. Keys, for \$42 00; of D. Wolff & Co., for \$19 50; of W. F. Wilson, for \$12 00.

Resolved, That the resolution concerning the same, passed heretofore, be, and is, hereby rescinded.

Carried.

By Mr. Williams:

Resolved, That the consideration of the vote, whereby General McDowell was sought to be accused by a vote of this body, be reconsidered.

Mr. Grey moved the resolution be laid on the table.

Carried.

In accordance with previous notice, Mr. James moved to reconsider the vote by which Assembly Bill No. 29, an Act amendatory of an Act entitled "An Act authorizing M. D. Harmon to establish and maintain a toll road," approved February 20th, 1864, was lost.

Previous question called and sustained.

The question being on Mr. James' motion to reconsider the vote by which Assembly Bill No. 49 was lost, yeas and nays called by Messrs. Lane, Hayden, and Vandewater, resulting as follows:

YEAS—MESSRS. Canfield, Clemens, Cutter, Edwards, Glover, Hall, Haskell, Hudson, Ingham, James, Lane, Mayhugh, Munckton, McDougall, O'Neil, Walton, Wood, and Work—18.

NAYS—MESSRS. Bearss, Beck, Crawford, Elliott, Fisher, Gaige, Grey, Hayden, Hinckley, Julien, Linn, Prince, Vandewater, Woodruff, and Mr. Speaker—15.

Carried.

The question being upon the passage of the bill, yeas and nays called resulting as follows:

YEAS—Messrs. Bearss, Canfield, Clemens, Cutter, Edwards, Glover, Hall, Haskell, Hayden, Hudson, Ingham, James, Lane, Mayhugh, Munckton, McDougall, O'Neil, Walton, Wood, and Work—20.

NAYS—Messrs. Beck, Crawford, Elliott, Fisher, Gaige, Grey, Hinckley, Julien, Linn, Prince, Vandewater, Woodruff, and Mr. Speaker—13.

Bill passed.

Mr. Hayden asked leave to change his vote from nay to yea.

Leave granted, when Mr. Hayden gave notice of a motion to reconsider the vote by which the bill passed.

Mr. James rose to a point of order, that one reconsideration having already been had, another motion could not be entertained.

Chair ruled point of order well taken.

By Mr. Mayhugh:

Resolved, That the Speaker appoint a select committee of seven, whose duty it shall be to prepare and report, at an early day, some suitable or appropriate resolutions expressing our abhorrence of the cowardly and dastardly act which deprived the nation of the valuable life of Abraham Lincoln.

Carried.

Mr. Speaker appointed as such committee Messrs. Mayhugh, James, Crawford, Edwards, Hayden, Beck, and Fisher.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 24, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 80, an Act to amend an Act entitled "An Act concerning the acknowledgment of conveyances," approved February 20th, 1864, the same having this day passed the Senate. Yeas, 17; nays, 0.

I am also directed to return Assembly Bill No. 39, an Act to amend an Act entitled "An Act concerning Courts of Justice of this State and judicial officers," approved January 26th, 1865, the same having passed the Senate this day. Yeas, 14; nays, 2.

I also return Assembly Bill No. 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, the same having this day passed the Senate—yeas, 15; nays, 2.

I also return duplicate of Assembly Bill No. 80, sent to the Senate on the 23d inst. by mistake, the Senate having so ordered.

Respectfully submitted,

GEO. R. AMMOND, Secretary.

Said bills ordered enrolled.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Canfield introduced Assembly Bill No. 111, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865.

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

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

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

On motion, special order, Assembly Bill No. 17, was postponed for ten minutes.

By leave, Mr. Work offered the following:

Resolved, That when any member is speaking longer than may be by the Speaker considered necessary, he may call such member to order, in justice to the State, and may enforce this rule in the same manner as provided for the enforcement of other rules of this House.

Carried.

INTRODUCTION OF BILLS.

By Mr. Beck—Assembly Bill No. 112, an Act to provide for the outstanding indebtedness of Washoe County.

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

Rules suspended, and Mr. Haskell offered Assembly Concurrent Resolution No. 28, in relation to mail service.

Read first and second time by title, and referred to Committee on Federal Relations.

Mr. Taylor introduced Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State.

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

Mr. Walton introduced Assembly No. 114, an Act regulating the location and abandonment of mines and mining claims of this State.

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

Special order, Assembly Bill No. 17, and substitute for same, an Act to re-district the State of Nevada into judicial districts, and to fix the salaries of Judges, and terms of Court therein, were taken up.

On motion of Mr. Cutter, the House resolved itself into Committee of the Whole—Mr. Crawford in the chair—for consideration of said bill.

Substitute bill was considered.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Crawford reported that the Committee of the Whole had had under consideration Assembly Substitute Bill No. 17, entitled "An Act to re-district the State of Nevada into judicial districts, and to fix the salaries of Judges, and terms of Court therein," have progressed therewith, made some amendments thereto, and directed their chairman to report the bill to the House, and ask that the bill be recommitted to Judiciary Committee.

Adopted and so ordered.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency the Governor for his approval, on the 25th inst., viz: Assembly Bill No. 80, an Act to amend an Act entitled "An Act concerning the acknowledgment of conveyances," approved February 20th, 1864.

Also, Assembly Bill No. 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

Also, substitute for Assembly Bill No. 39, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865, have been carefully compared with the engrossed bills as passed by the two Houses, and found correctly enrolled.

A. C. BEARSS,
Chairman.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz:

Assembly Bill No. 77, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Territory of Nevada," approved November 29th, 1861.

H. H. BECK,
Chairman.

Mr. Cutter moved to take a recess until seven o'clock.

Yeas and nays called by Messrs. Cutter, James, and Glover.

YEAS—Messrs. Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Ingham, James, Lane, Munckton, McDougall, Prince, Vandewater, and Mr. Speaker—14.

NAYS—Messrs. Bearss, Beck, Canfield, Crawford, Edwards, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Julien, Linn, Mason, Mayhugh, O'Neil, Taylor, Walton, Wood, Woodruff, and Work—21.

Motion lost.

Mr. Hayden, at four o'clock and fifteen minutes P. M., moved to adjourn.

Yeas and nays called by Messrs. Cutter, Ingham and McDougall, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Fisher, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Julien, Linn, Mason, Mayhugh, O'Neil, Prince, Walton, Work, and Mr. Speaker—20.

NAYS—Messrs. Clemens, Cutter, Elliott, Gaige, Glover, Ingham, James, Lane, Munckton, McDougall, Taylor, Vandewater, Wood, and Woodruff—14.

Carried, and House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTY-SIXTH DAY.

FRIDAY, January 26, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PRESENTATION OF PETITION.

By Mr. Crawford.

Petition from the citizens of Lyon county, in relation to currency.

Placed on file.

REPORTS OF COMMITTEES.

By Mr. Hayden.

Mr. Speaker:

The Committee on Judiciary, to whom was referred Assembly Bill No. 55, entitled "An Act to amend section first of an Act passed by the Legislative Assembly of the Territory of Nevada, entitled 'An Act to provide for the appointment of Notaries, and defining their duties,'" ap-

proved February 9th, 1864, approved March 20th, 1865, have considered the same, and recommend that it pass without amendment.

Also, that they have considered Assembly Bill No. 76, entitled "An Act to amend an Act entitled 'An Act concerning conveyances,'" approved November 5th, 1861, and recommend that the same pass without amendment.

Also, that they have considered Assembly Bill No. 104, entitled "An Act to secure liens to ranchmen and other persons," and recommend that the same pass with the following amendments:

In line ten, section one, after the word "until," and before the word "suit," insert as follows: "all reasonable charges are paid, or."

In line seventeen, of the first section, after the word "than" insert the word "for."

In section one, line twenty-four, strike out the following words: "and shall vest a good and sufficient title in the purchaser upon the payment of the purchase money."

In section three, line seven, before the word "charges," insert the word "reasonable."

Also, that they have considered Assembly Bill No. 17, being the bill fixing the Judicial Districts, referred to them with the amendments passed by this House, and recommend as follows:

That the following substitute be passed instead of the amended section two, adopted by the House yesterday, that amended section being incomplete as adopted, and not settling the apportionment of salaries of the Judges between the counties:

Section 2. The salary of the Judge of the First Judicial District shall be six thousand dollars a year; that of the Judge of the Second Judicial District shall be five thousand dollars a year, of which sum the county of Ormsby shall pay thirty-five hundred dollars, and the county of Douglas fifteen hundred dollars; that of the Judge of the Third Judicial District shall be five thousand dollars a year; that of the Judge of the Fourth Judicial District shall be five thousand dollars a year, which the counties of Lyon and Esmeralda shall pay in proportion to the amount of taxable property in each county; that of the Judge of the Fifth Judicial District shall be twenty-four hundred dollars a year; that of the Judge of the Sixth Judicial District shall be five thousand dollars a year; that of the Judge of the Seventh Judicial District shall be thirty-six hundred dollars a year, which the counties of Nye and Churchill shall pay in proportion to the amount of taxable property in each county.

Also, that they herewith present a substitute for section three of the bill heretofore reported to the House, which substitute fixes the times of holding courts in the different districts, according to the apportionment of counties adopted by the House:

Section 3. The terms of Court in said Districts shall be as follows: In the First Judicial District the terms shall commence on the first Mondays of January, March, June and October; in the Second Judicial District, in Ormsby county, on the first Mondays of March, June, September and December, and in Douglas county on the first Mondays of February, May, August and November; in the Third Judicial District on the first Mondays in February, May, August and November; in the Fourth Judicial District, in Lyon county, on the first Mondays of March, June, September and December, and in Esmeralda on the first Mondays of February, May, August and November; in the Fifth Judicial District on the first Mondays of March, June, September and December; in the

Sixth Judicial District on the first Mondays of March, June, September and December; and in the Seventh Judicial District, in Nye county, on the first Mondays of January, April and August, and in Churchill on the first Mondays of March, July and November, in each year.

Also, that they have considered Assembly Bill No. 111, entitled "An Act to amend an Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State, and judicial officers,'" approved January 26th, 1865, and recommend that said bill do not pass.

C. S. HAYDEN,
Chairman.

Report and bills placed on file.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original and found the same correctly engrossed, viz:

Assembly Bill No. 75, 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.

H. H. BECK,
Chairman.

Bill placed on file.
By Mr. Haskell:

Mr. Speaker:

Your Committee on Elections, to whom was referred Assembly Bill No. 5, 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," have had the same under consideration, have made some amendments thereto, and have directed their chairman to report the bill back and recommend its passage as amended, viz:

Strike out all between the word "by" in section four, line thirteen; and the word "under" in the fourth line, and insert the words "writing the word registered."

Also, in section six, line two, strike out all after the word "the" and insert the word "judiciary."

Also, strike out all the words in parentheses from the word "them," in section seven, line thirty-six, to the word "and" in line thirty-nine.

Also, in section ten, line one, strike out the words "twentieth day of October" and insert the word "Tuesday."

Also, add to section eleven, after the word "proper" the words "provided it shall not exceed twenty-five cents for each name."

Also, in section eighteen, line six, between the word "suffrage" and the word "is" insert the words "approved March eleventh, one thousand eight hundred and sixty-five."

D. H. HASKELL,
Chairman.

Report and bill placed on file. Also:

Mr. Speaker:

A minority of the Committee on Judiciary have had under consideration Assembly Bill No. 4, entitled "An Act concerning the forfeiture and abandonment of mining claims," and have given the same a careful examination. The minority of the committee are sensible of the great magnitude and importance of the interests to be affected by such a law, and of the necessity of well considered legislation on the subject.

The minority of your committee believe that, in consequence of the non-enactment of some such law, the justly forfeited but lingering rights to mining interests claimed by parties who have virtually abandoned them, have been an expense of hundreds of thousands of dollars in litigation and compromise to those who have, by their enterprise and capital, developed such interests. The minority of your committee further believe that there are hundreds of mines in this State which have been discovered for years, and upon which some work has been done—the ground and croppings, by slight excavations and the beginning of shafts and tunnels, being evidence that at some time the mine was, in all probability, claimed, yet that the same have long since been abandoned and forfeited in fact; and if the spirit and intention of the mining rules and regulations and customs are carried out, as intended, would be abandoned and forfeited in law. Many of these mines can be profitably worked; but without the enactment of such a law as the one contemplated, the old rights, long abandoned and forfeited and vacated, will, by the apprehension of their revival, act as an incubus upon the development of the mine by other parties. Scarcely a mining district in the State is an exception to such a state of things, and that, too, where the improvements or work upon the mines is entirely insignificant.

The great mining interests of the State are languishing for capital to develop them. In order to gain that essential element, it is necessary to make mining investment as little hazardous as possible, so far as title to mining property is concerned. The endless litigation in which a majority of our most prominent mines have been engaged, and much of it growing out of the evil which the bill under consideration will abate, is not encouraging in this report.

The minority of your committee believe that the enactment of a law such as this bill provides, will define the rights of a class of litigants, which has hitherto been a disturbing element in our mining interests; and while they do not wish to recommend any action, by legislation, which should impair the rights or lessen the reward of the explorer, who, in the midst of peril and enduring hardship, adds, by his discoveries, to the mineral wealth of the State, yet they do see the necessity of protecting those who, by capital and industry, are developing our mines.

The minority of your committee have given this bill a careful and candid consideration, as to its legal bearings as well as to the necessity of its passage to promote the development of the mineral resources of the State, and believe that, with this law upon our statute books, a serious obstacle, in the way of carrying out the mining laws and rules established by the miners in the various districts of the State, will be overcome.

The Courts, from the earliest history of the discovery of the existence of precious metals on this coast, have sustained the validity of the mining laws and customs, and have been governed thereby in their decisions, except as to the abandonment and forfeiture of individual interests in mines or mining claims. Therefore, without some legislative action, the Courts cannot sustain this important mining rule as to abandonment and forfeiture. Practice and experience have proven this exception to work a great injury to miners and mining interests throughout the State.

The two rules named are in direct conflict, and the Courts have frequently called the attention of the law-making power to the fact of the

much-needed relief which the passage of this bill, in the opinion of the minority of this committee, will afford.

The minority of your committee believe its passage will prevent prolonged litigation, so disastrous, not only to miners, but to every branch of trade dependent upon the working of the mines, and will protect, in their just rights, those engaged in developing the resources of the State; will have a tendency to quiet titles to mines, and induce the investment of capital in the same.

For these reasons, the minority of your committee report the bill back to the House, with the recommendation that it do pass without amendment.

D. H. HASKELL,
T. D. EDWARDS,
A. B. ELLIOTT.

By Mr. O'Neil:

Mr. Speaker:

Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 63, an Act in relation to public highways, beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend the passage of said bill with the following amendments, to wit: Insert in section three, line four (of printed bill), after the word "taxes," the following words, "or, in lieu of such property tax, the Board of Commissioners may levy a capitation tax, of not exceeding three dollars, on each able-bodied man over eighteen, and under fifty, years of age, to be collected in the same manner that State and county poll tax is collected."

FELIX O'NEIL,
Chairman.

Report and bill ordered on file.

By Mr. Hinckley:

Mr. Speaker:

The Committee on Agriculture, to whom was referred Assembly Bill No. 109, an Act concerning the herding and protection of sheep, beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend its passage with the following amendment: In section one, after the word "within," strike out the word "five," and insert the word "three."

All of which is respectfully submitted.

J. L. HINCKLEY,
Chairman.

Report and bill placed on file.

Mr. Speaker:

Your committee, to whom was referred Assembly Bill No. 109, an Act entitled "An Act to amend section thirty-three of an Act passed March 9th, 1865, entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" have had the same under consideration, and beg leave to report favorably, and recommend its passage.

All of which is respectfully submitted.

GEORGE MUNCKTON,
Chairman.

Bill placed on file.

MOTIONS AND RESOLUTIONS.

By Mr. Munckton—Concurrent Resolution No. 29, in relation to a United States Branch Mint, read first time, rules suspended, read second time by title, and referred to Committee on Federal Relations.

By Mr. Haskell:

Resolved, That the Sergeant-at-Arms is hereby instructed to furnish the State Printer with an eyelet machine and eyelets for the purpose of fastening bills, instead of sticking.

Carried and so ordered.

SENATE MESSAGE.

SENATE CHAMBER, CARSON CITY, NEVADA, }
January 25, 1866. }

To the Honorable the Assembly:

I am directed to return to your honorable body Assembly Bill No. 61, an Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress entitled "An Act for the relief of citizens of towns upon lands of the United States under certain circumstances," approved May 23d, 1844; the same having this day passed the Senate. Yeas, 11; nays, none.

I am also directed to transmit for your consideration Senate Bill No. 56, an Act concerning the liabilities of joint debtors; the same having this day passed the Senate. Yeas, 13; nays, none.

I am further directed to transmit Senate Concurrent Resolution, relative to printing report of the Directors of the State Library and Librarian; the same having passed the Senate this day. Yeas, 14; nays, none.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

Assembly Bill No. 61, as per message, ordered enrolled.

Senate Bill No. 56, an Act concerning the liabilities of joint debtors, as per message; rules suspended, read first and second time by title, and referred to Committee on Judiciary.

Senate Concurrent Resolution, relative to printing report of Directors of the State Library, and Librarian, as per message, was passed by the following vote:

YEAS—Messrs. Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Hayden, Hinckley, Hudson, James, Lane, Linn, Munckton, O'Neil, Prince, Williams, Wood, Woodruff, Work, and Mr. Speaker—23.

NAYS—None.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 25, 1866. }

To the Honorable the Assembly:

I am directed to transmit to your honorable body substitute for As-

sembly Concurrent Resolution, relative to the Monroe Doctrine, the same having passed the Senate this day. Yeas, 16; nays, none.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

Substitute for Assembly Concurrent Resolution, relative to the Monroe Doctrine, as per message, read first time, rules suspended, read second time by title.

Mr. Haskell moved they be referred to Committee on Federal Relations.

Previous question called and sustained, yeas and nays called by Messrs. Vandewater, Cutter and Grey, resulting as follows :

YEAS—Messrs. Clemens, Edwards, Elliott, Fisher, Hall, Haskell, Hayden, Hudson, Julien, Munckton, O'Neil, Walton, Williams, Wood, and Mr. Speaker—15.

NAYS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Gaige, Grey, Glover, Hinckley, Ingham, James, Lane, Linn, Mason, McDougall, Prince, Taylor, Vandewater, Woodruff, and Work—20.

Motion lost.

Mr. Cutter moved that the Clerk be instructed to return the Monroe Doctrine resolutions to the Senate, and make inquiry as to the correctness of the Senate message accompanying the same.

Carried.

On motion of Mr. Grey, at one o'clock and ten minutes p. m. House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

INTRODUCTION OF BILLS.

By Mr. Taylor—Assembly Bill No. 115, an Act for the relief of Benjamin Curler, District Attorney of Churchill county.

Rules suspended, read first and second time by title, and ordered on file.

GENERAL FILE.

Assembly Bill No. 9, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State, and judicial officers," approved January 26th, 1865, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Grey, Glover, Hall, Hinckley, Hudson, Linn, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Wood, Woodruff, and Work—21.

NAYS—Messrs. Fisher, Hayden, and Mr. Speaker—4.

Assembly Bill No. 39, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—28.

NAYS—None.

Assembly Bill No. 79, an Act concerning the collection of taxes on personal property, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—30.

NAYS—None.

Assembly Bill No. 77, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice in the Territory of Nevada," approved November 29th, 1861, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—29.

NAYS—None.

Assembly Bill No. 75, 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 29th, 1861, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—None.

Resolution in relation to Jefferson Davis taken up, and, on motion, made special order for this evening at seven o'clock.

Substitute for Assembly Bill No. 3, an Act for the formation of corporations for certain purposes.

On motion of Mr. James, House resolved itself into Committee of the Whole, Mr. Cutter in the chair, for consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration, Assembly and Substitute Bill No. 3, entitled "An Act for the formation of corporations for certain purposes," have progressed therewith, and directed their chairman to report the same to the House, and ask leave to sit again on Monday next, at 2 o'clock, p. m.

Leave granted.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 61, entitled "An Act prescribing rules and regulations for

the execution trust arising under the Act of Congress, entitled 'An Act for the relief of citizens of towns upon the lands of the United States under certain circumstances,' has been carefully compared with the engrossed bill as passed by the two Houses, and found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

A. C. BEARSS,
Chairman.

Mr. Crawford, by leave, introduced the following:

Resolved, That the Standing Committee on Federal Relations be, and are hereby, respectfully requested to report back to this House, Senate Resolutions relating to Jefferson Davis, that they may be before this House for consideration, with similar resolutions, made the special order for this evening.

Carried.

On motion of Mr. Haskell, at four o'clock and thirty minutes, House took a recess until seven p. m.

EVENING SESSION.

House re-assembled at seven o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

Special order, Assembly Concurrent Resolution No. 3, concerning Jefferson Davis, was taken up.

Mr. Mason, from Committee on Federal Relations, reported back Senate Concurrent Resolution No. 35, concerning the same subject, without recommendation.

Bill placed on file.

On motion of Mr. Crawford, rules suspended, and Senate Concurrent Resolutions were first taken up and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Hall, Haskell, Hinckley, Hudson, Ingham, Lane, Mason, Mayhugh, Munckton, McDougall, Vandewater, Walton, Wood-
Woodruff, and Mr. Speaker—24.

NAYS—Messrs. Hayden, James, Julien, and Mr. Linn—4.

Mr. Speaker *pro tem.* in the chair.

On motion of Mr. Banks, original Assembly Concurrent Resolution on the subject, was laid on the table.

On motion of Mr. Cutter, rules suspended, and Senate messages taken up as follows:

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
January 25, 1866. }

To the Honorable the Assembly:

I am directed to return to your honorable body, Assembly Concurrent Resolutions, relative to the Monroe Doctrine," the same having been amended in the Senate.

GEO. R. AMMOND, Secretary.

Also,

SENATE CHAMBER, CARSON CITY, }
 January 26, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body, that the resolutions relative to the Monroe Doctrine, passed in the Senate yesterday, were treated as amendment to Assembly Concurrent Resolution No. 9, and as such should be so considered under the rules of the respective Houses, notwithstanding the use of the word "substitute" in the message transmitted on the 25th inst.

The report of the Committee on Federal Relations to the Senate, and the action of the Senate thereon, with regard to these resolutions, shows conclusively that they were held to be amended resolutions.

I herewith transmit a copy of the report of Committee on Federal Relations, referred to above.

Respectfully,

GEO. R. AMMOND, Secretary.

The Committee on Federal Relations, by unanimous consent, made the following report :

To the President of the Senate :

Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution relating to the Monroe Doctrine, beg leave to report, and recommend the passage of the same, as amended by the committee.

CHAS. A. SUMNER,
 FRED HUTCHINGS,
 D. L. HASTINGS.

Previous question called and sustained.

The question then being on concurring in Senate amendment, yeas and nays called and resolution passed finally by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Elliott, Grey, Hall, Hudson, Ingham, James, Lane, Linn, Munckton, McDougall, Vandewater, Walton, Wood, and Mr. Speaker—20.

NAYS—Messrs. Clemens, Fisher, Haskell, Hayden, Hinckley, Julien, Mayhugh, and Williams—8.

On motion rules suspended, and Mr. Cutter offered the following :

Resolved, That the Assembly Hall be allowed to be used by the citizens of Carson City, on Saturday evening 22d inst., for the purpose of holding a public meeting to make arrangements to celebrate the anniversary of the birthday of Abraham Lincoln, late President of the United States.

Carried.

On motion rules suspended, and Mr. Ingham offered the following :

Resolved, by the Assembly, the Senate concurring, That five hundred copies of the Monroe Doctrine Resolution be printed in the English, and five hundred copies in the Spanish language.

Laid over one day under the rules.

On motion of Mr. Ingham, at eight o'clock and forty minutes House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTY-SEVENTH DAY.

SATURDAY, January 27, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Mr. O'Neil, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Maybugh, at his own request, was excused from serving on special committee on Assembly resolutions concerning the assassination of President Lincoln.

Mr. Speaker appointed Mr. Mason in his stead, who declined; then Mr. Haskell, who declined; then Mr. Canfield, as chairman of said committee.

REPORT FROM COMMITTEE.

Mr. Speaker :

Your Committee on Contingent Expenses report that they have had under consideration the following accounts :

E. B. Rail, hardware.....	\$99 87
J. Painter, cutting wood....	27 50

have come to a favorable conclusion thereon, and beg. leave to report that fact to the House.

ROBERT FISHER,
Chairman.

Resolved, That the State Controller be directed to draw his warrant on the contingent fund of the Assembly for the following amounts: E. B. Rail, for hardware, \$99 87; J. Painter, for cutting wood, \$27 50.

Carried.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, January 26, 1866. }

To the Honorable Assembly of Nevada :

I have this day approved Assembly Bill No. 56, an Act for the relief of Hiram Welch.

Also, Assembly Bill No. 80, an Act to amend an Act entitled "An Act concerning the acknowledgment of conveyances," approved February 20th, 1864.

Also, Assembly Bill No. 30, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

Also, Assembly Bill No. 46, an Act for the relief of certain officers of the Virginia Fire Department.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Haskell moved that the history of Assembly Bill No. 4, an Act concerning mining customs and usages, with reports on the same, be printed.

Carried.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, January 26, 1866. }

To the Honorable the Assembly :

I am directed to return Assembly Bill No. 89, an Act to legalize the acts of Edward Coldren, Thomas Plain, and Wm. H. Taylor as County Commissioners of Churchill county during the year one thousand eight hundred and sixty-five, the same having this day passed the Senate. Yeas, 16; nays, 1.

I am also directed to transmit Senate Memorial and Joint Resolution, relative to increasing the amount allowed by the United States to the State of Nevada, for establishing national banks therein; the same having passed the Senate this day. Yeas, 16; nays, none.

Respectfully submitted.

GEO. R. AMMOND, Secretary.

Assembly Bill No. 89, as per message, ordered enrolled.

Senate Memorial and Joint Resolution, relative to increasing the amount allowed by the United States to the State of Nevada, for establishing national banks therein, read first time, rules suspended, read second time by title, and, on motion, referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Work introduced Assembly Bill No. 117, an Act to provide for securing or enforcing payment of debts and obligations previous to the maturity thereof, in certain cases.

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

Also, by Mr. Banks, Assembly Bill No. 118, an Act to amend an Act entitled "An Act to regulate the settlement of the estates of deceased persons," approved November 29th, 1861.

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

REPORT FROM THE COMMITTEE ON ENROLLMENT.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 89, entitled "An Act to legalize the acts of Edward Coldren, Thomas Plain and William H. Taylor, as County Commissioners of Churchill county, during the year 1865," has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

A. C. BEARSS,
Chairman.

Rules suspended ; and Mr. Cutter offered the following :

Resolved, That the Controller of State is hereby authorized and required to draw his warrant on the State Treasurer, in favor of H. P. Burnham, Sergeant-at-Arms of the House, for the balance remaining in the fund set aside as the Assembly Contingent Fund ; and the said Sergeant-at-Arms is hereby required to deposit the amount of said warrant, when paid, in the banking house of Wells, Fargo & Co., in this city, to be drawn out, on presentation of "skeleton scrip" issued by order of the Assembly.

Mr. Elliott moved the motion be postponed until Monday next.

Lost.

The question being upon the adoption of the resolution of Mr. Cutter, yeas and nays called by Messrs. Fisher, Hayden and James, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Grey, Glover, Hall, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Walton, Wood, and Work—20.

NAYS—Messrs. Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Hayden, Hinckley, and Mr. Speaker—9.

Resolution adopted.

Mr. Edwards asked that the House instruct the Committee on Ways and Means to return to him a bill concerning the collection of delinquent taxes.

Committee so instructed, and bill returned to introducer.

On motion of Mr. Elliott, at twelve o'clock and forty-five minutes, House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

TWENTY-NINTH DAY.

MONDAY, January 29th, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Journal of yesterday read and approved.

Mr. Canfield asked to be excused from serving as chairman of select committee on resolution, relative to the death of Abraham Lincoln.

Excused.

Mr. Speaker appointed Mr. Julien as chairman of said committee.

REPORTS OF COMMITTEES.

By Mr. Mason :

Mr. Speaker :

Your Standing Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution, in regard to Stockton and Copperopo-

lis railroad, introduced by Mr. Banks, have had the same under consideration, and report the same back, and recommend their indefinite postponement. All of which is respectfully submitted.

Also, Assembly Concurrent Resolutions, in regard to mail service between Carson City, in Ormsby County, Nevada, to Bridgeport, in Mono County, in California, have had the same under consideration, and report the same back, and recommend their indefinite postponement.

All of which is respectfully submitted.

B. S. MASON,
Chairman.

MAJORITY REPORT.

By Mr. Julien :

Mr. Speaker :

Your Committee, to whom was referred Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale in certain cases," have had the same under consideration, have carefully considered the same, and report the same back with the following amendments, and recommend its passage: In line eleven, after the word "structure," insert the word "wholly;" and in line fourteen, after the word "whatever," insert "disconnected from said dwelling house."

All of which is respectfully submitted.

MINORITY REPORT.

By Mr. Wood :

Mr. Speaker :

The minority of the Committee on Corporations, to whom was recommitteed Assembly Bill No. 49, entitled "An Act to amend an Act to exempt the homestead and other property from forced sale in certain cases," approved March 6th, 1865, beg leave to report that, after a full consideration of said bill, we have arrived at the conclusion that said bill would have the effect to destroy the intent and effect of the Act of which it is amendatory, and would make distinctions which are unjust, and your minority therefore recommend that it do not pass.

Bill and report ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. Linn :

Resolved, That Assembly Bill No. 91, entitled "An Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming," introduced by Mr. Glover, and reported unfavorably on by the Standing Committee on Public Morals, be, and the same is hereby, taken from the general file, and recommitteed to said committee for further consideration.

Carried.

On motion of Mr. Fisher, Assembly Bill No. 49 ordered printed.

On motion of Mr. Glover, Assembly Bill No. 16 ordered printed.

By Mr. Glover—An Act declaring mining claims, and the improvements thereon, abandoned and forfeited after a certain time.

GENERAL FILE.

Assembly Bill No. 6, entitled "An Act to secure persons and animals from danger arising from mining and other excavations.

By leave, bill passed on the file.

Assembly Bill No. 84, entitled "An Act to create a Board of Commissioners to examine claims of citizens of Humboldt County, and report to the Governor of the State the amount of just claims held by citizens in said county, for property destroyed and losses sustained by Indian depredations in said county, in the years A. D. 1864, 1865 and 1866.

On motion, recommitted to Committee on Military and Indian Affairs.

Assembly Bill No. 64, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" approved March 9th, 1865.

On motion of Mr. Haskell, the bill laid on the table.

Senate Bill No. 29, entitled "An Act to provide for the wages of labor in the State of Nevada," read third time.

Mr. Williams moved to re-refer to Committee on Judiciary, upon which, previous question called and sustained.

Bill so referred.

On motion of Mr. Ingham, bill ordered printed.

Senate Concurrent Resolution No. 31, relative to establishing semi-weekly mail from Aurora, via Columbus, to Silver Peak, read third time and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hudson, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—29.

NAYS—None.

Assembly Bill No. 74, entitled "An Act to amend an Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," approved February 7th, 1865; amendments of committee adopted by the House, considered amended and ordered engrossed for third reading.

Senate Substitute for Senate Bill No. 41, entitled "An Act defining the duties of State Treasurer," amended, read third time and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hudson, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—32.

NAYS—None.

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

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

On motion, the House resolved itself in Committee of the Whole, with Mr. Cutter in the chair, for the consideration of special order, Bill No. 3.

Mr. Cutter reported that the Committee of the Whole had had under consideration Assembly Bill No. 3, entitled "An Act to provide for the formation of corporations for certain purposes," have progressed therewith, and reported the same to the House without recommendations.

On motion of Mr. Lane, the bills were made special order for to-morrow evening at seven o'clock.

On motion of Mr. Beck, at four o'clock and fifty minutes House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

 THIRTIETH DAY.

TUESDAY, January 30, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 74, an Act to amend an Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada, approved February 7th, 1865.

By Mr. Haskell:

Mr. Speaker:

The Committee on Elections, to whom was referred Assembly Bill No. 50, an Act relating to electors and their qualifications, report that after giving the same a careful examination, they have come to a favorable conclusion thereon, and recommend the passage of the bill without amendment.

MOTIONS AND RESOLUTIONS.

By Mr. Gaige:

Resolved, That the Sergeant-at-Arms be, and is hereby, required to

reserve from the per diem of the members of the House such sums respectively, as he may have charged to them for stationery heretofore furnished them.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
January 29, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 78, an Act in relation to the late City Recorder's Court in the city of Austin, the same having this day passed the Senate. Yeas, 16; nays, none.

Respectfully submitted, GEO. R. AMMOND, Secretary.

Senate Bill No. 78, entitled "An Act in relation to the late City Recorder's Court in the city of Austin;" rules suspended, read first and second time by title, and referred to Lander Delegation.

GENERAL FILE.

Assembly Bill No. 74, entitled "An Act to amend an Act entitled 'An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada,'" approved February 7th, 1865, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—None.

Assembly Bill No. 6, entitled "An Act to secure persons and animals from danger arising from mining and other excavations;" amendments of committee agreed to; considered, and ordered engrossed for third reading.

Assembly Bill No. 90, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" approved March 9th, 1865; on motion of Mr. Grey, bill laid on the table.

Assembly Bill No. 92, entitled "An Act to amend an Act relating to wild game and fish," approved November 21st, 1861; amendments agreed to; considered, and ordered engrossed.

Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick and insane of the State;" bill indefinitely postponed, on motion of Mr. Ingham.

Mr. Glover gave notice that he would, on to-morrow, move to reconsider the vote by which Bill No. 40 was indefinitely postponed.

Mr. Speaker ruled motion out of order.

Assembly Bill No. 16, entitled "An Act relating to incorporated mining companies, and for the protection of the stockholders in the same," on motion, was passed on file.

Assembly Bill No. 85, entitled "An Act to amend an Act entitled 'An Act concerning the Courts of Justice of this State, and judicial officers,'" approved January 26th, 1865, considered, and ordered engrossed.

Assembly Bill No. 103, entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in Courts of Justice in this Territory,'" approved November 29th, 1861.

On motion of Mr. Haskell, the bill passed on the file.

Assembly Bill No. 48, 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 29th, 1861; the House refused to engross.

Rules suspended, and Mr. James gave notice that he would, on to-morrow, move to amend Rule No. 56, concerning the indefinite postponement of a bill.

Rules further suspended, and Mr. Glover granted leave to move a reconsideration on to-morrow.

Mr. Bearss reports that the Standing Committee on Enrollment have carefully compared the following Assembly Concurrent Resolution with the engrossed resolution as passed by the two Houses, and found the same correctly enrolled, viz: "Assembly Concurrent Resolution, relating to the Monroe Doctrine," and the same has this day been delivered to the Secretary of State.

Assembly Bill No. 42, entitled "An Act repealing 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, and approved January 4th, 1865, considered, and on motion, laid on the table.

Assembly Bill No. 4, entitled "An Act concerning mining customs and usages;" on motion, bill passed on file.

Assembly Bill No. 45, entitled "An Act to prohibit lotteries, raffles, gift enterprises, and other schemes of like character," considered.

Mr. Glover moved to strike out the enacting clause.

Pending which, on motion of Mr. Beck, at one o'clock and five minutes the House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Fisher moved a call of the House.

Carried.

Roll called.

Absent—Messrs. Canfield, Elliott, Grey, Hall, Hinckley, Ingham, James, Julien, Mason, Mayhugh, Munckton, McDougall, Prince, Vandewater, and Walton.

Messrs. Elliott, James, Walton, Hall, Vandewater, Munckton, and McDougall appeared, and were excused.

Mr. Beck moved that further proceedings under the call be dispensed with.

Lost.

Messrs. Grey, Mayhugh, Mason, Julien, Ingham, and Canfield appeared, and were excused.

Mr. Lane moved that further proceedings under the call be dispensed with.

Carried.

Consideration of Assembly Bill No. 45, resumed, an Act to prohibit lotteries, raffles, gift enterprises, and other schemes of like character.

The motion being to strike out the enacting clause, upon which the yeas and nays were called by Messrs. Banks, Grey and Glover.

Motion lost by the following vote :

YEAS—Messrs. Cutter and Glover—2.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

Bill further considered, amended; pending which,

On motion of Mr. Cutter, House took a recess until seven o'clock and fifteen minutes P. M.

EVENING SESSION.

House re-assembled at seven o'clock and fifteen minutes P. M.

Mr. Speaker in the chair.

Quorum present.

Mr. Ingham moved a call of the House.

Carried.

Roll called.

Absent—Messrs. Gaige, Grey, Munckton, and Wood.

Messrs. Gaige and Munckton appeared and were excused.

Mr. Grey was brought in by the Sergeant-at-Arms, and fined two dollars and a half.

Mr. James moved that all further proceedings under the call be dispensed with.

Carried.

Special order, substitute for Assembly Bill No. 3, an Act to provide for the formation of corporations for certain purposes, upon which previous question called by the requisite number, and lost by the following vote :

YEAS—Messrs. Bearss, Canfield, Crawford, Edwards, Haskell, Hayden, Hinckley, Hudson, Linn, Mason, Mayhugh, O'Neil, Prince, Walton, Williams, and Work—16.

NAYS—Messrs. Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Grey, Hall, Glover, Ingham, James, Julien, Lane, Munckton, McDougall, Taylor, Vandewater, Woodruff, and Mr. Speaker—19.

Bill considered; amended.

Previous question called and sustained.

The question being upon ordering the bill engrossed, lost by the following vote :

YEAS—Messrs. Elliott, Gaige, Grey, Glover, Hall, Ingham, James, Julien, Lane, Munckton, McDougall, Vandewater, and Woodruff—13.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Ed-

wards, Fisher, Haskell, Hayden, Hinckley, Hudson, Linn, Mason, Mayhugh, O'Neil, Prince, Taylor, Walton, Williams, Work, and Mr. Speaker —22.

Mr. Cutter changed his vote from yea to nay, and gave notice that, on to-morrow, he would move to reconsider the vote by which the House refused to engross the bill.

On motion of Mr. Crawford, at eight o'clock and ten minutes p. m., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-FIRST DAY.

WEDNESDAY, January 31, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Committee on State Institutions granted leave of absence for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Julien, by unanimous consent, was granted leave to change his vote from yea to nay, upon the Incorporation Bill, (upon its engrossment).

Mr. Cutter asked leave to withdraw his motion to reconsider the Incorporation Bill.

Leave granted.

Indefinite leave of absence granted to Mr. Woodruff.

On motion, Mr. Grey was relieved from paying the fine imposed upon him yesterday.

Pursuant to notice given yesterday, Mr. Glover moved a reconsideration of the vote by which Assembly Bill No. 40, an Act to provide for the care and maintenance of the indigent sick and insane of the State, was indefinitely postponed.

Action upon the same postponed until to-morrow.

PRESENTATION OF PETITION.

By Mr. Ingham :

A petition relative to Orphan Asylum in Virginia, read and placed on file with Assembly Bill No. 40.

REPORTS OF COMMITTEES.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz : Assembly Bill No. 6, an Act to secure persons and animals from danger arising from mining and other excavations.

By Mr. Haskell :

Mr. Speaker :

Your Committee on Elections have had under consideration, Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties in this State, and report that they have come to a favorable conclusion thereon, and directed their chairman to report the same back to the House, recommending its passage without amendments.

Assembly Bill No. 13, as per report, ordered on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, January 31, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved the following Assembly Bills: No. 39, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865.

No. 61, an Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress, entitled "An Act for the relief of citizens of towns upon the lands of the United States under certain circumstances," approved May 23, 1844.

No. 89, an Act to legalize the Acts of Edward Coldren, Thomas Plain, and William H. Taylor, as County Commissioners of Churchill county, during the year 1865.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

By Mr. Edwards :

Resolved, That the Sergeant-at-Arms of the Assembly be, and is hereby, authorized and instructed to issue his scrip to the following named persons: To John Cormack, for four days services as porter, at five dollars per day, twenty dollars; to John R. Eardley, for four days services as Assistant Clerk, at nine dollars per day, thirty-six dollars; also, for copying Assembly Bills, Nos. 50, 57, 67, 300 folios, at 10 cents per folio, thirty dollars; to Joseph Woodworth, for four days services as Sergeant-at-Arms, at ten dollars per day, forty dollars.

On motion, referred to Committee on Contingent Expenses.

By Mr. James: Standing Rule of the House No. 56, is hereby amended so as to read as follows:

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.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
 January 30, 1866. }

To the Honorable the Assembly :

I am directed to transmit for the consideration of your honorable body, Senate Bill No. 86, an Act to amend an Act entitled "An Act to incorporate the town of Gold Hill," approved March 7th, 1865, the same having passed the Senate this day. Yeas, 13; nays, 1.

Also, Senate Bill No. 79, an Act to amend an Act concerning conveyances, approved November 5th, 1861, the same having passed the Senate this day. Yeas, 17; nays, none.

Also, Senate Bill No. 85, an Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada, the same having this day passed the Senate—yeas, 17; nays, none.

Also, Senate Bill No. 89, an Act relating to District Attorneys, the same having passed the Senate this day. Yeas, 17; nays, none.

I am also directed to inform your honorable body, that the Senate have this day concurred in the Assembly amendments to substitute for Senate Bill No 4, an Act defining the duties of State Treasurer.

I am also directed to return Assembly Bill No. 29, an Act amendatory of an Act entitled "An Act authorizing M. D. Harmon, his associates and assigns, to construct and maintain a toll road," approved February 20th, 1864, the same having been lost in the Senate this day. Yeas, 7; nays, 10.

Respectfully submitted,

GEO. R. AMMOND, Secretary.

Senate Bill No. 86, as per message, an Act to amend an Act entitled "An Act to incorporate the Town of Gold Hill," approved March 7th, 1865, on motion, Clerk instructed to return the same to the Senate, the proposed bill having no enacting clause.

Also, Senate Bill No. 79, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

Also, Senate Bill No. 85, as per message, rules suspended, read first and second time by title and referred to Committee on Ways and Means.

Also, Senate Bill No. 89, as per message, rules suspended, read first and second time by title and referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Beck introduced a bill entitled "An Act authorizing the issuance of county warrants as certificates of indebtedness."

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

Also, by Mr. Banks, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt county, for the year one thousand eight hundred and sixty-four.

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

GENERAL FILE.

Assembly Bill No. 6, entitled "An Act to secure persons and animals

from danger arising from mining and other excavations," read third time.

Previous question called and sustained.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Edwards, Fisher, Gaige, Grey, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Munckton, McDougall, O'Neil, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—25.

NAYS—Messrs. Canfield, Mason and Mayhugh—3.

Mr. Haskell gave notice that he would, on to-morrow, move a reconsideration of the vote by which the above bill passed.

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

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No. 16, entitled "An Act relating to incorporated mining companies, and for the protection of stockholders in the same;" amendments of committee adopted.

Mr. Grey offered the following amendment: Amend section one by inserting after the word "State," in line three, as follows: "on a written request of the stockholders owning or representing a majority of the capital stock of said company."

Previous question called and sustained.

Yeas and nays called by Messrs. Grey, Glover, and Vandewater, and amendment lost by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Fisher, Haskell, Mason, O'Neil, Vandewater, Wood, Work, and Mr. Speaker—12.

NAYS—Messrs. Clemens, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mayhugh, Munckton, McDougall, Walton, and Williams—15.

Mr. Hinckley moved to strike out section one of the bill, upon which the yeas and nays were called, resulting as follows :

YEAS—Messrs. Bearss, Canfield, Clemens, Haskell, Hayden, Hinckley, Hudson, Ingham, Linn, Mason, Munckton, O'Neil, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—18.

NAYS—Messrs. Beck, Crawford, Fisher, Grey, Glover, James, Lane, Mayhugh, and McDougall—9.

Carried.

The question then being upon ordering the bill engrossed, yeas and nays called, resulting as follows :

YEAS—Messrs. Fisher, Glover, James, McDougall, and Vandewater—5.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Grey, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Mason, Maybugh, Munckton, O'Neil, Walton, Williams, Wood, Work, and Mr. Speaker—22.

Lost.

Mr. Grey gave notice that on to-morrow he would move to reconsider the vote by which the House refused to engross the bill.

On motion of Mr. Mason, at three o'clock and thirty minutes House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-SECOND DAY.

THURSDAY, February 1, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS FROM STANDING COMMITTEES.

Mr. Clemens, from Committee on Ways and Means to which was referred Assembly Bill No. 85, entitled "An Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House with a recommendation that the same do pass.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 88, entitled "An Act to regulate the civil jurisprudence and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject," have considered the same favorably, and recommend its passage with the following amendments :

In the thirty-sixth line of the second section, after the word "actions," strike out the words, "for forcible entry upon, or forcible or unlawful detainer of, lands or tenements," and insert the following: "When the possession of lands or tenements has been unlawfully or fraudulently obtained or withheld."

In the third line of section fifty-two, strike out the words, "a forcible or unlawful entry upon, or a forcible or unlawful detainer of, lands, tenements, or other possessions," and insert in lieu thereof the following words: "The possession of lands or tenements, where such possession has been unlawfully or fraudulently obtained or withheld."

In section fifty-six, strike out the last clause of said section, being the following words: "Unliquidated damages as shall not be the subject of set-off."

In section one hundred and eight, line seven, after the word "thirty-two," insert the words "two hundred and forty-three."

Report and bill placed at the head of the file.

By Mr. James :

Mr. Speaker :

The Storey County delegation, to whom was referred Assembly Bill No. 46, entitled "An Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March 4th, 1865, respectfully beg leave to report back the accompanying substitute bill, and recommend the passage of the same.

Substitute for Assembly Bill No. 46, an Act to amend an Act entitled "An Act to incorporate the city of Virginia," as per report; rules suspended, read first and second time by title, and placed on file with original bill.

By Mr. Julien :

Mr. Speaker :

The Humboldt delegation, to whom was referred Assembly Bill No. 125, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt County, for the year 1864, have carefully considered the same, and report the same back with the following amendments, and recommend its passage :

In line forty-seven, section two, after the word "and," insert "as."

Report and bill placed on file.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 85, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865.

MOTIONS AND RESOLUTIONS.

Mr. Glover moved to reconsider the vote by which Assembly Bill No. 40 was lost, an Act to provide for the care and maintenance of the indigent sick and insane of the State.

Mr. Crawford moved to indefinitely postpone the motion to reconsider.

Mr. Williams in the chair.

Previous question called and sustained.

The question being upon the motion of Mr. Crawford, to indefinitely postpone the motion to reconsider, yeas and nays called by Messrs. Custer, Vandewater and Edwards, resulting as follows :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Grey, Haskell, Hayden, Hudson, Julien, Linn, Mason, Mayhugh, O'Neil, Walton, and Work—15.

NAYS—Messrs. Canfield, Cutter, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Hinckley, Lane, Munckton, McDougall, Taylor, Vandewater, Williams, and Wood—16.

Lost.

The question being upon the motion of Mr. Glover, to reconsider the vote by which the bill was lost, yeas and nays called by Messrs. Cutter, Vandewater and Hall, resulting as follows :

YEAS—Messrs. Canfield, Cutter, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Hinckley, Lane, Munckton, McDougall, O'Neil, Taylor, Vandewater, Williams, Wood, and Work—18.

NAYS—Messrs. Bearss, Beck, Clemens, Crawford, Grey, Haskell, Hudson, Hayden, Julien, Linn, Mason, Mayhugh, and Walton—13.

Carried.

Mr. Hinckley moved that the bill be referred to a select committee of five, to be appointed by the chair.

Mr. Mason moved to amend by referring the bill to a committee of ten, one from each county.

Motion withdrawn.

Mr. Haskell renewed the motion.

Previous question called and sustained.

The question being upon the motion referring the bill to a select committee of five, yeas and nays called by Messrs. Glover, Vandewater and Work, resulting as follows :

YEAS—Messrs. Cutter, Elliott, Fisher, Gaige, Glover, Hall, Hinckley, James, Lane, McDougall, O'Neil, Taylor, Vandewater, Williams, and Wood—15.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Grey, Haskell, Hayden, Hudson, Ingham, Julien, Linn, Mason, Mayhugh, Munckton, Walton, Work, and Mr. Speaker—19.

Lost.

The question being upon the motion to refer the bill to a committee of ten, consisting of one from each county in the State, yeas and nays called by Messrs. Glover, Canfield and Gaige, resulting as follows :

YEAS—Messrs. Bearss, Canfield, Clemens, Cutter, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Lane, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—27.

NAYS—Messrs. Beck, Crawford, Grey, Julien, Linn, Mason, and Work—7.

Carried.

Mr. Speaker in the chair.

By Mr. Haskell :

Resolved, That the Sergeant-at-Arms be, and is hereby, authorized and required to pay W. M. Gillespie the sum of ten dollars per day, out of the contingent fund of the Assembly, from the commencement of the session, for services rendered this House in reporting its proceedings.

Laid over one day under the rules.

By Mr. Cutter :

Resolved, That the Sergeant-at-Arms be instructed to make out and present to each member an account of the amount of stationery furnished him to date, and to deposit the moneys received in payment of the same with Wells, Fargo & Co., to be drawn out in the same manner as the contingent fund; *provided*, that said amounts shall be deducted from the per diem of each member, respectively, who shall not liquidate the same on presentation, in accordance with a resolution heretofore passed.

Carried.

On motion of Mr. Edwards, at one o'clock and twenty minutes House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two P. M.

Mr. Speaker in the chair.

Quorum present.

Leave of absence granted Mr. O'Neil until Monday next.

Mr. Grey moved to reconsider the vote by which Assembly Bill No. 16 was lost, an Act relating to incorporated mining companies, and for the protection of the stockholders in the same.

Vote reconsidered and bill made the special order for Monday next, at two o'clock P. M.

Mr. Speaker appointed as select committee of one from each county on Assembly Bill No. 49, Messrs. Mason, Bearss, O'Neil, Taylor, Linn, Williams, Walton, Gaige, Munkton, and Glover.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 1, 1866. }

To the Honorable the Assembly :

I am directed to transmit herewith, for your consideration, Senate Bill No. 90, an Act supplementary to an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865; the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Senate Bill No. 92, an Act to provide for the payment of certain accounts; the same having passed the Senate this day. Yeas, 14; nays, none.

All of which is respectfully submitted,

GEO. R. AMMOND, Secretary.

Senate Bill No. 90, an Act supplementary to an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," as per message, read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 92, an Act to provide for the payment of certain accounts, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Contingent Expenses.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 92, an Act to amend an Act entitled "An Act relating to wild game and fish," approved November 21st, 1861, approved February 20th, 1864.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Williams introduced Assembly Bill No. 128, an Act to amend an Act concerning juries.

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

Also, by Mr. Walton, Assembly Bill No. 129, an Act amendatory of an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

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

Pursuant to previous notice, Mr. Hall introduced Assembly Bill No. 130, an Act to amend an Act entitled "An Act to grant the right to construct a toll road from Virginia to Truckee Meadows and Steamboat Valley in Storey and Washoe counties," approved November 29th, 1861.

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

GENERAL FILE.

Assembly Bill No. 85, an Act to amend an Act entitled "An Act concerning the Courts of Justice and judicial officers," approved January 26th, 1865, read third time, and, on motion, laid on the table.

Assembly Bill No. 92, an Act to amend an Act entitled "An Act relating to wild game and fish," approved February 20th, 1864, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—27.

NAYS—Messrs. Bearss and Mason—2.

Assembly Bill No. 88, an Act to regulate the civil jurisdiction and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject, considered.

Committee amendment adopted.

Mr. James moved the rules be suspended, the bill be considered engrossed, and ordered to a third reading.

Mr. Munckton moved the bill be made special order for to-morrow, at two o'clock.

Lost.

The question being upon the motion of Mr. James, to consider the bill engrossed and ordered to a third reading, carried.

Pending the reading of which, on motion, bill recommitted to special committee of one—Mr. Wood—with instructions to amend as follows: In section two, line seventeen, after the word "any," insert "incorporated or unincorporated city, town or village," who reported same amended as per instructions.

Amendment adopted.

On motion of Mr. Edwards, at four o'clock and fifty minutes, House took a recess until seven o'clock P. M.

EVENING SESSION.

House re-assembled at seven o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

On motion, bill re-committed to special committee of one, Mr. Hayden, with instructions to amend section fifty-nine, and report immediately, by adding to said section the following words: Amend section fifty-nine by adding to it as follows: After the word "oath," "If the plaintiff or defendant, in his oral or written pleadings, allege the existence of a corporation or copartnership, or either plaintiff or defendant in the action, the existence of such corporation or copartnership shall be deemed admitted, unless the party wishing to deny the same file an affidavit in the action denying the existence of such corporation or copartnership; and such denial, in order to put such allegation in issue, shall be positive, and not on information and belief."

Mr. Hayden reported bill amended as per instructions.

Amendments adopted.

Leave of absence granted Mr. James for the evening.

Mr. Mason moved to adjourn.

Yeas and nays called by Messrs. Mason, McDougall, and Mayhugh, resulting as follows:

YEAS—Messrs. Haskell, Lane, Mason, Mayhugh, McDougall, and Prince—6.

NAYS—Messrs. Clemens, Edwards, Elliott, Fisher, Hayden, Hinckley, Ingham, Munckton, Vandewater, Williams, Work, and Mr. Speaker—12.

Lost.

On motion of Mr. Lane, at eight o'clock and twenty minutes House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-THIRD DAY.

FRIDAY, February 2, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Journal of yesterday read and approved.

The following communication was read:

CARSON CITY, February 1, 1866.

To the Speaker, Members and Attachés of the Assembly of the State of Nevada:

GENTLEMEN:—The Committee of Arrangements having in charge the

celebration of the anniversary of the birth of Abraham Lincoln, extend to you an invitation to participate in the ceremonies on that occasion.

Very respectfully, etc.,

WARREN WASSON, Chairman.

S. H. WRIGHT, Secretary.

On motion of Mr. Wood, a committee of three was appointed by the chair to wait upon the citizens' committee and inform them of the acceptance of their invitation, consisting of Messrs. Wood, Hudson, and Hinckley.

REPORTS OF COMMITTEES.

By Mr. Fisher :

Mr. Speaker :

Your Standing Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms of the Assembly be, and he is hereby, authorized and instructed to issue his scrip on the contingent fund to the following named persons, for the following amounts: To John Cormack, for four days services as porter, twenty dollars; John R. Eardley, for three days services as Assistant Clerk, twenty-seven dollars; also, for extra copying of three hundred folios, thirty dollars; Joseph Woodworth, for two days' services as Sergeant-at-Arms, twenty dollars.

Adopted.

By Mr. Edwards :

Mr. Speaker :

Your Standing Committee on Education, to whom was referred Assembly Resolution, concerning the two per cent. tax on toll roads and bridge receipts, for school purposes, have had the same under consideration, and report as follows :

The total amount of money received by the State Treasurer, from November 1st, 1864, to December 31st, 1865, from toll road and bridge companies, on account of the two per cent. tax as above, is four thousand one hundred and twenty-four dollars and eighty-seven cents. The above sum was received from twenty-two franchises; some of these, whose quarterly payments are small, and some whose locations are distant, have not been quite prompt in payment at the stated times, but have in general manifested a disposition to comply with the law.

From the above statement it appears that only about one third of the franchises granted for toll roads and bridges in this State, are contributing, as required, to the support of our common schools. Your committee have no means of knowing how many franchises contemplating the construction of roads and bridges, have been abandoned, nor how many are at present being carried forward, but in an incomplete state, and thus exempt from the tax in question, are unable to state the amount of delinquency; but it appears to them, that making due allowance for abandonment and non-completion there should be more than one third, as above found, contributing to the support of our common schools.

Your committee believe that the system of education, founded in this State, is one of high importance in its character, and that it is particu-

larly obligatory upon those having responsibilities in the matter, to see that not one dollar granted by legislation to its support is withheld therefrom.

In furtherance of this object an Act was passed March 9th, 1865, by the Legislature of this State, making it the duty of the Attorney-General to ascertain from the State Controller, the names of all parties who have failed to pay into the Treasury the two per cent. tax, and to compel the payment of the same. The operation of this Act is founded on the supposition that the State Controller is informed as to what franchises are delinquent in regard to the tax in question. The State Controller has no means of knowing what franchises are abandoned, or the enterprises on which they are founded in an incomplete state, but progressing. He is therefore unable to give the information in full required in said Act concerning delinquents, to the Attorney-General. Your committee are therefore of the opinion that it should be the duty of some county officer, in each county of the State, to ascertain the facts upon which to found such action as is set forth in the Act of March 9th, 1865.

Your committee recommend that the County Tax Collector of each county in the State, be required to ascertain and report to the County Treasurer, at such times as may be deemed proper—

First—What toll roads and bridges in the county, having franchises, are completed, and upon which toll is received?

Second—What toll road and bridges in the county, having franchises, are in an incomplete state, and upon which toll is not being received? And that the County Treasurer shall thereupon report the same to the Attorney-General of the State, with such comments and facts as he may deem proper, having a bearing upon the subject.

MOTIONS AND RESOLUTIONS.

Mr. Haskell called up resolution relative to payment of W. M. Gillespie as Reporter, yesterday laid over under the rules, and asked that he be allowed to call up the same on to-morrow.

Leave granted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 2, 1866. }

To the Hon. the Assembly:

I am directed to transmit to your honorable body, for your consideration, the following:

Senate Bill No. 86, an Act to amend an Act entitled "An Act to incorporate the town of Gold Hill," approved March 7th, 1865, the same having been amended by inserting enacting clause, and passed February 1st, 1866. Yeas, 14; nays, 0.

Also, Senate Bill No. 88, an Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March 4th, 1865, the same having passed the Senate February 1st, 1866. Yeas, 15; nays, 0.

All of which is respectfully submitted.

GEO. R. AMMOND,
Secretary.

Senate Bill No. 86, an Act to amend an Act entitled "An Act to incorporate the town of Gold Hill," approved March 7th, 1865, as per message.

Rules suspended, read first and second time by title, and referred to special committee, consisting of Messrs. Vandewater, Wood, Woodruff and Lane.

Senate Bill No. 88, an Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March 4th, 1866 [1865], as per message.

Rules suspended, read first and second time by title, and referred to special committee, consisting of Messrs. Ingham, Cutter, Elliott and Hall.

GENERAL FILE.

Third reading of Assembly Bill No. 88, was resumed; bill recommitted to special committee of one—Mr. Munckton—with instructions to amend by striking out after the word "attend," in section eighty-seven, line sixteen, the words "at a time to be denoted in the order," and insert in lieu thereof the word "forthwith;" also, in section eighty-seven, line twenty-seven, after the word "attend," insert the word "forthwith;" who reported the bill amended as per instructions.

Amendments adopted; bill recommitted to special committee of one—Mr. Crawford—with instructions to amend in section one hundred and twelve, line four, by striking out the word "undertaking;" and insert in lieu thereof the word "stipulation;" who reported the same amended as per instructions.

Amendments adopted; bill passed finally by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Julien, Lane, Linn, Mayhugh, Munckton, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—29.

NAYS—None.

Pursuant to previous notice, Mr. Mayhugh introduced Assembly Bill No. 132, an Act to regulate the hours of service and labor within this State.

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

Assembly Bill No. 82, an Act to provide for the formation of corporations for certain purposes.

On motion, made special order for Thursday next, at two o'clock P. M.

Assembly Bill No. 99, an Act to provide for the formation and regulation of mining corporations, made special order for Thursday next, at two o'clock P. M., and ordered printed.

Assembly Bill No. 103, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice in this Territory," approved November 29th, 1861, on motion laid on the table.

Assembly Bill No. 45, an Act to prohibit lotteries, raffles, gift enterprises and other schemes of like character, considered; previous question called, upon which, yeas and nays called by Messrs. Cutter, McDougall and Julien, and previous question lost by the following vote:

YEAS.—Messrs. Beck, Grey, Haskell, Hayden, Mayhugh, Prince, Walton, Williams, Wood, and Work—10.

NAYS.—Messrs. Bearss, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Hall, Hudson, Julien, Linn, Munckton, McDougall, Vandewater, and Mr. Speaker—17.

Pending which, on motion of Mr. Wood, House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two P. M.

Mr. Speaker in the chair.

Quorum present.

Consideration of Assembly Bill No. 45 resumed.

Mr. Fisher in the chair.

Previous question called and sustained.

The question being upon the adoption of the amendment of Mr. Cutter, yeas and nays called by Messrs. Cutter, McDougall and Glover, resulting as follows:

YEAS.—Messrs. Bearss, Canfield, Cutter, Edwards, Gaige, Glover, Julien, Mason, Mayhugh, Munckton, McDougall, Prince, and Wood—13.

NAYS.—Messrs. Beck, Clemens, Crawford, Elliott, Fisher, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Linn, Walton, Williams, and Mr. Speaker—15.

Amendment lost.

The question being upon ordering the bill engrossed, yeas and nays called by Messrs. Cutter, McDougall and Edwards, resulting as follows:

YEAS.—Messrs. Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Julien, Linn, Walton, Williams, Wood, and Mr. Speaker—18.

NAYS.—Messrs. Bearss, Canfield, Edwards, Gaige, Glover, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, and Vandewater—12.

Carried and so ordered.

Mr. Speaker in the chair.

Mr. Cutter gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

Assembly Bill No. 95, an Act to create the county of Stewart, and provide for its organization, considered, previous question called and sustained.

The question being upon the motion of Mr. Work to indefinitely postpone the bill, yeas and nays called by Messrs. Glover, Wood and Beck, resulting as follows:

YEAS.—Messrs. Bearss, Clemens, Crawford, Hayden, Julien, Williams, and Work—7.

NAYS.—Messrs. Beck, Canfield, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hinckley, Hudson, Linn, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, Wood, and Mr. Speaker—21.

Lost.

On motion, bill read.

The question being upon ordering the bill engrossed, yeas and nays called by Messrs. Munckton, Edwards and Wood, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hinckley, Hudson, Linn, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, and Wood—21.

NAYS—Messrs. Clemens, Crawford, Hayden, Julien, Williams, Work, and Mr. Speaker—7.

Carried and so ordered.

Assembly Bill No. 81, an Act authorizing the survey and establishment of the boundaries between the several counties of this State, ordered engrossed for third reading.

Assembly Bill No. 34, an Act to amend sections two hundred and nineteen and two hundred and forty-three of an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," on motion, passed on file.

Senate Concurrent Resolution, relative to mineral lands claimed by the Central Pacific Railroad Company, read third time and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Julien, Linn, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Wood, and Work—27.

NAYS—None.

Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson River, ordered engrossed for third reading.

Assembly Bill No. 64, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, on motion, passed on file.

Assembly Bill No. 55, an Act to amend section one of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appointment of Notaries Public," ordered engrossed for third reading.

Assembly Bill No. 66, an Act to amend an Act entitled "An Act concerning conveyances," approved November 5th, 1861, ordered engrossed for third reading.

Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale in certain cases," approved March 6th, 1865, on motion, passed on file.

Assembly Bill No. 104, an Act to secure liens to ranchmen and other persons, considered, and ordered engrossed for third reading.

Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and to fix the salaries of Judges and terms of Court therein, on motion, passed on file.

Assembly Bill No. 111, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State, and judicial officers," approved January 26th, 1865, on motion, passed on file.

Assembly Bill No. 5, 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, made special order for Monday next, at two o'clock P. M.

Assembly Bill No. 63, an Act in relation to public highways, was considered, amended.

Mr. Elliott moved that the bill be recommitted to a special committee of two, Messrs. Elliott and Crawford, with instructions to report as soon as possible, and bill to be placed at top of the file.

On motion, Messrs. Beck, Haskell and Munkton were added to said committee.

Assembly Bill No. 109, an Act concerning the herding and protection of sheep, on motion, passed on file.

On motion of Mr. Fisher, at five P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-FOURTH DAY.

SATURDAY, February 3, 1866.

Mr. Speaker *pro tem.* in the chair.

Roll called.

All present except Messrs. Elliott, Gaige, Hayden, Ingham, Prince, and Mr. Speaker, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Cutter in the chair.

REPORTS OF STANDING COMMITTEES.

Mr. Clemens, from the Committee on Ways and Means to which was referred Assembly Bill No. 124, entitled "An Act authorizing the issuance of county warrants as certificates of indebtedness," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House with a recommendation that it do pass.

Bill ordered on file.

By Mr. Mayhugh :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 22, entitled "An Act concerning the location and possession of mining claims," beg leave to report that they have had the same under consideration, and have come to a favorable conclusion thereon, and have directed their chairman to report the same back with the following amendments :

In section one, line first, strike out "eight" and insert "six;" in line four, same section, strike out "two" and insert "five."

In section two, line two, before "next" insert "then."

In section eight, line two, strike out "sixty" and insert "thirty."

In section eleven, line three, strike out all after and including "appointment," in fourth line, and insert "before said deputy enters upon the discharge of his duties."

In section fourteen, line seven, strike out "plainly" and insert "legibly and durably;" in same section, line eleven, after "name" insert "of the company and that;" in same section, line fifteen, before "district" insert "mining;" in line seventeen, after "undersigned" insert "constituting the _____ company."

In section sixteen, line eleven, after the word "same" insert "said fifteen cents per folio shall be in full for all services of said County Recorder for, and in connection with, the filing, indexing and recording of such matter."

In section sixteen, line twelve, strike out "filing" and insert "District Recorder to file;" and in line thirteen, same section, strike out "of."

In section twenty, line _____, before "they" strike out "time" and insert "year, month, day, hour and minute when."

In section twenty-one, line seven, strike out "plainly" and insert "legibly and durably;" and in line eight, strike out "monument" and insert "measurement;" in eleventh line, same section, strike out "plainly" and insert "legibly;" in line sixteen, same section, strike out "set" and insert "establish;" in lines seventeen and eighteen, same section, strike out all between "located" and "be" and insert "if within one year immediately preceding said first Saturday of August work costing, at a fair valuation, one thousand dollars has been done on a claim, such claim shall not;" in line twenty-five, same section, transpose "be then;" in line twenty-eight, same section, strike out "such" and insert "mining."

In section twenty-two, line five, after "claim," insert "the name of the company;" line eleven, strike out "such," and insert "a;" in line seventeen, before "following," insert "then;" in line twenty-five, after "claim," insert "governed by the _____ company;" in line twenty-six, after "done," insert "by or on behalf of said company."

In section twenty-three, line one, after "may," strike out "make mining locations," and insert "locate mining claims;" in line three, strike out "four," and insert "two."

In section twenty-four, line three, fill blank with "one hundred;" in line four, fill blank with "two hundred."

At the end of section twenty-six, add "the amount of such compensation shall be determined by a majority of three commissioners, one of whom shall be appointed by such prior owners, one by the party engaged in such development or working, and one by the two thus selected; the amount so fixed shall, within fifteen days after the fixing of the same, be paid to said prior owners, or deposited in the county treasury, subject to the order of said prior owners. Said commissioners shall, before entering upon their duties, take and subscribe to an oath, before some person duly authorized to administer the same, to make a true apportionment thereof, according to the best of their knowledge and belief."

In section twenty-eight, line one, before the word "work," insert "any," and at the end of same section add, "if it be conspicuous, and three feet in height."

In section thirty, line six, strike out "one cent," and insert "two cents;" and at the end of same section add "the payment of assess-

ment dues shall be in lieu of the assessment work heretofore usually required as an evidence of intention to hold a mining claim for a specified period; and such payment shall not be required in any case where the holders of a mining claim are, in good faith, and to the extent specified in section thirty-two of this Act, engaged in developing or working the same."

In section thirty-one, line seven, before the word "after," insert "on and," and in line nine, before the word "after," insert "on and."

In section thirty-two, line three, after "claim," insert "by or on behalf of the claimants thereof."

In section thirty-three, line eight, after "sixty-six," insert "the doing of," and after "work," insert "or the payment of such assessment dues."

In section thirty-four, line three, after "year," near the end of the line, insert, "and for every year thereafter, except as provided in section thirty-two of this Act."

In section thirty-five, strike out line seven, and insert "amount in full as assessment dues on ——— mining claim, for the assessment year commencing on the first Saturday of."

In section thirty-six, strike out the entire section as it stands in the printed bill, and insert instead the following: "The doing of any assessment work, or the payment of any assessment dues, by any one or more of the owners in any mining claim, shall not be held to extend to, or protect, any interest or interests in said claim, beyond those specifically covered by the doing of such work, or the payment of such dues; and any portion or portions, interest or interests in any claim or claims on which the requisite work has not been specifically done, or the requisite dues have not been paid, shall be forfeited and subject to relocation, the same as if no work had been done, or no dues been paid, on any portion of said claim, but a receipt given to the company shall be sufficient to cover all ground claimed by said company, without specifying the separate owners therein."

In section thirty-eight, line five, after "claim," insert "or his agent;" and in line seven, after "claimants," insert "or the agent thereof, as the case may be."

In section thirty-nine, line one, strike out "a failure," and insert "the failure of a claimant."

In section forty-three, line three, strike out "any," and insert "the;" and after "claim," insert "of any company"

The following is suggested by the Committee:

"Section Forty-six. In the conveyance of any interest in any mining claim, the description shall be deemed sufficient, if it embraces the number of feet conveyed, the name of the claim, and the name of the company by which it is designated, and the district and county in which the claim is situated."

Your committee unanimously recommend the adoption of the foregoing amendments, and the passage of the bill as amended.

All of which is respectfully submitted.

JOHN S. MAYHUGH,
THOMAS LANE,
J. J. WORK,
G. W. WALTON,
JOHN VANDEWATER.

Mr. James in the chair.

MOTIONS AND RESOLUTIONS.

Mr. Haskell called up resolution introduced by him relative to payment of W. M. Gillespie, as official Reporter of this House.

The question being upon its adoption, yeas and nays called by Messrs., Fisher, Hinckley and Beck, resulting as follows :

YEAS—Messrs. Bearss, Beck, Cutter, Grey, Glover, Hall, Haskell, Hinckley, Hudson, Ingham, Julien, James, Linn, Mason, Mayhugh, McDougall, Taylor, Vandewater, Walton, Williams, Wood, and Work—22.

NAYS—Messrs. Clemens, Crawford, Fisher, Lane, and Munckton—5.

Mr. Hinckley gave notice that he would, on to-morrow, move to reconsider the vote just taken.

By Mr. Crawford :

Resolved, That the Rev. A. F. White be and is, hereby, tendered the use of the Assembly Chamber, Tuesday evening, 6th inst., for the purpose of delivering a "Lecture on the Physical Geography of Nevada and surrounding country, and the early history of the State."

Carried.

By Mr. Glover :

Resolved, That as an expression of our sense of the loss which the Union party has sustained by the death of Thomas Peasley, Sergeant-at-Arms of the Senate, first session Nevada Legislature; and out of respect to the memory of our lamented friend, that the House do now adjourn.

Action deferred temporarily by consent of introducer.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 2, 1866. }

To the Honorable the Assembly :

I am directed to transmit to your honorable body, for your consideration, the following :

Concurrent Resolution No. 94, in relation to printing two hundred copies of the report of Committee on State Affairs, in relation to Senate Bill No. 41; the same having passed the Senate this day. Yeas, 10; nays, 3.

Also, Substitute Senate Bill No. 5, an Act defining the duties of State Controller; the same having passed the Senate this day. Yeas, 14; nays, none.

I am also directed to return Assembly Bill No. 9, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865; the same having passed the Senate this day. Yeas, 14; nays, none.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Senate Concurrent Resolution No. 94, relative to printing two hun-

dred copies of report in relation to Orphan Asylum, as per message, adopted by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Fisher, Grey, Glover, Hinckley, Hudson, Ingham, James, Lane, Liun, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood and Work—25.

NAYS—Mr. Julien—1.

Senate Bill No. 5, an Act defining the duties of State Controller, as per message, rules suspended, read first and second time by title, and referred to Committee on Ways and Means.

Assembly Bill No. 9, as per message, ordered enrolled.

Rules suspended, and Assembly Bill No. 46, an Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the Government thereof, and repeal all other laws relative thereto," approved March 4th, 1865, considered.

Mr. Beck in the chair.

Mr. Cutter moved the bill be recommitted to Virginia portion of Storey County delegation.

Carried.

Mr. James in the chair.

Mr. Ingham moved a call of the House.

Lost.

Mr. Munckton moved to suspend the rules to offer Concurrent Resolution.

Lost.

Mr. Hinckley moved to reconsider the vote by which the motion was lost.

Lost.

Mr. Lane offered the following amendment to Mr. Glover's resolution : After the word "Peasley" insert "Sergeant-at-Arms of the Senate, first session Nevada Legislature."

Amendment accepted.

Mr. Glover's resolution, as amended, adopted : and House adjourned at twelve o'clock and thirty minutes P. M.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-SIXTH DAY.

MONDAY, February 5, 1866.

House met pursuant to adjournment.

Mr. Speaker *pro tem.* in the chair.

Roll called.

All present except Messrs. Mayhugh and Walton, to whom leave of absence was granted for one day.

Journal of yesterday read and approved.

Mr. Speaker in the chair.

REPORTS OF COMMITTEES.

By Mr. Mason :

Mr. Speaker :

Your Standing Committee on Federal Relations, to whom was referred Concurrent Resolution relative to branch mint, (by Mr. Munckton), have had the same under consideration, and have instructed their chairman to report favorably thereon, and recommend their adoption.

All of which is respectfully submitted.

Also —

Your Standing Committee on Federal Relations, to whom was referred Senate Memorial and Joint Resolution, relative to increasing the amount allowed by the United States to the State of Nevada for establishing national banks therein, have had the same under consideration, and ask to report the same back and recommend its passage.

All of which is respectfully submitted.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to issue his warrant on the contingent fund of the Assembly in favor of H. C. Lincoln, for the sum of eleven dollars, for services rendered in comparing bills copied for the printer.

Adopted.

By Mr. Hayden.

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 118, entitled "An Act to amend an Act entitled 'An Act to regulate the settlement of the estates of deceased persons,'" approved November 29th, 1861, have considered the same, and recommend that it do not pass.

They also report that they have considered Senate Bill No. 90, entitled "An Act supplementary to an Act entitled 'An Act to regulate fees and compensation for official and other services in the State of Nevada,'" approved March 9th, 1865, and recommend that said bill pass without amendment.

Also, that they have considered Senate Bill No. 56, an Act concerning the liabilities of joint debtors, and recommend that the same pass without amendment.

Also, that they have considered Assembly Bill No. 105, entitled "An Act to amend an Act entitled 'An Act in relation to District Attorneys,'" approved March 11th, 1865, and recommend that the same pass with the following amendment: In the seventeenth line of section first, after the word "Churchill," strike out the words and figures "twelve hundred (1200)," and insert the words and figures "one thousand (1,000)."

Also, that they have considered Assembly Bill No. 128, entitled "An Act to amend an Act concerning juries," approved February 8th, 1865, and recommend that the same do not pass.

Report and bills placed on file.

Mr. Ingham, chairman of the Committee on Military and Indian Affairs, to which was referred Assembly Bill No. 84, entitled "An Act to create a Board of Commissioners to examine claims of citizens of Humboldt county, and report to the Governor of the State the amount of just claims held by citizens in said county, for property destroyed, and losses sustained, by Indian depredations in said county, in the years A. D. 1864, 1865 and 1866, begs leave to report that they have had the same under consideration, have made certain amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage as amended.

Report and bill placed on file.

NOTICE OF BILL.

By Mr. Clemens—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Linn introduced Assembly Bill No. 134, an Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt county," approved March 9th, 1865.

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

Also, by Mr. Elliott, Assembly Bill No. 135, an Act to provide policemen in unincorporated cities, towns and villages, and to provide for the government thereof.

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

Also, by Mr. Hayden, Assembly Bill No. 136, 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.

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

GENERAL FILE.

Assembly Bill No. 107 was, on motion, passed on file.

Assembly Bill No. 116, an Act for the relief of Benjamin Curler, District Attorney of Churchill county, considered and ordered engrossed for a third reading.

Assembly Bill No. 50, an Act relating to electors, and their qualifications, considered and ordered engrossed for third reading.

Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State, considered, and on motion, passed on file.

Assembly Concurrent Resolution No. 1, relative to mail service between Carson and Bridgeport, on motion, passed on file.

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

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

The following communication was read :

CARSON CITY, NEVADA, February 5, 1866.

To the Honorable, the Speaker, and Members of the Assembly :

I notice in the published proceedings of your honorable body, on the third inst., the adoption of a resolution tendering to me the use of the Assembly Chamber on Tuesday evening, February 6th, 1866, for the purpose of a lecture on "The Physical Geography of Nevada and surrounding country."

Permit me to say that the lecture proposed, is to be before the members of the "State Historic and Scientific Society;" and was first suggested by a resolution adopted in the Senate a few days ago, calling on me for a report in reference to the origin, objects, and condition of that organization.

In the name of the Society, I accept your generous offer, and designate seven o'clock, on the evening above mentioned, as the hour for the commencement of the lecture.

With the hope that every effort to develop the resources of this wonderful country, and to disseminate reliable information respecting its growth and capabilities will receive your approval and hearty co-operation.

I am, yours, most obediently,

A. F. WHITE,

President of the "State Historic and Scientific Society."

GENERAL FILE

Assembly Bill No. 16, an Act relating to incorporations, on motion of the introducer, Mr. Glover, made special order for to-morrow, at two o'clock, P. M.

Assembly No. 5, 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. Considered and amended.

Mr. Ingham moved a call of the House.

Carried.

Sergeant-at-Arms sent for absentees, viz. : Messrs. James, Munckton, and Fisher, who, having appeared, were excused, and on motion of Mr. Ingham, further proceedings under the call were dispensed with.

The question being, upon the adoption of committee amendment, striking out in section seven, the following words, viz. : "Unless an amnesty has been granted to such by the Federal Government, in which case this portion of the oath shall be omitted," to which Mr. Glover offered the following amendment, viz. : "And not until after five years have elapsed from the granting of such amnesty."

The yeas and nays called by Messrs. Cutter, McDougall, and Glover.

Pending which, Mr. Hinckley moved, to reconsider the vote by which a resolution relative to the payment of Wm. M. Gillespie, as official reporter, was carried.

Mr. James moved to postpone the same until to-morrow.

Mr. Haskell moved to indefinitely postpone the motion to reconsider. Messrs. Glover, Cutter, and Haskell called the previous question.

Mr. Glover withdrew his call.

Mr. Fisher raised a point of order in this, that Mr. Glover having withdrawn his call, and he (Mr. Fisher) having been recognized by the chair, debate was in order.

Mr. Speaker ruled the point of order not well taken, because the seconds had not withdrawn.

The previous question called and sustained.

The question being upon the motion of Mr. James to postpone until to-morrow, lost.

The question being upon the motion of Mr. Haskell to indefinitely postpone the motion to reconsider, yeas and nays called by Messrs. Cutter, Glover, and Hall, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Edwards, Grey, Glover, Hall, Haskell, Hudson, Ingham, James, Mason, McDougall, O'Neil, Prince, Taylor, Vandewater, Williams, Wood, and Work—22.

NAYS—Messrs. Crawford, Elliott, Fisher, Gaige, Hayden, Hinckley, Julien, Lane, Linn, Munckton, and Mr. Speaker—11.

Carried.

On motion of Mr. Wood, at five o'clock and fifteen minutes p. m. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-SEVENTH DAY.

TUESDAY, February 6, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Grey and Hall, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

By Mr. Mayhugh :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 68, entitled "An Act concerning mining locations," beg leave to report that they have had the same under consideration, and have come to an unfavorable conclusion thereon, and have

directed their chairman to report the same back to the House without amendment, and recommend that said bill do not pass.

Your Committee further beg leave to report that they did not arrive at an unfavorable conclusion upon said bill for the reason that they believe it to be without merit, but from the fact that all of the meritorious provisions are embraced in a more clear, comprehensive and detailed form, covering all the general principles involved in said bill No. 68, in Assembly Bill No. 22, entitled "An Act concerning the location and possession of mining claims," which they have had under consideration, and reported back to this House favorably, with numerous amendments thereto, on Saturday last, February 3d, 1866, together with a verbal recommendation that said amendments be printed.

All of which is respectfully submitted.

JOHN S. MAYHUGH,
Chairman,
JOHN VANDEWATER,
THOMAS LANE,
JEFF. WORK,
FELIX O'NEIL.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and is hereby, directed to issue his warrants on the Contingent Fund of the Assembly, in favor of Mason & Huff, for the sum of seventy dollars and seventy-five cents; also, in favor of Mandelbaum & Tobriner, for the sum of nine dollars and thirty-seven cents.

Adopted.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz: Assembly Bill No. 81, an Act authorizing the survey and establishment of the boundaries between the several counties of this State; also, Assembly Bill No. 45, an Act to prohibit lotteries, gift enterprises, and other schemes of like character.

Mr. Bearss, chairman of Committee on Enrollment, reports that Assembly Bill No. 9, entitled "An Act to amend an Act entitled 'An Act concerning Courts of Justice of this State and judicial officers,'" approved January 26th, 1865, has been carefully compared with the engrossed bill, as passed by the two houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

By Mr. Mayhugh :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 97, entitled "An Act concerning the location and possession of wood lands and mill sites," beg leave to report that they have had the same under consideration, and have made some amendments thereto, and come to a favorable conclusion thereon, and directed their chairman to report the same back to the House, as amended, and recommend that said bill do pass, with all of said amendments; which

are as follows: In section two, line two, fill blanks with words "one hundred and sixty;" also, strike out, in line three, same section, after the word "purposes," the word "forty," and insert, in lieu thereof, "ten." In section three, line twelve, insert, after the word "thereafter," "not to exceed sixty days;" also, add to the fourteenth line, same section, "such service may be had by personally serving the same upon the County Surveyor or his deputy, or by leaving a copy of the same at his office." In section four, line two, after "surveyed," insert "not exceeding thirty days;" same section, line six, after the word "claim," insert "in that mining district." Section thirteen, line ten, after the word "than," strike out "three" and insert "two."

All of which is respectfully submitted.

JOHN S. MAYHUGH,
Chairman.
JOHN VANDEWATER,
THOMAS LANE,
FELIX O'NEIL,
JEFF. WORK,

Report and bill placed on file.

By Mr. Fisher:

Mr. Speaker:

The Standing Committee on Contingent Expenses beg leave to report they have had under consideration Senate Bill No. 92, an Act to provide for the payment of certain accounts, have come to a favorable conclusion thereon, and directed their chairman to report the bill back to the House, and recommend its passage.

Bill placed on file.

By Mr. James:

Mr. Speaker:

Your committee, composed of Storey county delegation, to whom was referred Senate Bill No. 88, an Act to amend an Act entitled "An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March 4th, 1865, have had the same under consideration, and herewith report the bill back without amendment, and recommend its passage.

Bill placed on file.

Mr. Linn, from Humboldt county delegation, to which was referred Assembly Bill No. 134, an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt county," approved March 9th, 1865, begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House without amendment, and recommend its passage.

Bill placed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY. February 6, 1866 }

To the Honorable the Assembly of Nevada:

I approved, on yesterday, Assembly Bill No. 9, an Act to amend an

Act entitled "An Act concerning the Courts of Justice of this State, and judicial officers," approved January 26th, 1865.

H. G. BLASDEL,
Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 5, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 68, an Act to prohibit the carrying of concealed weapons, the same having passed the Senate this day. Yeas, 10; nays, 4.
Respectfully submitted,

GEO. R. AMMOND, Secretary.

Senate Bill No. 68, an Act to prohibit the carrying of concealed weapons, as per message, read first time, rules suspended read second time by title, and referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. Clemens introduced Assembly Bill No. 138, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

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

By unanimous consent, Mr. Edwards introduced Assembly Bill No. 139, an Act to provide for the outstanding indebtedness of Ormsby County.

Rules suspended, read first and second time by title, and referred to Ormsby County delegation.

By unanimous consent, Mr. McDougall introduced Assembly Bill No. 140, an Act to legalize the action of the County Commissioners of Storey County, under or by virtue of supposed authority vested in them by an Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes.

Rules suspended, read first and second time by title, and referred to Storey County delegation.

Also, by Mr. James, Assembly Bill No. 141, an Act to amend an Act entitled an Act concerning crimes and punishments," approved November 26th, 1861.

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

GENERAL FILE.

Assembly Bill No. 81, an Act authorizing the survey and establishment of the boundaries between the several counties of this State, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley,

Hudson, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Work, and Mr. Speaker—28.

NAYS—None.

Assembly Bill No. 107, an Act to amend section eighty-three of an Act, approved March 9th, 1865, entitled "An Act to provide revenue for the support of the government of the State of Nevada," considered, amended, and ordered engrossed for third reading.

Assembly Bill No. 45, an Act to prohibit lotteries, raffles, gift enterprises, and other schemes of like character.

Mr. Cutter moved to recommit the bill to committee of one, with instructions to amend as follows :

Amend section one by inserting after the word "means," the words "in the nature of a lottery."

Amend section two by transposing the words, "in the nature of a lottery," in the last line but one, so that it will read, "contrivance or thing, raffle or game of chance, in the nature of a lottery, by whatever name it may be called."

Agreed to, and Mr. Cutter appointed such committee.

Mr. Cutter reported bill back, amended as per instructions.

Amendments adopted, bill read third time, and passed by the following vote :

YEAS—Messrs. Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Gaige, Haskell, Hayden, Hinckley, Hudson, James, Lane, Linn, Munckton, McDougall, O'Neil, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—23.

NAYS—Messrs. Bearss, Canfield, Fisher, Glover, Mayhugh, and Prince—6.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz : Assembly Bill No. 75, an Act to create the county of Stewart, and provide for its organization.

Also, Assembly Bill No. 106, an Act to authorize the citizens of Churchill County to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson River.

Bills placed on file.

Assembly Bill No. 5, 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.

On motion, House resolved itself into Committee of the Whole—Mr. Mayhugh in the chair—for consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 5, 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," have progressed therewith, and ask leave to sit again at two o'clock p. m.

Leave granted.

On motion of Mr. Beck, at one o'clock, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

On motion of Mr. Glover, Assembly Bill No. 16, special order for the day, was made special order for to-morrow, at two o'clock P. M.

On motion of Mr. Cutter, House resolved itself into Committee of the Whole—Mr. Cutter in the chair—for the consideration of Assembly Bill No. 5.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 5, 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, have progressed therewith, made some amendments thereto, and ask leave to sit again.

Leave granted.

On motion of Mr. Vandewater, at five o'clock and ten minutes, P. M., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

THIRTY-EIGHTH DAY.

WEDNESDAY, February 7, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Hall and James, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Mayhugh submitted the following:

Mr. Speaker:

Your Standing Committee on Mines and Mining Interests, to which was referred Assembly Bill No. 60, entitled "An Act to provide for the establishing and maintaining a mining school, and the office of State Mineralogist," beg leave to report that they have had the same under

consideration, and have directed their chairman to report the same back to the House without recommendation.

All of which is respectfully submitted.

Bill placed on file.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms of this House be, and is hereby, directed to draw his warrant on the Contingent Fund of the Assembly in favor of Robinson & Mighels, for printing one hundred and forty blank receipts—seven dollars; to C. F. Roberts, for drayage—six dollars; to E. D. Sweeney, for water furnished thirty-seven days—thirty-seven dollars.

Adopted.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee to whom was referred Senate Bill No. 89, entitled "An Act relating to District Attorneys," have considered the same favorably, and recommend that it pass without amendment.

Bill placed on file.

Mr. Beck reports that the Standing Committee on Engrossment, have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 104, an Act to secure liens to ranchmen and other persons.

Also, Assembly Bill No. 76, an Act to amend an Act entitled "An Act concerning conveyances," approved November 5th, 1861.

Also, Assembly Bill No. 55, an Act to amend section one of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appointment of Notaries Public, and defining their duties," approved February 9th, 1864, approved March 20th, 1865.

Bills placed on file.

MOTIONS AND RESOLUTIONS.

By Mr. Cutter :

Resolved, That the Committee on Ways and Means be authorized to send for persons and papers, and to administer oaths, in their investigation into the financial affairs of the State, under a resolution heretofore passed; also, the special committee of investigation into the publication of the reports of the debates of the Constitutional Convention.

Mr. Vandewater moved the resolution be laid on the table.

Yeas and nays called by Messrs. Cutter, McDougall and Grey, resulting as follows :

YEAS—Messrs. Beck, Canfield, Clemens, Haskell, Hayden, Hinckley,

Julien, Lane, Mason, Mayhugh, O'Neil, Prince, Vandewater, Walton, Williams, and Work—16.

NAYS—Messrs. Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Ingham, Linn, McDougall, Taylor, Wood, and Mr. Speaker—13.

Carried.

Mr. Mayhugh moved that Assembly Bills Nos. 68 and 60 be placed on general file with Assembly Bill No. 22, and that said bills come up in the same order for consideration.

Carried.

Mr. Cutter moved to take from the table the resolution authorizing a certain committee to send for persons and papers.

Lost.

SENATE MESSAGE.

STATE OF NEVADA, SENATE CHAMBER, }
February 6, 1866. }

To the Honorable the Assembly:

I am directed to transmit herewith, for the consideration of your honorable body, the following:

Senate Bill No. 75, an Act to provide for the publication of laws and resolutions passed during the second session of the Legislature of Nevada, the same having passed the Senate. Yeas, 10; nays, 4.

All of which is respectfully submitted.

JNO. R. EARDLEY, Ass't Secretary.

Senate Bill No. 75, an Act to provide for the publication of laws and resolutions passed during the second session of the Legislature of Nevada, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Public Printing.

Also:

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 7, 1866. }

To the Honorable the Assembly:

I am directed to transmit herewith, for the consideration of your honorable body, the following:

Senate Bill No. 97, an Act to legalize the levy and collection of taxes for the purchase or erection of county buildings in the several counties of this State, and to provide for the disposition thereof," the same having passed the Senate this day. Yeas, 16; nays, none.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Senate Bill No. 97, an Act to legalize the levy and collection of taxes for the purchase or erection of county buildings in the several counties of this State, and to provide for the disposition thereof, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Work introduced Assembly Bill No. 144, an Act concerning the boundaries of the counties of Nye and Lander.

Read first time, rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

GENERAL FILE.

Assembly Bill No. 95, an Act to create the county of Stewart, and provide for its organization, considered; and on motion, bill was recommitted to special committee of one—Mr. Gaige—with special instructions to amend by striking out the word “Stewart,” and inserting in lieu thereof the word “Lincoln.”

Mr. Gaige reported that he had amended said bill as per instructions.

Amendments adopted, bill read third time, previous question called and sustained, and bill passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hinekley, Hudson, Ingham, Lane, Mason, Mayhugh, Munckton, McDougall, O’Neil, Vandewater, Walton, and Wood—22.

NAYS—Messrs. Clemens, Crawford, Cutter, Hayden, Julien, Williams, Work, and Mr. Speaker—8.

Mr. Bearss gave notice that he would move a reconsideration of the vote, by which the bill passed, on to-morrow.

On motion of Mr. Cutter, at one o’clock p. m. House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Clemens moved to suspend the rules in order that he might make a report from Standing Committee on Ways and Means.

Carried.

Mr. Clemens, from Committee on Ways and Means to which was referred Senate Bill No. 97—House introductory No. 143—entitled “An Act to legalize the levy and collection of taxes for the purchase or erection of county buildings in the several counties of this State, and to provide for the disposition thereof,” begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, recommending its passage.

Mr. Cutter moved the bill be referred to the Storey County delegation with instructions to report to-morrow morning.

Carried, and bill so referred.

Special order, Assembly Bill No. 16, an Act relating to incorporated mining companies, and for the protection of stockholders in the same, taken up, and, on motion of Mr. Grey, placed at the head of the file.

Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson river, read third time and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter,

Edwards, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mason, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—30.

NAYS—None.

Assembly Bill No. 55, an Act to amend section one of an Act to amend an Act passed by the legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appointment of Notaries Public and defining their duties," approved February 9th, 1864, approved March 20th, 1865.

On motion, bill re-committed to committee of one, Mr. Work, with instructions to amend by inserting "for Lander county, sixteen, instead of fourteen," who reported the bill so amended.

Amendment adopted, bill read a third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mason, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—29.

NAYS—None.

Assembly Bill No. 76, an Act to amend an Act entitled "An Act concerning conveyances," approved November 5th, 1861, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mason, O'Neil, Taylor, Vandewater, Walton, Work, and Mr. Speaker—26.

NAYS—Messrs. Glover and Wood—2.

Assembly Bill No. 104, an Act to secure liens to ranchmen and others, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Julien, Lane, Linn, Mason, Munckton, O'Neil, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—27.

NAYS—None.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz:

Assembly Bill No. 50, an Act relating to electors and their qualifications.

Also, Assembly Bill No. 116, an Act for the relief of Benjamin Curler, District Attorney of Churchill county.

Bills passed on file.

Assembly Bill No. 5, 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, House resolved itself into Committee of the Whole—Mr. Mason in the chair—for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 5, 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, had gone through therewith, had made some amendments thereto, and directed their chairman to report the bill back to the House, and recommend its passage, as amended.

Amendments of the Committee of the Whole adopted.

On motion of Mr. Haskell, at five o'clock and ten minutes p. m., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

 THIRTY-NINTH DAY.

THURSDAY, February 8th, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

By Mr. Clemens—The Committee on Ways and Means, to whom was referred Assembly Bill No. 138, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" approved March 9th, 1865, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their chairman to report the same back to the House, with the following amendments, and recommend its passage:

In section eighteen, before the word "sum," in the sixth line, insert "or less." In section twenty-two, strike out the words "on the first ten thousand dollars, and a commission of four per centum on all over ten thousand dollars, such commission to be computed." In section twenty-six, after the word "person," in the fourth line, insert "corporation or company;" and, at the end of the section, add "no property whatever shall be exempt from seizure and sale under this section." In section thirty, insert the words "*ex officio* tax", before the word "Collector," in the first line. In section thirty-one, add, at the end of this section, the words "no property whatever shall be exempt from seizure and sale under this section." In section thirty-six, insert, after the word "company," in the sixteenth line, the words "specifying the amount and showing the money is officially sent by the County Treasurer to the State Controller." In section thirty-seven, before the word "or," in the

fourth line, insert the words "*ex officio* Tax Collector;" also, insert the words "*ex officio* Tax Collector" after the word "Assessor," in the third line from the bottom of the page. In section forty-eight, strike out the word "twenty-eight," in second line.

Bill placed on file.

Mr. Cutter moved that two hundred and forty copies of the bill No. 138, as per report, be ordered printed.

Carried, and so ordered.

By Mr. Elliott :

Mr. Elliott, from Committee on Corporations, to which was referred Assembly Bill No. 59, entitled "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved March 10th, 1865 ;

Also, Assembly Bill No. 41, entitled "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved March 10th, 1865 ;

Also, Assembly Bill No. 18, entitled "An Act concerning the powers of corporations," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, without amendment, and recommend their passage.

Bills placed on file.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant on the Legislative Fund for the sum of sixteen dollars and fifty cents for materials furnished, and labor performed, during the first session of the Nevada Legislature.

Adopted.

By Mr. Haskell :

Mr. Speaker :

Your Committee on Elections, to whom was referred Assembly Bill No. 67, entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty," have had the same under consideration, have made some amendments thereto, and report it back to the House, and recommend its passage as amended.

Bill and report placed on file.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to which was referred Assembly Bill No. 135, entitled "An Act to provide policemen in unincorporated cities, towns

and villages," have considered the same favorably, and recommend that it pass with the following amendment: Add an additional section, as follows:

Section 8. "An Act to provide policemen in unincorporated cities, towns and villages," approved March 11th, 1865, is hereby repealed.

They further report the accompanying bill, entitled "An Act to provide for the payment of the salaries of the District Judges of this State for the month of December, 1866," introduced herewith by the Judiciary Committee, and recommend its passage.

Bill No. 135, placed on file.

Assembly Bill No. 145, an Act to provide for the payment of the salaries of the District Judges of this State, for the month of December, 1866, as per report, rules suspended, read first and second time by title, and ordered on file.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz:

Assembly Bill No 197, an Act to amend section eighty-three of an Act approved March 9th, 1865, entitled "An Act to provide revenue for the support of the government of the State of Nevada."

By Mr. James :

Mr. Speaker :

Your Committee, composed of the Storey county delegation, to whom was referred Senate Bill No. 97, entitled "An Act to legalize the levy and collection of taxes for the purchase or erection of county buildings in the several counties of this State, and to provide for the disposition thereof," have had the bill under consideration, and herewith return the same, and recommend its passage.

On motion of Mr. Ingham, rules suspended, Bill No. 97, as per report, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, and Mr. Speaker—32.

NAYS—None.

REPORTS OF SELECT COMMITTEES.

By Mr. Mayhugh :

Mr. Speaker :

Your special committee (Esmeralda Delegation), to whom was referred Assembly Bill No. 108, entitled "An Act to repeal an Act entitled 'An Act to authorize the incorporation of the town of Aurora to the city of Aurora,'" approved February 9th, 1864, beg leave to report that they have had the same under consideration, and have come to a favorable conclusion thereon, and have directed their chairman to report the same back, and recommend that said bill do pass.

On motion of Mr. Haskell, rules suspended, for the consideration of the bill, as per report.

On motion, rules further suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, McDougall, O'Neil, Vandewater, Walton, and Wood—28.

NAYS—Messrs. Mason and Mr. Speaker—2.

By Mr. Haskell :

Mr. Speaker :

Your select committee, to whom was referred Assembly Bill No. 63, an Act in relation to public highways, have had the same under consideration, have made the annexed amendments thereto, and have directed their chairman to report the bill back to the House, and recommend its passage, as amended.

D. H. HASKELL, Chairman.
JAMES CRAWFORD,
A. B. ELLIOTT,
GEORGE MUNCKTON.

Bill and report placed at the head of the file.

MOTIONS AND RESOLUTIONS.

Mr. Bearss, in accordance with his notice of yesterday, moved a reconsideration of the vote by which Assembly Bill No. 95, an Act to create the county of Lincoln, and provide for its organization, then passed.

Carried, and vote reconsidered.

Mr. Bearss moved the bill be recommitted to committee of one, Mr. Clemens, with special instructions to amend as follows: Strike out the words, "who will be legal voters therein at the general election, in the year eighteen hundred and sixty-six," and insert in lieu thereof, the following words: "Who shall be, at the time of signing such petition, registered voters, certified to be such by the clerk of the county of Nye."

Previous question called and sustained. Mr. Bearss' motion carried.

Mr. Clemens, reported the bill amended, as per instructions. Amendment adopted.

Mr. Hinckley moved the bill be recommitted to special committee of one, Mr. Munckton, with instructions to amend as follows: After the words "county of Nye," insert as follows: "And it shall be the duty of the County Clerk of the said county of Nye, to make out such certificate," and report immediately.

Carried.

Mr. Munckton reported the bill amended, as per instructions.

Amendment adopted.

On motion, bill recommitted to special committee of one, Mr. Ingham, with instructions to amend as follows: Strike out "four hundred" and insert in lieu thereof, "three hundred."

Previous question called and sustained. Mr. Ingham reported the bill amended, as per instructions.

Amendment adopted.

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

YEAS—Messrs. Beck, Canfield, Clemens, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hincley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Vandewater, Walton, and Wood—26.

NAYS—Messrs. Bearss, Crawford, Hayden, Julien, Prince, and Mr. Speaker—6.

On motion of Mr. Cutter, at one o'clock, House took a recess until two o'clock and thirty minutes P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock and thirty minutes P. M.

Mr. Speaker in the chair.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 79, substitute for Assembly Bill No. 3, an Act to provide for the formation and regulation of mining corporations, was taken up.

Mr. Clemens moved the House do now resolve itself into Committee of Whole for consideration of the bill.

Lost.

Mr. Hayden moved the bill be laid on the table.

Carried.

Leave of absence granted Messrs. James and Cutter for the day.

Assembly Bill No. 82, an Act to provide for the formation of corporations for certain purposes, was taken up.

On motion of Mr. Clemens, House resolved itself into Committee of the Whole, Mr. Linn in the chair, for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 82, 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 back to the House and recommend that it do not pass.

Previous question called and sustained.

The question being upon ordering the bill engrossed, yeas and nays called, resulting as follows:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Edwards, Fisher, Gaige, Grey, Glover, Hudson, Walton, and Wood—12.

NAYS—Messrs. Cutter, Elliott, Hall, Haskell, Hayden, Hincley, Ingham, Julien, Linn, Mason, Mayhugh, O'Neil, Prince, Taylor, Vandewater, Work, and Mr. Speaker—17.

Lost.

MOTIONS AND RESOLUTIONS.

Mr. Beck offered the following:

Resolved, That the Standing Committee on Engrossment be, and they are hereby, authorized and empowered to audit all accounts for extra

engrossing, and certify the same to the Sergeant-at-Arms, who shall draw his order in favor of the party to whom such account may be certified, payable out of the legislative fund.

Previous question called and sustained.

Resolution carried.

Mr. Glover moved the Committee on Ways and Means be instructed to report back, to-morrow, Assembly Bill No. 27, in relation to the collection of taxes.

Carried.

Mr. Cutter moved the Committee on Judiciary be instructed to report, to-morrow, Senate Bill No. 29, in relation to protecting the wages of labor in the State of Nevada.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 7, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body, for your consideration, the following :

Assembly Bill No. 6, an Act to secure persons and animals from danger arising from mining and other excavations, the same having passed the Senate this day with the following amendments: In section two, line three, amended by striking out the word "is" and inserting the word "are;" also, in the same line, by striking out the word "has" and inserting the word "have." In section five, line two, strike out the words "the people of." Yeas, 15; nays, 1.

Also, Assembly Bill No. 54, 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, the same having been this day indefinitely postponed.

Also, Assembly Bill No. 75, 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, the same having been this day indefinitely postponed.

Also, Assembly Bill No. 77, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice in the Territory of Nevada," approved November 29th, 1861, the same having been this day indefinitely postponed.

Respectfully submitted, GEO. R. AMMOND, Secretary.

Assembly Bill No. 6, an Act to secure persons and animals from danger arising from mining, and other excavations, as per report, was considered, Senate amendment concurred in, bill finally passed by the following vote :

YEAS—Messrs. Bearss, Beck, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, McDougall, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—24.

NAYS—Messrs. Canfield, Clemens, Haskell, and Mayhugh—4.

Mr. Clemens asked leave to change his vote upon the passage of said bill, he having voted nay through mistake.

Leave refused.

Mr. Bearss moved the chairman of the Enrolling Committee be instructed to request the Governor to return to the House Assembly Bill No. 16, which was sent to him by mistake.

Carried.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
February 8, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 99, an Act defining the duties of the Attorney-General of the State of Nevada, the same having passed the Senate this day. Yeas, 15; nays, none.

I am also directed to return to your honorable body Assembly Bill No. 55, an Act to amend section one of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appointment of Notaries Public, and defining their duties," approved February 9th, 1864, approved March 20th, 1865, the same having passed the Senate this day. Yeas, 15; nays, none.

Respectfully submitted, GEO. R. AMMOND, Secretary.

Senate Bill No. 99, House Introductory No. 145, an Act defining the duties of the Attorney-General of the State of Nevada, as per message, rules suspended, read first and second time by title, and referred to Committee on Judiciary.

SENATE CHAMBER, CARSON CITY, }
February 8, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body, Assembly Bill No. 66, an Act to provide for constructing and maintaining telegraph lines in the State of Nevada, the same having passed the Senate this day. Yeas, 14; nays, 3.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Bill ordered enrolled.

INTRODUCTION OF BILLS.

Pursuant to previous notice, Mr. McDougall introduced Assembly Bill No. 146, an Act to fix the compensation of county officers within this State, and provide for the payment of the same.

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

Also, by Mr. Fisher, Assembly Bill No. 147, an Act regulating the number and compensation of deputies and clerks in the various State offices in this State.

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

By unanimous consent, Mr. Grey introduced Assembly Bill No. 148, an Act concerning the offices of Sheriff, County Clerk and County Recorder of the county of Storey.

Rules suspended, read first and second time by title, and referred to Storey County delegation.

Also, by Mr. Hall, Assembly Bill No. 149, an Act appropriating money for the benefit of St. Paul's Episcopal Parish school.

Read first time.

Mr. Grey moved the bill be rejected.

Previous question called and sustained.

Yeas and nays called by Messrs. Fisher, Hayden and Crawford, resulting as follows :

YEAS—Messrs. Cutter, Grey, Mason, Mayhugh, McDougall, and O'Neil—6.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—25.

Lost.

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

Mr. Bearss, chairman Committee on Enrollment, reports Assembly Bill No. 6, entitled an "An Act to secure persons and animals from danger arising from mining and other excavations," has been carefully compared with the engrossed bill as passed by the two Houses, found correctly enrolled, and the same has this day been delivered to the Governor for his approval.

By unanimous consent, Mr. Banks introduced Assembly Bill No. 150, an Act to provide for the reduction of the expenses of the State Government.

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

Mr. Cutter moved the House take a recess until seven o'clock P. M.

Mr. Mason moved the House do now adjourn.

Yeas and nays called, resulting as follows :

YEAS—Messrs. Canfield, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Walton, Williams, Wood and Work—17.

NAYS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Hall, Ingham, Vandewater, and Mr. Speaker—10.

Carried, and House adjourned at five o'clock P. M.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTIETH DAY.

FRIDAY, February 9th, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present, except Mr. Williams.

Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. Hall offered a petition from citizens of Storey County, relative to appropriating money to St. Paul's Episcopal parish school.

Petition placed on file.

REPORTS:

Majority report by Mr. Walton :

Mr. Speaker :

Your Committee on Public Morals, to whom was referred Assembly Bill No. 141, an Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861, have had the same under consideration, and beg leave to report the same back, and recommend its passage.

Also, Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming, have had the same under consideration, and beg leave to report the same back without recommendation.

Bill placed on file.

Mr. Hall, a minority of the Committee on Public Morals, to which was referred Assembly Bill No. 91, entitled "An Act to prevent unlicensed gaming," begs leave to report that he has had the same under consideration, and begs leave to report a substitute therefor, and recommends its passage in lieu of the original.

Substitute for Assembly Bill No. 91, as per minority report, read first time, rules suspended, read second time by title, and placed on file.

Mr. Clemens, from Committee on Ways and Means, to which was referred substitute for Assembly Bill No. 5, entitled "An Act defining the duties of State Controller," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that the same pass as amended.

Bill and amendments placed on file.

By Mr. Fisher :

Mr. Speaker :

Your Standing Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant on the contingent fund of the Assembly in favor of John G. Fox, for sundries, forty-seven dollars and seventy-five cents; also, in favor of F. King, for window glass, five dollars; also, in favor of Beatty & Harris, for rent of room for enrolling and engraving clerks, from January 8th to February 8th, 1866, fifty dollars.

Adopted.

By Mr. Haskell:

Mr. Speaker:

Your Standing Committee on Elections, to whom was referred Assembly Bill No. 24, an Act to protect the elections of voluntary political associations, and to punish frauds therein, have had the same under consideration, and have directed their chairman to report the same back without recommendation.

Bill placed on file.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency, the Governor, for his approval on the 9th inst., viz:

Assembly Bill No. 66, an Act to provide for constructing and maintaining telegraph lines in the State of Nevada.

Also, Assembly Bill No. 55, an Act to amend section one of an Act to amend an Act passed by the legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appointment of Notaries Public and defining their duties," approved February 9th, 1864, approved March 20th, 1865, have been carefully compared with the engrossed bills, as passed by the two Houses, and found correctly enrolled.

MAJORITY REPORT.

Mr. Speaker:

A majority of your committee, to whom was referred Senate Bill No. 86, entitled "An Act to amend an Act entitled 'An Act to incorporate the town of Gold Hill,'" approved March 7th, 1865, have had the same under consideration, and beg leave to report the same back and recommend that it do not pass.

DUNOIS WOOD,
THOMAS LANE,

Majority of Committee.

MINORITY REPORT.

The minority of your committee, to whom was referred Senate Bill No. 86, entitled "An Act to amend an Act entitled 'An Act to incorporate the town of Gold Hill,'" approved March 7th, 1865, has had the same under consideration, arrived at a favorable conclusion thereon, and beg leave to report the same back and recommend its passage.

JOHN VANDEWATER,

Minority of Committee.

Reports and bill placed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, February 8, 1866. }

To the Honorable the Assembly of Nevada:

I have this day approved Assembly Bill No. 6, an Act to secure persons and animals from danger arising from mining and other excavations.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

By Mr. Elliott :

Resolved, That from and after Monday, the 12th inst., the House do convene at ten o'clock A. M.

Laid over one day under the rules.

By Mr. Hayden :

Resolved, That the bill introduced by the Judiciary Committee, entitled "An Act to provide for the payment of the salary of the District Judges of this State from the 9th of December, 1866," be referred to that Committee with instructions to report thereon.

Adopted.

By Mr. Munckton :

Resolved, That the committee appointed by the citizens of Carson to make arrangements for celebrating Lincoln's birthday shall have the use of the chairs belonging to the Assembly Chamber, on that day, to be used by them as they see proper.

Adopted.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Beck introduced Assembly Bill No. 151, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

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

Also,

By Mr. Cutter—Assembly Bill No. 152, an Act to transfer certain funds; rules suspended, read first and second time by title. On motion of Mr. Cutter, rules further suspended, and House resolved itself into Committee of the Whole, Mr. Speaker in the chair, for the consideration of the bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration, the Assembly Bill No. 152, entitled "An Act to transfer certain funds," had gone through therewith, and directed their chairman to report the bill to the House, and recommend its passage.

On motion, rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Munckton, McDougall, Taylor, Walton, Wood, and Mr. Speaker—25.

NAYS—None.

GENERAL FILE.

Assembly Bill No. 50, an Act relating to electors and their qualifications, read third time, and on motion of Mr. Cutter, bill laid on the table.

Assembly Bill No. 116, an Act for the relief of Benjamin Curler, District Attorney of Churchill county, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, and Wood—26.

NAYS—None.

Assembly Bill No. 5, an Act to provide for the registration of the names of electors, and the ascertainment, by proper proofs, of the persons entitled to the right of suffrage.

Mr. Cutter offered a substitute for sections sixteen and seventeen, pending which,

On motion of Mr. Elliott, at one o'clock, House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Consideration of Assembly Bill No. 5, resumed.

Previous question called and sustained.

The question being upon the adoption of Mr. Cutter's amendment, yeas and nays called by Messrs. Wood, McDougall and Glover, resulting as follows :

YEAS—Messrs. Beck, Crawford, Cutter, Grey, Glover, Hall, Ingham, James, Vandewater, and Wood—10.

NAYS—Messrs. Bearss, Clemens, Edwards, Elliott, Fisher, Haskell, Hayden, Hinckley, Hudson, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, and Mr. Speaker—19.

Lost.

The question being upon ordering the bill engrossed, yeas and nays called by Messrs. Cutter, Glover and Crawford, resulting as follows :

YEAS—Messrs. Bearss, Beck, Clemens, Edwards, Elliott, Fisher, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Julien, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, Wood, and Mr. Speaker—22.

NAYS—Messrs. Crawford, Cutter, Glover, Ingham, James, Lane, and Vandewater—7.

Carried, and so ordered.

Assembly Bill No. 107, an Act to amend section eighty-three of an Act approved March 9th, 1865, entitled "An Act to provide revenue for the support of the government of the State of Nevada," read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Glover, Hall, Haskell, Hayden, Hinckley, Julien, Mason, Mayhugh, Munckton, O'Neil, Prince, Walton, and Mr. Speaker—19.

NAYS—None.

Assembly Bill No. 63, an Act relating to public highways, was considered, amended, and ordered engrossed for third reading.

Assembly Bill No. 16, an Act relating to incorporated mining companies, and for the protection of stockholders in the same, passed on file.

Assembly Bill No. 4, an Act concerning mining customs and usages, on motion, passed on file.

Assembly Bill No. 34, an Act to amend sections two hundred and nineteen, and two hundred and sixty-three of 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, passed on file.

On motion of Mr. Haskell, at four o'clock and forty minutes, House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTY-FIRST DAY.

SATURDAY, February 10, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Speaker :

The majority of your Standing Committee on Public Printing, to whom was referred Assembly Bill No. 87, entitled "An Act to authorize the official publication of the general laws, passed at the second session of the State Legislature, and to provide compensation therefor," beg leave to report that they have had the same under consideration, and have made some amendments thereto, and have come to a favorable conclusion thereon, and recommend that said bill do pass, with the accompanying amendments.

All of which is respectfully submitted.

JOHN S. MAYHUGH,
JOSEPH F. HALL.

Bill and amendments placed on file.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to issue his warrant on the Contingent Fund of the Assembly in favor of B. H. Meder, for twenty-five dollars, for room rent, fire and lights, furnished Copying Clerk.

Adopted.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 62, entitled "An Act to amend an Act concerning officials," approved November 29th, 1861, have considered the same, and recommend its passage, with the following amendment :

Strike out all after the enacting clause, and add as follows :

Section First. Section six of said Act is hereby amended so as to read as follows :

"Section Six. A Constable elected in any county of this State shall attend the Courts of Justices of the Peace within his township, whenever so required, and shall, within his county, have exclusive power and authority to execute, secure and return all lawful writs, process, notices and other papers, issued out of Courts of Justices of the Peace of his county, except in cases where such Constable may be interested. They shall also be conservators of the peace within their respective counties."

Also, that they have considered Assembly Bill No. 129, entitled "An Act amendatory of an Act entitled 'An Act to regulate fees and compensation for official and other services in the State of Nevada,'" approved March 9th, 1865, and recommend that the same do not pass.

Bill and amendments placed on file.

Mr. Crawford, from Committee on Public Printing, to which was referred Senate Bill No. 75, entitled "An Act to provide for the publication of laws and resolutions passed during the second session of the Legislature of Nevada," begs leave to report that he has had the same under consideration, has come to a favorable conclusion thereon, and reports the same back, with a recommendation that it do pass.

By Mr. Mason :

Mr. Speaker :

Your select committee having under consideration Assembly Bill No. 40, entitled "An Act for the care and maintenance of the indigent sick and insane of the State, respectfully submit the following report :

Your committee are well aware of the intimate connection existing between the objects proposed to be attained by the bill under consideration, and the broad principles of humanity and charity, and are of the opinion that it is an evidence of high civilization and exalted morality in that State caring best for its indigent sick and insane. The founding and establishment of institutions for the amelioration of those whom sickness or accident, or loss of reason, has rendered helpless, has ever been fostered by enlightened governments. Institutions amply endowed with pecuniary means, and in their management with the highest talents and learning in those departments of science having direct application to the objects sought, ever have been, and ever will be, the pride and boast of such governments. The pious and good, from the earliest time of civilization, and in all countries, have emulated in this beneficent work of ameliorating the sufferings of humanity by similar works, and in so doing have merited the honor and gratitude which has, in all succeeding time, been accorded to their memory. The foregoing considerations, strengthened by the numerous examples in the older States of

our Union, of institutions of this character, amply endowed and flourishing; fostered by the well-directed efforts and unremitting solicitude of the noblest philanthropists of the country; dispensing the inestimable gifts of health and reason, strongly promote the desire that Nevada, too, might claim a like honor. Notwithstanding this last flattering consideration, your committee are too well aware of the impoverished condition of the finances of the State, to base any recommendation in the premises, save upon the ground of absolute necessity. To conduct the government of this young State through another fiscal year, to meet the liabilities and expenses that must be incurred, will require the strictest attention to economy. Our population is small, and some of our prominent interests are not in their accustomed flourishing condition, and may require time to regain their former prosperity. Your committee have failed to discover any hardship suffered by the indigent sick of the State, or by the counties upon which the burden of their maintenance has been thrown. Your committee is therefore not aware of the immediate necessity of establishing such an institution as that proposed in the bill under consideration. It may be, and probably is, the case, that some of the insane of the State have not received that attention which their unfortunate condition demanded. This class, however, is extremely small. It is suggested in this particular case, that arrangements could probably be made with the proper officers of the State of California, to have our insane cared for at the Asylum at Stockton, at a reasonable expense, thus meeting all the requirements of duty and humanity.

Your committee therefore report the bill back to the House, with the recommendation that its consideration be indefinitely postponed.

B. S. MASON, Chairman.
 J. J. LINN,
 FELIX O'NEIL,
 G. W. WALTON,
 A. C. BEARSS,
 W. H. TAYLOR,
 GEO. MUNCKTON.

MAJORITY REPORT.

Mr. Ingham, chairman of select committee of Storey County delegation, to which was referred Assembly Bill No. 46, entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Virginia, provide for the Government thereof, and repeal all other laws in relation thereto,'" approved March 4th, 1865, begs leave to report that they have had the same under consideration, made certain amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage as amended.

Bill placed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 Carson City, February 9, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved Assembly Bill No. 55, an Act to amend section one of an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled "An Act to provide for the appoint-

ment of Notaries Public, and define their duties," approved February 9th, 1864, approved March 20th, 1865.

Also, Assembly Bill No. 66, an Act to provide for constructing and maintaining telegraph lines in the State of Nevada.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Ingham moved two hundred and fifty copies of Assembly Bill No. 46 be printed.

Carried and so ordered.

Mr. Fisher moved the usual number of copies of Assembly Bill No. 150 be printed.

Carried and so ordered.

Mr. Elliott called up a resolution introduced yesterday, relative to morning session of the Assembly.

Resolution adopted.

Mr. Lane moved one hundred and forty extra copies of Assembly Bill No. 150 be printed.

Lost.

Mr. Banks offered the following additional rule :

No member shall speak more than ten minutes on any question, without express leave granted by a vote of two thirds ; and all propositions to grant such leave shall be decided promptly, without debate.

Laid over one day under the rules.

Mr. Munckton moved to strike out the words "ten minutes," and insert "five minutes," in said proposed rule.

Lost.

Mr. Mayhugh moved to correct the journal of February 7th, so as to show that the amendments proposed in Committee of the Whole to Assembly Bill No. 5 were adopted.

Carried.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 9, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has this day received from his excellency, the Governor, a communication transmitting Senate Concurrent Resolution, from the California Legislature, in relation to requesting the President of the United States to invite, at the earliest opportunity, a citizen of the Pacific Coast to a seat in the Cabinet, which resolution, in the event of its adoption, will be transmitted to your honorable body.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

I am also directed to return to your honorable body Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson river, the same having passed the Senate this day. Yeas, 14; nays, 1.

Also, Assembly Bill No. 108, an Act to repeal an Act entitled "An Act

to authorize the incorporation of the town of Aurora to the city of Aurora, approved February 9th, 1864, and to provide payment for the indebtedness thereof," the same having passed the Senate this day. Yeas, 16; nays, none.

All of which is respectfully submitted.

GEO. R. AMMOND, Secretary.

Bill ordered enrolled.

NOTICES OF BILLS, ETC.

By Mr. Clemens—An Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865.

By Mr. Munckton—Concurrent Resolution memorializing Congress to establish a weekly mail from Ione, in Nye county, to Crystal Springs, in Lincoln county, Nevada.

INTRODUCTION OF BILLS, ETC.

By unanimous consent, Mr. Elliott introduced Assembly Bill No. 153, an Act to provide for and regulate appeals from Justice Courts to District Courts.

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

By Mr. Work—Assembly Bill No. 154, 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.

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

GENERAL FILE.

Assembly Bill No. 16, an Act relating to incorporated mining companies, and for the protection of stockholders in the same, was considered.

Previous question called and sustained.

The question being upon the amendment proposed by Mr. Wood, yeas and nays called by Messrs. Wood, Crawford, and Julien, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Clemens, Crawford, Edwards, Fisher, Hayden, Hinekley, Hudson, Julien, Lane, Linn, Mason, Munckton, McDougall, Prince, Wood, and Mr. Speaker—18.

NAYS—Messrs. Cutter, Elliott, Grey, Glover, Hall, Ingham, James, Vandewater, and Mr. Walton—9.

Amendment adopted.

The question being, upon ordering the bill to engrossment, yeas and nays called by Messrs. Cutter, Ingham, and Grey, resulting as follows:

YEAS—Messrs. Clemens, Crawford, Edwards, Elliott, Fisher, Glover, Hall, Hudson, Lane, Munckton, McDougall, Wood, and Mr. Speaker—13.

NAYS—Messrs. Bearss, Canfield, Cutter, Grey, Hayden, Hinekley, Ingham, James, Julien, Linn, Mason, Prince, Vandewater, and Walton—14.

Bill rejected.

Assembly Bill No. 4, an Act concerning mining customs and usages,

was taken up, pending which, at one o'clock, on motion of Mr. Elliott, House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

Leave of absence granted Messrs. Beck, Canfield, Hayden, Prince, James, and Hall, for the day.

Mr. Cutter moved a call of the House.

Absent, Messrs. Bearss, Edwards, Gaige, Julien, Lane, Munckton, and Walton.

Messrs. Edwards, Bearss, and Walton were announced, came forward, and were excused, when, upon motion of Mr. Cutter, further proceedings under the call were dispensed with.

Consideration of Assembly Bill No. 4, resumed, ordered engrossed for third reading.

Assembly Bill No. 34, an Act to amend sections two hundred and nineteen and two hundred and forty-three, of an Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada, approved November 29th, 1861, was amended, and on motion of Mr. Haskell, referred to select committee of three, and the bill, when reported back, to take its place at the head of the file.

Mr. Speaker appointed as said committee, Messrs. Haskell, James and Vandewater.

Assembly Bill No. 64, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, was made special order for Tuesday next, at two o'clock p. m.

Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale in certain cases," approved March 6th, 1865.

Mr. Wood offered a substitute bill.

Pending which, on motion of Mr. Hinckley, House took a recess for ten minutes.

House re-assembled.

Quorum present.

On motion of Mr. Ingham, Bill No. 49, with amendments, pending, was placed at the bottom of the file.

Assembly Bill No. 113, was passed on file.

Concurrent resolution No. 1, was passed on the file.

Assembly Bill No. 17, with Substitute, was passed on the file.

Assembly Bill No. 111, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State," approved January 26th, 1865, was considered, and, on motion, passed on file.

Assembly Bill No. 109, an Act concerning the herding and protection of sheep, was considered—Mr. Crawford in the chair—ordered engrossed for third reading.

By leave, Mr. Glover offered the following minority report on Assembly Bill No. 40 :

Mr. Speaker :

Your minority of the special committee to whom was referred Assembly Bill No. 40, entitled "An Act to provide for the care and maintenance of the indigent sick, disabled and insane of the State," beg leave to report that the said minority fully and cordially concur in the report of the majority of the said committee, excepting that portion of it which says :

"Your committee have failed to discover any hardship suffered by the indigent sick of the State, or by the counties upon which the burden of their maintenance has been thrown. Your committee is, therefore, not aware of the immediate necessity of establishing such an institution as that proposed in the bill under consideration; and, also, this class is extremely small."

Your minority has discovered great hardship suffered by the sick, disabled and insane poor, and also by some of the counties, by reason of there being no provision for the State poor of this class—there being now in the possession of your minority statistics showing that in Storey county alone there were maintained during the last three months of the last year and the first month of the present year, twenty-three patients who were non-residents of that county. The aggregate time of their being so maintained was four hundred and eighty-six days, costing the county of Storey seven hundred and twenty-nine dollars for those three months alone. Your minority has also evidence of the fact that there are now in the Storey county hospital thirteen patients, who are non-residents of that county, who will be expelled from that hospital, and for whom there is no provision made.

Your minority is of the opinion that the Constitution of the State makes it the duty of the Legislature to provide for the sick, disabled and insane of the State by law; and your minority is further of the opinion that if the State has not now a sufficient income to make such provision, that the expenses of the State should be retrenched in every other department, and the income increased by additional taxation. Your minority do, therefore, recommend that the bill do pass.

All of which is respectfully submitted.

E. F. GLOVER,
Minority of Committee.

Placed on file with majority report.

By leave, Mr. Haskell offered the following :

Resolved, That the Committee on Federal Relations be allowed to employ a clerk, whose time of service shall date from February 3d, 1866, and extend to this date.

Mr. Clemens moved the resolution be laid on the table.

Lost.

Previous question called and sustained.

Mr. Haskell moved the House adjourn until Tuesday next at eleven o'clock.

Previous question called and sustained.

Mr. Haskell's motion lost.

On motion of Mr. Ingham, rules suspended and Senate message considered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 10, 1866. }

To the Hon. the Assembly:

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 101, an Act amendatory of, and supplementary to, an Act entitled "An Act authorizing the Board of County Commissioners of the several counties of this State to apportion the county revenues," approved March 10th, 1865, the same having passed the Senate this day. Yeas, 14; nays, none.

I am also directed to return to your honorable body Assembly Bill No. 104, an Act to secure liens to ranchmen and other persons, the same having passed the Senate this day. Yeas, 14; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Bill No. 104, as per message, ordered enrolled.

On motion, rules suspended, and Mr. Hinckley offered the following:

Resolved, That the Assembly be requested to meet on Monday at eleven o'clock for the purpose of making preparations to join in the celebration of the anniversary of the birthday of Abraham Lincoln.

On motion of Mr. Ingham, at five o'clock House adjourned until Tuesday next at eleven o'clock.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTY-FOURTH DAY.

TUESDAY, February 13, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. O'Neil, Vandewater and Williams, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of Saturday read and approved.

PETITIONS.

By Mr. Glover—A petition from citizens of American City, relative to appropriations for orphan asylum of this State.

REPORTS OF COMMITTEES.

Mr. Clemens, from Committee on Ways and Means, to which was referred Assembly Bill No. 102, entitled "An Act to amend an Act to pro-

vide revenue for the support of the government of the State of Nevada," approved March 9th, 1865;

Also, Assembly Bill No. 150, entitled "An Act to provide for a reduction of the expenses of the State Government," begs leave to report, that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that they do not pass;

Also, Assembly Bill No. 27, entitled "An Act to provide for the collection of State and county taxes, and define the duties of the collector or collectors thereof;" begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that it do pass.

Bills placed on file.

By Mr. Mayhugh :

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 132, entitled "An Act to regulate the hours of service and labor within this State," beg leave to report, that they have had the same under consideration, and have made some amendments thereto, and have come to a favorable conclusion thereon, and have directed their chairman to report the same back to the House, and recommend that said bill do pass, with all the accompanying amendments.

All of which is respectfully submitted.

Bill and amendments placed on file.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to which was referred Assembly Bill No. 153, entitled "An Act to provide for and regulate appeals from Justice Courts to District Courts," have considered the same favorably, and recommend that it pass without amendments.

They also report, that they have favorably considered Assembly Bill No. 154, entitled "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, and recommend that the same pass without amendment.

Also, that they have favorably considered Assembly Bill No. 145, entitled "An Act to provide for the payment of the salaries of the District Judges of the State, for the month of December, 1866," and recommend that the same pass, without amendment.

Also, that they herewith introduce Assembly Bill No. 155, entitled, "An Act to provide a fund for the payment of the salaries of the District Judges of this State, and to regulate the disposition of the same," and recommend that it pass without amendment.

Bills Nos. 153, 154, and 145, placed on file.

Assembly Bill No. 155, an Act to provide a fund for the payment of the salaries of the District Judges of this State, and to regulate the disposition of the same.

Rules suspended, read first and second time by title, and placed on file.

On motion, Bills No. 145, and 155, were placed on file with Assembly

Bill No. 17, an Act to redistrict the State of Nevada into judicial districts, and to provide for the election and fix the salaries of the Judges therein.

MOTIONS AND RESOLUTIONS.

Rule.—No member shall speak more than ten minutes on any question, without express leave granted by a vote of two thirds; and all propositions to grant such leave shall be decided peremptorily, without debate.

Adopted.

Senate Bill No. 101, an Act amendatory of, and supplementary to, an Act entitled "An Act authorizing the Board of County Commissioners of the several counties of this State to apportion the county revenues," approved March 10th, 1865, as per Senate message of Saturday last, rules suspended, read first and second time by title, and placed on file.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Edwards introduced Assembly Bill No. 157, an Act to amend an Act entitled "An Act defining the time of commencing civil actions," approved Nov. 21st, 1861, and as amended by an Act entitled "An Act amendatory of section 34 of an Act entitled "An Act defining the time of commencing civil actions," approved November 21st, 1861, approved December 19th, 1862.

Rules suspended, read first and second time by title, and referred to select committee of one, Mr. Edwards.

Also, by Mr. James, Assembly Bill No. 158, an Act to repeal an Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes, approved March 10th, 1865.

Read first time, rules suspended, read second time by title, and, upon motion to refer to Committee on Ways and Means, previous question called and sustained.

Bill referred to Committee on Ways and Means, with instructions to report to-morrow.

Pursuant to previous notice, Mr. Clemens introduced Assembly Bill No. 159, an Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865.

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

By unanimous consent, Mr. Hall introduced Assembly Bill No. 160, an Act to authorize the purchase of county buildings in the county of Storey.

Rules suspended, read first and second time by title, and referred to Storey County delegation.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency, the Governor, for his approval, on the 13th inst., viz:

Assembly Bill No. 104, an Act to secure liens to ranchmen and other persons.

Also, Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson River.

Also, Assembly Bill No. 108, an Act to repeal an Act entitled "An Act to authorize the incorporation of the town of Aurora to the city of Au-

roras," approved February 9th, 1864, and to provide for the indebtedness thereof, have been carefully compared with the engrossed bills as passed by the two Houses, and found correctly enrolled.

GENERAL FILE.

Assembly Bill No. 17, an Act to re-district the State of Nevada in Judicial Districts, and to provide for the election, and fix the salaries, of the Judges therein, was considered, amended, and, on motion, committed to Committee of the Whole, and made special order for two o'clock P. M., to-morrow.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 4, an Act concerning mining customs and usages.

Also, Assembly Bill No. 63, an Act in relation to public highways.

Also, Assembly Bill No. 109, an Act concerning the herding and protection of sheep.

Mr. Bearss moved to take a recess.

Lost.

Assembly Bill No. 117, an Act for the apportionment of Senators and Assemblymen in the several counties of the State, was considered.

Previous question called and sustained, and bill ordered engrossed.

Assembly Bill No. 111, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865, was considered, and, on motion, laid on the table.

Concurrent Resolution No. 23, relative to Stockton and Copperopolis railroad, was passed on file.

On motion of Mr. Ingham, at one o'clock and twenty minutes, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two P. M.

Mr. Speaker in the chair.

Quorum present.

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

Special order, Assembly Bill No. 64, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, was considered, and, on motion, was referred to Committee on Ways and Means; when reported back from committee, to take its place with Assembly Bill No. 138.

Senate Bill No. 85, an Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Edwards, Elliott, Fisher, Hall, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Walton, Wood, Work, and Mr. Speaker—22.

NAYS—None.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz : Assembly Bill No. 5, an Act to pro-

vide for the registration of the names of electors, and for the ascertainment, by proper proof, of the persons who shall be entitled to the right of suffrage.

GENERAL FILE.

Assembly Bill No. 125, an Act to legalize an assessment on real and personal property, as made by the County Commissioners of Humboldt county, for the year 1864, was ordered engrossed.

Assembly Bill No. 124, an Act authorizing the issuance of county warrants as certificates of indebtedness, was passed on file.

Mr. Speaker announced that one of the Pages (Homer Young) having resigned, he would appoint, as his successor, Joseph Le Perea.

Mr. Speaker *pro tem.* in the chair.

Assembly Bill No. 23, an Act concerning the location and possession of mining claims was, with bills 60 and 97, made special order for tomorrow, at two o'clock P. M.

Mr. Speaker in the chair.

Assembly Concurrent Resolution No. 29, relative to United States Branch Mint, ordered engrossed.

Senate Memorial and Joint Resolution, relative to increasing the amount allowed by the United States to the State of Nevada, for establishing national banks therein, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Walton, Williams, Wood, Work, and Mr. Speaker—26.

NAYS—Messrs. Canfield and Mason—2.

Assembly Bill No. 84, an Act to create a Board of Commissioners to examine claims of citizens of Humboldt county, and report to the Governor of the State the amount of just claims held by citizens of said county for property destroyed, and losses sustained, by Indian depredations in said county, in the years A. D. 1864, 1865 and 1866, was considered, committee amendments adopted, and bill as amended ordered engrossed.

Assembly Bill No. 128, an Act to amend an Act concerning juries, by leave, withdrawn.

Senate Bill No. 90, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services, in the State of Nevada," read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Walton, Williams, Work, and Mr. Speaker—27.

NAYS—None.

Assembly Bill No. 105, passed on file.

Senate Bill No. 56, an Act concerning the liabilities of joint debtors, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Clemens, Elliott, Fisher, Gaige, Grey, Glover,

Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Walton, Williams, Wood, Work, and Mr. Speaker—24.

NAYS—None.

Assembly Bill No. 118, passed on file.

Assembly Bill No. 68, an Act concerning mining locations, on motion, laid on the table.

Senate Bill No. 92, an Act to provide for the payment of certain accounts, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, McDougall, Walton, Williams, Wood, Work, and Mr. Speaker—24.

NAYS—None.

Senate Bill No. 88, an Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March 4th, 1865, on motion, passed on file.

Assembly Bill No. 134, an Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt County," approved March 9th, 1865, was considered, and ordered engrossed for third reading.

Senate Bill No. 89, an Act relating to District Attorneys, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Munckton, McDougall, Prince, Walton, Williams, Wood, and Mr. Speaker—24.

NAYS—None.

On motion of Mr. Wood, at five o'clock, House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTY-FIFTH DAY.

WEDNESDAY, February 14, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Journal of yesterday read and approved.

PETITIONS.

By Mr. Crawford—A petition from members of the Independent Order

of Good Templars, relative to liquor licenses, referred to Committee on Public Morals.

REPORTS.

Mr. Clemens, from Committee on Ways and Means, to which was referred Assembly Bill No. 146, entitled "An Act regulating the number and compensation of deputies and clerks in the various State offices in this State," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend that it do not pass.

Also, Assembly Bill No. 159, entitled "An Act to amend an Act entitled 'An Act concerning the office of Secretary of State,'" approved February 14th, 1865, begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that the bill pass.

Bills placed on file.

Mr. Grey, from Committee on Ways and Means, to which was referred Assembly Bill No. 158, entitled "An Act to repeal an Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," approved March 10th, 1865, begs leave to report that they have had the same under consideration, and have directed Mr. Grey to report the same back to the House, with a recommendation that the same do not pass.

O. H. GREY,
M. M. GAIGE,
J. G. CANFIELD,
JEFF. WORK,
ORION CLEMENS,
GEO. A. HUDSON.

Bills placed on file.

By Mr. Hayden:

Mr. Speaker:

The Judiciary Committee, to whom was referred Assembly Bill No. 101, entitled "An Act in relation to legal currency," have considered the same, and recommend its passage, with the amendment as follows:

Strike out all after the enacting clause, and add as follows:

Section One. Hereafter, all debts, except those of the State, all costs, fines, licenses, taxes, salaries, and all other payments to be made in money, may be paid in any currency made by the laws of the United States as legal tender in payment of debts.

Section Two. All Acts, and parts of Acts, so far as they conflict with the provisions of this Act, are hereby repealed.

Section Three. This Act shall take effect on the first day of February, 1867.

Bill and amendments placed on file.

Mr. Edwards, from the special committee of Ormsby County delegation to which was referred Assembly Bill No. 139, entitled "An Act to provide for the payment of the outstanding indebtedness of Ormsby county," report the same back, and recommend it do not pass.

Bill placed on file.

By Mr. Hayden :

The special committee to whom was referred Assembly Bill No. 71, entitled "An Act to amend an Act entitled 'An Act amendatory of, and supplementary to, an Act of the legislative Assembly of the Territory of Nevada, entitled an Act to incorporate the city of Austin,'" approved February 20th, 1864, approved March 8th, 1865, have considered the same, and herewith report a substitute for the same, the passage of which they recommend.

Assembly Substitute for Bill No. 71, an Act to amend an Act entitled "An Act amendatory of, and supplementary to, an Act of the legislative Assembly of the Territory of Nevada, entitled 'An Act to incorporate the city of Austin,'" approved February 20th, 1864, approved March 8th, 1865, as per report, rules suspended, read first and second time by title, and placed on file.

By Mr. Hall :

Mr. Speaker :

Your special committee, consisting of a majority of the Storey County delegation, beg leave to report a substitute bill for Assembly Bill No. 158, the substitute being entitled "An Act directing the purchase of a county building in Storey county, and disposing of the money in the county building fund of said county," and we recommend the adoption and passage of the substitute.

JOSEPH F. HALL,
E. F. GLOVER,
H. C. McDOUGALL,
O. H. GREY,
JOHN VANDEWATER,
A. B. ELLIOTT.

Assembly Substitute for Bill No. 158, an Act directing the purchase of a county building in Storey county, and disposing of the moneys in the county building fund of said county, as per report, rules suspended, read first and second time by title, two hundred and forty copies ordered printed, and referred to Storey County delegation.

Mr. Edwards, from special committee to which was referred Assembly Bill No. 157, entitled "An Act to amend an Act entitled 'An Act defining the time of commencing civil action,'" approved November 21st, 1861, and as amended by an Act entitled "An Act amendatory of section thirty-four of an Act defining the time of commencing civil action," approved November 21st, 1861, approved December 19th, 1862, begs leave to report that he has had the same under consideration, and reports the same back to the House and recommend it do pass.

Bill placed on file.

By Mr. Hayden :

Mr. Speaker :

The special committee, to whom was referred Senate Bill No. 78, entitled "An Act in relation to the late City Recorder's Court, in Austin," have considered the same favorably, and recommend that it pass without amendment.

Bill placed on file.

Mr. Munckton, from Committee on Counties and County Boundaries, to which was referred Assembly Bill No. 144, entitled "An Act concerning the boundaries of the counties of Nye and Lander," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House with a recommendation that it pass with the following amendment: Add to section one, as follows:

Provided, That if any new county or counties shall be created or organized, in the eastern or southern part of this State, then any part of such new additional territory lying directly east or south of such new county or counties, shall belong respectively to such new county or counties.

R. H. WILLIAMS, Chairman.
 GEORGE MUNCKTON,
 A. C. BEARSS,
 J. G. CANFIELD,
 H. H. BECK.

Bill and amendments placed on file.
 By Mr. Haskell:

Mr. Speaker:

Your special committee, to whom was referred Assembly Bill No. 34, an Act to amend sections two hundred and nineteen and two hundred and forty-three 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, 1861, have had the same under consideration, have made some amendments thereto, and have directed their chairman to report it back, and recommend that it pass as amended.

Bill placed on file.

MOTIONS AND RESOLUTIONS.

By Mr. Edwards:

Resolved, That the use of the Assembly Chamber be tendered the Trustees of the Methodist Church, for Saturday evening next.

Adopted.

By Mr. Glover:

Resolved, That the general file shall be the special order for every day at two o'clock, unless sooner reached in the usual order.

Laid over one day, under the rules.

Mr. Cutter moved the Judiciary Committee be instructed to report immediately Senate Bill No. 29, relative to the wages of labor.

Mr. Hayden moved the committee be granted time until to-morrow to report.

The question being upon the motion of Mr. Cutter, yeas and nays called by Messrs. Cutter, Grey and Vandewater, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Cutter, Grey, Glover, Hudson, Ingham, James, McDougall, O'Neil, Taylor, Vandewater, and Walton—13.

NAYS—Messrs. Beck, Clemens, Edwards, Elliott, Fisher, Gaige, Has-

kell, Hayden, Hinckley, Julien, Lane, Linn, Mayhugh, Munckton, Work, and Mr. Speaker—16.

Motion lost.

By Mr. Vandewater :

Resolved, That a committee of three be appointed by the Speaker to inquire into, and report whether the annual report of the State Controller has been printed; and if so, how many copies, and, if not, the reasons for the same.

Adopted, and Mr. Speaker appointed as said committee, Messrs. Vandewater, Mayhugh and Work.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 13, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 41, an Act appropriating money for the benefit of the Orphan Asylum, conducted by the Sisters of Charity, at Virginia City; the same having passed the Senate this day. Yeas, 10; nays, 6.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 41, as per message, rules suspended, read first and second time by title, and, on motion, referred to Committee on Ways and Means.

NOTICES OF BILLS, ETC.

By Mr. Clemens—An Act concerning currency.

Mr. Speaker *pro tem.* in the chair.

By Mr. Banks—an Act to amend an Act entitled "An Act fixing the number of officers and employés of the Senate and Assembly, to define their duties, and to establish their pay," approved January 21st, 1865.

Also, an Act to amend an Act entitled "An Act to provide for the appointment of a Deputy State Controller, and to fix his compensation," approved February 21st, 1865.

Also, an Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation," approved March 9th, 1865.

Also, an Act to amend an Act entitled "An Act authorizing the Governor of the State to appoint a Private Secretary, defining his duties, and fixing his compensation," approved March 10th, 1865.

Also, an Act to repeal an Act entitled "An Act to create a Secret Service Fund," approved February 21st, 1865.

Also, an Act concerning the duties and compensation of the State Printer.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Beck introduced Assembly Bill No. 162,

an Act to provide for the incorporation of railroad companies, and the management of affairs thereof, and other matters relating thereto, approved March 22d, 1865.

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

Pursuant to previous notice, Mr. Julien introduced Assembly Bill No. 163, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada."

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

GENERAL FILE.

Assembly Bill No. 5, an Act to provide for the registration of electors, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage.

Mr. Banks moved to recommit to special committee of one, with instructions to strike out section nine, and insert the following:

"When a naturalized citizen shall present himself for registration, his certificate of naturalization must be produced, and stamped or marked by the Registrars with their names, and the year and county where presented; and when it shall satisfactorily appear to the Registrars, by the oath or affirmation of the affiant (and the oath or affirmation of one or more credible citizens as to the credibility of such applicant, if deemed necessary) that such certificate of naturalization is destroyed or lost, said Registrar shall proceed to register the name of said applicant (if qualified in other respects) in said registry of voters, together with the names of the witnesses produced, the time when said applicant was naturalized, with all other important facts sworn or affirmed to on such applications."

Mr. Fisher moved the bill be recommitted to committee of one—Mr. Lane—with instructions to strike out section nine.

Yeas and nays called by Messrs. Fisher, Ingham and Lane, resulting as follows:

YEAS—Messrs. Crawford, Cutter, Edwards, Fisher, Gaige, Glover, Ingham, James, Lane, McDougall, O'Neil, Vandewater, Wood, and Mr. Speaker—14.

NAYS—Messrs. Bears, Beck, Clemens, Elliott, Grey, Hall, Hayden, Hinkley, Hudson, Linn, Mason, Mayhugh, Munckton, Taylor, Walton, and Mr. Speaker—16.

Motion lost.

Mr. Ingham offered the following amendment to the amendment proposed by Mr. Banks:

Strike out all in brackets, viz: "And the oath or affirmation of one or more credible witnesses, as to the credibility of such applicant, if deemed necessary." Also, the words, "the names of the witnesses produced."

The question being upon adopting the amendment to the amendment, lost.

The question being upon the motion of Mr. Banks, to strike out section nine, and insert, yeas and nays called by Messrs. Banks, McDougall and Elliott, resulting as follows:

YEAS—Messrs. Canfield, Crawford, Cutter, Edwards, Glover, Hinckley, Ingham, James, Linn, Mason, Mayhugh, Munckton, and Mr. Speaker—13.

NAYS—Messrs. Bearss, Beck, Clemens, Elliott, Fisher, Grey, Hayden, Hudson, Lane, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, and Work—17.

Lost.

Mr. Speaker in the chair.

Mr. Cutter moved to recommit the bill to committee of one, with instructions to strike out section sixteen, and insert as follows, and report immediately:

“Section Sixteen. The name of no person shall be registered by a Registry Agent until such person shall pay into the hands of said Registry Agent the poll-tax of four dollars, due from such person for the electoral year for which he shall offer to be registered; or, in case such poll-tax shall have been already paid for such year, until the person offering to be registered shall present to the Registry Agent his poll-tax receipt therefor. The Registry Agents shall receive ten per cent. of all poll-taxes so collected by them, as compensation for all services rendered under the provisions of this Act, and shall, on the first judicial day of each month, hand over to the County Auditor of their respective counties, the aggregate poll-tax so collected during the preceding month (after deducting the said ten per cent.), together with a list of the persons paying the same. The County Auditors shall deliver to the several Registry Agents of their respective counties, such number of blank poll-tax receipts as may be deemed necessary, which shall be received and accounted for by said Agents in the same manner as the County Assessors are required to do by law. For the faithful performance of the duties herein imposed, each Registry Agent shall, before entering upon the discharge of his duties, file with the County Clerk of his county a good and sufficient bond, in such sum as the Board of County Commissioners shall determine.”

Previous question called and sustained.

The question being upon the adoption of the amendment of Mr. Cutter, yeas and nays called by Messrs. Cutter, McDougall, and Glover, resulting as follows:

YEAS.—Messrs. Beck, Crawford, Cutter, Gaige, Grey, Glover, Ingham, James, Linn, Vandewater, and Wood—11.

NAYS—Messrs. Bearss, Canfield, Clemens, Edwards, Elliott, Fisher, Haskell, Hayden, Hinckley, Hudson, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Walton, Williams, Work, and Mr. Speaker—21.

Lost.

Bill read third time.

Mr. Ingham moved a call of the House, and rose to a point of order, that a call of the House could be entertained while under the previous question.

Mr. Speaker ruled that, in accordance with Congressional proceedings, point of order not well taken.

Point of order passed over by consent.

Bill passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell Hayden, Hinckley, Hudson, Linn, Mason, Mayhugh, McDougall, Munckton, O'Neil, Taylor, Walton, Williams, Work, and Mr. Speaker—26.

NAYS—Messrs. Crawford, Cutter, Ingham, James, Lane, Vandewater, and Wood—7.

On motion of Mr. Fisher, at one o'clock and twenty minutes House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two p. m.

Mr. Speaker in the chair.

Quorum present.

Leave of absence granted Messrs. Cutter and McDougall for the day.

SPECIAL ORDER.

Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and to provide for the election and fix the salaries of Judges therein," was taken up, pending which Mr. Ingham moved a call of the House.

Absent—Messrs. Crawford, Munckton, Williams, Canfield, Prince, Beck, and O'Neil.

Messrs. Williams, Crawford, and Beck were announced and excused.

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

Consideration of Bill No. 17, was resumed.

Bill amended and ordered engrossed for a third reading.

Special order, Assembly Bill No. 155, an Act to provide a fund for the payment of the salaries of the District Judges of the State, and to regulate the disposition of the same.

House resolved itself into Committee of the Whole, for consideration of said bill.

Mr. Speaker in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 155, entitled "An Act to provide a fund for the payment of the salaries of the District Judges of this State, and to regulate the disposition of the same," have gone through therewith, and directed their chairman to report the bill to the House and recommend its passage.

Committee discharged, and bill ordered engrossed for third reading.

Special order, Assembly Bill No. 145, an Act to provide for the payment of the salaries of the District Judges of this State for the month of December, 1866, was taken up.

On motion, the House resolved itself into Committee of the Whole, Mr. Speaker in the chair, for the consideration of said bill.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had un-

der consideration Assembly Bill No. 145, entitled "An Act to provide for the payment of the salaries of the District Judges of this State for the month of December, 1866," had gone through therewith, and directed their chairman to report the bill to the House and recommend its passage.

On motion, committee discharged, and bill ordered engrossed for a third reading.

Special order, Assembly Bill No. 22, an Act concerning the location and possession of mining claims, was taken up.

On motion, House resolved itself into Committee of the Whole, Mr. Fisher in the chair, for consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 22, an Act concerning the location and possession of mining claims, have had the same under consideration, have directed their chairman to report progress, and ask leave to sit again to-morrow at two o'clock P. M.

Leave granted.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed:

Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State.

Also, Assembly Concurrent Resolution No. 29, relative to United States Branch Mint.

On motion of Mr. Mayhugh, at five o'clock P. M., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTY-SIXTH DAY.

THURSDAY, February 15, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Glover, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

By Mr. Hayden:

Mr. Speaker:

The Judiciary Committee, to whom was referred Assembly Bill No.

100, entitled "An Act concerning juries," have considered the same favorably, and recommend that it pass with amendments, as herewith submitted :

Insert after section six of said bill, as it now stands, three new sections, which will be sections seven, eight, and nine; which new sections are herewith submitted:

Bill and amendments placed on file.

Mr. Clemens, from Committee on Ways and Means, to which was referred Assembly Bill No. 64, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9th, 1865, begs leave to report, that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that it do not pass.

Also, Assembly Bill No. 163, an Act entitled "An Act to amend an Act entitled 'An Act to regulate fees and compensation for official and other services, in the State of Nevada,'" beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that the bill pass.

By Mr. Clemens :

Mr. Speaker :

The Committee of Ways and Means, to whom was referred Assembly Bill No. 149, an Act entitled "An Act appropriating moneys for the benefit of St. Paul's Episcopal Parish school," and also Senate Bill No. 41, an Act entitled "An Act appropriating moneys for the benefit of the Orphan Asylum conducted by the Sisters of Charity, at Virginia City," have had both bills under consideration, have come to an unfavorable conclusion thereon, and have directed their chairman to report them back to the House, with a recommendation that neither bill pass; for the following reasons:

First—They ask for the sum of twenty thousand dollars, substantially for the same objects, that is, to enable them to train up children in the tenets or religious belief of the respective churches, without regard to the question of religious opinions of the relatives of such children, which is commendable zeal for the progress of those denominations, as the right training of children is the best way to build up churches. But if the State contribute twenty thousand dollars towards building up and strengthening those churches, and making provision thus for future increase of Episcopal Pastors and Laymen, and Catholic Priests, Nuns and Laymen; other denominations, such as Presbyterians, Methodists, Baptists and Unitarians will feel equally entitled to similar appropriations; and thus the revenues of the State might be absorbed to such an extent as to endanger its ability to pay its bonds, interests and other obligations, for which its faith is already pledged, or which may be necessary, for ordinary current expenses.

Second—Both bills propose to require the recipients of the money to report to the Governor, the disposition made of it; or other interesting, if not useful, particulars. But here the Episcopal Bill stops, as if not expecting any more; while the Catholic Bill seems to expect a like amount annually, if this gets through; for it provides that the money appropriated, shall be used "in defraying the ordinary current expenses of said Institution."

Third—The Catholic Bill provides for the warrants to draw the money out of the Treasury, and that the money shall be so drawn out, upon claims against the fund being “audited,” without requiring them to be “allowed” by the “Board of Examiners,” as the bill terms the “State Board of Examiners.” And the bill then provides further, as follows: “And it is hereby made the duty of said Board of Examiners to audit and allow such claims, from and after the passage of this Act.” This makes the presentation of such claims to the Board of Examiners, for allowance, a mere form, as no discretion in regard to allowance or rejection is allowed; but it is simply made their duty to allow all the claims on this fund, till it is exhausted.

Bill placed on file.

By Mr. James :

Mr. Speaker :

The Storey county delegation, to whom was referred Assembly Bill No. 148, an Act concerning the offices of Sheriff, County Clerk and County Recorder, of the county of Storey, have directed their chairman to report the same back without recommendation.

Also, Assembly Bill No. 161, an Act authorizing the purchase of county buildings in Storey county, respectfully beg leave to report the same back with the accompanying substitute, and recommend the passage of the same.

Substitute for Assembly Bill No. 161, an Act to provide for the purchase of a county building, in the county of Storey, as per report, read first time, rules suspended, read second time by title, on motion, rules further suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, James, Lane, Linn, Munckton, O’Neil, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—28.

NAYS—Mr. Mason—1.

Assembly Bill No. 161, and 158, relative to same subject, laid on the table.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 14, 1866 }

To the Honorable the Assembly of Nevada :

I have this day approved Assembly Bill No. 104, an Act to secure liens to ranchmen and other persons.

Also, Assembly Bill No. 106, an Act authorizing the citizens of Churchill county to construct a bulkhead in what is known as Old River, at or near its junction with the main Carson River.

H. G. BLASDEL,
Governor.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 84, an Act to create a Board of Commissioners to examine claims of citizens of Humboldt county, and report to the Governor of the State the amount of just claims held by citizens in said county for property destroyed, and losses sustained, by Indian depredations, in said county, in the years 1864, 1865 and 1866.

Also, Assembly Bill No. 125, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt county, for the year 1864.

Also, Assembly Bill No. 134, an Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt county," approved March 9th, 1865.

Rule offered yesterday by Mr. Glover, and laid over one day under the rules, on motion, passed over.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 14, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Concurrent Resolution in relation to printing twenty-five hundred copies of the report of the Surveyor-General, the same having passed the Senate this day. Yeas, 13; nays, none.

Also, Senate Bill No. 131, an Act to amend section one hundred and fifty, chapter two, title six, of an Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, the same having passed the Senate this day. Yeas, 14; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Concurrent Resolution, relative to the report of the Surveyor-General, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Printing.

Senate Bill No. 131, an Act to amend section one hundred and fifty, chapter two, title six, of an Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, rules suspended, read first and second time by title, and referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Haskell introduced Assembly Bill No. 165, an Act concerning testimony in criminal prosecutions, read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

Pursuant to previous notice, Mr. Clemens introduced Assembly Bill

No. 166, an Act concerning currency; rules suspended, read first and second time by title, and referred to Committee on Ways and Means.

On motion, a petition from citizens of Lyon county, relative to the same subject, referred to Committee on Ways and Means, with bill No. 166.

By unanimous consent, Mr. James introduced Assembly Bill No. 167, an Act to regulate fees and compensation for official and other services in the State of Nevada.

Rules suspended, read first and second time by title, and referred to select committee of one from each county, to be appointed by the chair. Mr. Speaker appointed as such committee Messrs. Bearss, Taylor, Haskell, Linn, Work, Walton, Fisher, Edwards, Elliott, and Prince.

Pursuant to previous notice by Mr. Julien, Assembly Bill No. 168, an Act to regulate fees and compensation for official and other services, in the State of Nevada; rules suspended, read first and second time by title, and referred to same committee, as the above bill.

By unanimous consent, Mr. Hall introduced Assembly Bill No. 169, an Act to prohibit keeping toll gates in certain places in this State; read first time, rules suspended, read second time by title, and referred to Committee on Internal Improvements.

GENERAL FILE.

Assembly Bill No. 63, an Act in relation to public highways, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Grey, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, and Work—28.

NAYS—Mr. Speaker—1.

Assembly Bill No. 4, an Act concerning mining customs and usages, was passed on file.

Assembly Bill No. 109, an Act concerning the herding and protection of sheep, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—25.

NAYS—None.

Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State, read third time.

Mr. Elliott moved to recommit the bill to select committee of one, with instructions to strike out the word "two," and insert "one Assemblyman from Churchill county;" also, strike out "two," and insert "one Assemblyman for Nye county."

Previous question called and sustained.

Mr. Elliott's motion lost.

Bill passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Grey, Hall, Haskell, Hudson, Ingham, Julien, Lane, Linn, Mason, Munckton, McDougall, Taylor, Walton, Wood, and Mr. Speaker—21.

NAYS—Messrs. Clemens, Elliott, Fisher, Hayden, Hinckley, Prince, Vandewater, and Work—8.

Mr. Beck gave notice that he would, on to-morrow, move a reconsideration of the vote by which the bill passed.

Assembly Concurrent Resolution No. 29, in relation to United States Branch Mint, on motion, recommitted to committee of one, Mr. Munckton, with instructions to strike out the word "strongly," and insert "respectfully," who reported the bill amended, as per instructions.

Amendment adopted.

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

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Grey, Hall, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Munckton, Prince, Taylor, Walton, Wood, and Mr. Speaker—23.

NAYS—Mr. Julien—1.

Assembly Bill No. 125, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt county, for the year 1864, was considered.

Pending which, on motion of Mr. Crawford, at one o'clock House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Special order, Assembly Bill No. 22, an Act concerning the location and possession of mining claims, on motion, House resolved itself into Committee of the Whole—Mr. Beck in the chair—for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 22, An Act concerning the location and possession of mining claims 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.

Agreed to.

On motion, rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Beck, Canfield, Crawford, Grey, Hall, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Work, and Mr. Speaker—21.

NAYS—Messrs. Clemens, Elliott, Fisher, Ingham, and Wood—5.

On motion, Bills No. 60 and 97, made special order for to-day, were passed on file.

Rules suspended, and Mr. Munckton, by unanimous consent, introduced Assembly Bill No. 170, an Act to consolidate and pay certain indebtedness of Ormsby county.

Rules suspended, bill read first and second time by title, and referred to Ormsby County delegation.

Mr. Julien moved to adjourn.

Lost.

Assembly Bill No. 128, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt county, in the year 1864, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clomens, Elliott, Fisher, Grey, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, McDougall, O'Neil, Prince, Vandewater, Walton, Wood, and Mr. Speaker—21.

NAYS—None.

On motion of Mr. Ingham, at four o'clock and forty minutes, House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTY-SEVENTH DAY.

FRIDAY, February 16th, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Journal of yesterday read and approved.

PRESENTATION OF PETITION.

By Mr. Ingham:

A petition from citizens of Storey county, relative collection of revenue.

Referred to Storey delegation.

REPORTS.

By Mr. O'Neil:

Mr. Speaker:

Your Committee on Internal Improvements have had under consideration Assembly Bill No. 169, an Act to prohibit toll gates in certain places in this State, beg leave to report the same back, and recommend its passage, without amendments.

Bill placed on file.

By Mr. Mayhugh:

Mr. Speaker:

Your Standing Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 14, entitled "An Act regulating the loca-

tion and abandonment of mining claims in this State," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, without recommendation.

Bill placed on file.

By Mr. Haskell :

Mr. Speaker :

Your Committee on Elections, to whom was referred Assembly Bill No. 57, an Act relating to elections, the manner of conducting and contesting the same ; election returns, and canvassing the same ; ballot box stuffing, destroying or attempting to destroy the ballot box ; illegal, or attempted illegal, voting ; and misconduct at elections, have had the same under consideration, have made some amendments thereto, and have directed their chairman to report the bill back as amended, and recommend that it pass.

Bill and amendments placed on file.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 117, entitled "An Act to provide for securing and enforcing payment of debts and obligations, previous to the maturity thereof," have considered the same favorably, and recommend the passage, with amendments, as follows :

In line ten of section one, strike out the words "leave this State," and insert the words "remove from this State." In line sixteen of first page, strike out the words "left this State," and insert "removed from this State."

They also report that they have considered favorably Assembly Bill No. 44, entitled "An Act supplementary to an Act entitled 'An Act concerning crimes and punishments,'" approved November 26th, 1861, and recommend the passage thereof, with the following amendments, which are herewith presented.

Bills and amendments placed on file.

Mr. Crawford, from Committee on Public Printing, to which was referred Senate Concurrent Resolution relative to printing twenty-five hundred copies of the report of the Surveyor-General, beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend that they do pass.

Mr. Speaker *pro tem.* in the chair.

On motion of Mr. Crawford, rules suspended, Senate Concurrent Resolution relative to report of Surveyor-General, read third time.

Yeas and nays called by Messrs. Banks, Crawford, and Mason, and resolution passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden,

Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, McDougall, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—33 [34.]

NAYS—None.

Additional rule offered by Mr. Glover, and passed over on yesterday, was, on motion, taken up and adopted.

Mr. Speaker in the chair.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
February 15, 1866. }

To the Honorable the Assembly:

I am directed to return to your honorable body Assembly Bill No. 116, an Act for the relief of Benjamin Curler, District Attorney of Churchill county, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Assembly Bill No. 161, an Act to provide for the purchase of a county building by the county of Storey, the same having passed the Senate this day. Yeas, 13; nays, 2.

All of which is respectfully submitted.

JNO. R. EARDLEY, Ass't Secretary.

Bills ordered enrolled.

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 102, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, the same having passed the Senate this day. Yeas, 15; nays, none.

Also, Senate Bill No. 119, an Act to appropriate moneys to defray the civil expenses of the State Government up to the close of the second fiscal year, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Senate Bill No. 121, an Act to amend an Act entitled "An Act to provide for the disposition of the sixteenth and thirty-sixth sections of public lands donated by the United States Government to the State of Nevada," approved February 27th, 1865, the same having passed the Senate this day. Yeas, 14; nays, none.

I am also directed to return to your honorable body Assembly Bill No. 19, an Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary, the same having passed the Senate this day, with the following amendment:

In section one, strike out all the words between the word "Act," in the first line, and the word "into," in the fifth line, and insert in lieu thereof the following: "It shall be lawful for the Secretary of State, and he is hereby required, to collect the fees now provided by law to be paid to the Private Secretary of the Governor, and he shall pay the same."

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Bill No. 102, an Act to amend an Act entitled "An Act to pro-

vide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, as per message.

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

Senate Bill No. 119, an Act to appropriate moneys to defray the civil expenses of the government, up to the close of the second fiscal year, as per message.

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

Senate Bill No. 121, an Act to amend an Act entitled "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," approved February 27th, 1865, as per message; rules suspended, read first and second time by title, and referred to Committee on Education.

Assembly Bill No. 19, an Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary, as per message, Senate amendment concurred in, and bill finally passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Linn, Mason, Munchton, McDougall, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—28.

NAYS—None.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 15, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 43, an Act to allow any person or persons, to divert the waters of any river or stream, and run the same through any ditch or flume, and to provide for the right of way through the lands of others, the same having passed the Senate this day, with the following additional sections :

Section Three. Nothing in this Act contained, shall be so construed as to interfere with any prior, or existing claim or right; nor shall it be so construed as to authorize the diversion of water from any river, stream, or water course, to the exclusion or injury of owners or possessors of lands adjoining such river, stream, or water course; but a sufficient amount of water shall be left to flow in such river, stream or water course, to supply the owners of such lands with water for irrigating and domestic purposes.

Section Four. This Act shall apply, and the rights and privileges herein conferred, shall inure to the benefit of all persons or corporations who have heretofore constructed, and now maintain ditches, flumes, or aqueducts in this State, from whatever service they may have procured water; such persons or corporations being required to make, and file the certificate mentioned in section one of this Act, and upon such filing the party or parties filing the same shall be authorized from time to time to extend his or their ditch or flume, and proceed to condemn private property for such ditch or flume, or for any reservoir or reservoirs connected,

or to be used in connection with such ditch or flume, as provided in section second of this Act. Yeas, 12; nays, 3.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

On motion, bill recommitted to Committee on Internal Improvements, with instructions to report to-morrow morning; the bill, when reported back, to be placed at the head of the file.

NOTICES OF BILLS.

By Mr. Clemens—An Act to provide for the public printing.
Also, an Act to apportion members of the Legislature.

INTRODUCTION OF BILLS.

By Mr. Cutter—Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto, read first time, rules suspended, read second time by title, and referred to Committee on Internal Improvements.

Mr. Speaker *pro. tem.* in the chair.

GENERAL FILE.

Assembly Bill No. 4, an Act concerning mining customs and usages, read third time;

Pending which,

Mr. Bearss, chairman Committee on Enrollment, reports that the substitute for Assembly Bill No. 161, entitled "An Act to provide for the purchase of a county building by the county of Storey," has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

The question being upon the passage of Assembly Bill No. 4, an Act concerning mining customs and usages, Mr. Glover moved to recommit the bill to select committee of one, to amend.

Lost.

Bill rejected by the following vote :

YEAS—Messrs. Bearss, Cutter, Edwards, Elliott, Grey, Glover, Hall, Ingham, Julien, Munckton, McDougall, Wood, and Mr. Speaker—13.

NAYS—Messrs. Beck, Canfield, Clemens, Crawford, Gage, Haskell, Hayden, Hinckley, Hudson, James, Lane, Linn, Mason, Mayhugh, O'Neil, Vandewater, Walton, Williams, and Work—19.

Mr. Haskell gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

Assembly Bill No. 84, an Act to create a Board of Commissioners to examine claims of citizens of Humboldt county, and report to the Governor of the State the amount of just claims held by citizens in said county, for property destroyed, and losses sustained, by Indian depredations in said county, during the years 1864, 1865 and 1866, read third time.

Mr. Julien moved to strike out title, and insert as follows :

An Act to create a Board of Commissioners to examine and report upon the amount of just claims existing for property destroyed, and for losses sustained, by Indian depredations, in Humboldt county, in this State, in the years 1864, 1865 and 1866.

So amended, and title as amended, approved, and bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Gaige, Grey, Glover, Hayden, Hudson, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Williams, Wood, and Mr. Speaker—22.

NAYS—None.

Assembly Bill No. 134, an Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt county," approved March 9th, 1865, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Gaige, Grey, Glover, Hinkley, Hudson, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Williams, and Wood—22.

NAYS—Mr. Speaker—1.

Mr. Speaker in the chair.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and to fix the salaries of Judges, and terms of courts therein.

Also, Assembly Bill No. 145, an Act to provide for the payment of the salaries of the District Judges of this State for the month of December, 1866.

Also, Assembly Bill No. 155, an Act to provide a fund for the payment of salaries of the District Judges of this State, and to regulate the disposition of the same.

On motion of Mr. Elliott, at twelve o'clock and fifty minutes, House took a recess until two o'clock p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker *pro tem.* in the chair.

Assembly Bill No. 60, an Act to provide for establishing and maintaining a Mining School, and creating the office of State Mineralogist.

On motion, House resolved itself into Committee of the Whole for the consideration of said bill.

Mr. Crawford in the Chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 60, an Act to provide for establishing and maintaining a Mining School, and to create the office of State Mineralogist, have passed through therewith, made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended.

Committee amendments adopted.

Rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Grey, Hall, Hinckley, Hudson, James, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—21.

NAYS—Messrs. Canfield, Fisher, Gaige, Glover, and Lane—5.

Assembly Bill No. 97, an Act concerning the location and possession of wood lands and mill sites.

On motion, House resolved itself into Committee of the Whole—Mr. Wood in the chair—for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 97, an Act concerning the location and possession of wood lands and mill sites, have gone through therewith, made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended.

Committee amendments adopted, rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Edwards, Gaige, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Munckton, McDougall, Prince, Vandewater, Walton, Wood, Work, and Mr. Speaker—24.

NAYS—Mr. Elliott—1.

Mr. Speaker in the chair.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency the Governor, for his approval, on the 16th inst., viz :

Assembly Bill No. 19, an Act in relation to the collection of certain fees heretofore collected by the Governor's Private Secretary.

Also, Assembly Bill No. 116, an Act for the relief of Benjamin Curler, District Attorney of Churchill County—have been carefully compared with the engrossed bills, as passed by the two Houses, and found correctly enrolled.

Assembly Bill No. 105, an Act to amend an Act entitled "An Act concerning District Attorneys, was ordered engrossed for third reading.

Assembly Concurrent Resolution No. 23, passed on file.

Assembly Bill No. 104, an Act authorizing the issuing of county warrants, was passed on file.

Senate Bill No. 88, an Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March 4th, 1865, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Munckton, McDougall, Prince, Vandewater, Walton, Work, and Mr. Speaker—22.

NAYS—Mr. Hall—1.

Assembly Bill No. 138 was passed on file.

Assembly Bill No. 67 was passed on file.

Assembly Bill No. 59, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865, was ordered engrossed for a third reading.

On motion of Mr. Bearss, at four o'clock and fifty minutes, P. M., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FORTY-EIGHTH DAY.

SATURDAY, February 17, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Hudson, from Committee on Ways and Means to which was referred Senate Bill No. 102, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, begs leave to report that they have had the same under consideration, and have directed Mr. Hudson to report the same back to the House with a recommendation that it pass.

GEO. A. HUDSON,
JEFF. WORK,
T. B. PRINCE,
J. G. CANFIELD.

By Mr. Clemens:

Mr. Speaker:

The minority of your Committee to whom was referred Senate Bill No. 102, entitled "An Act to amend an Act entitled 'An Act to provide revenue

for the support of the Government of the State of Nevada," approved March 9th, 1865, has had the same under consideration, and begs leave to report adversely thereto, for the following reasons :

First—It merely provides for assessing property, as in the law of 1865, except omitting all mention of the kind of currency in which such assessments are to be made, leaving to the option of the Assessor to use either kind as a basis of calculation in assessing property, and thus enables him to favor some persons and not others, at his caprice; while it is not improbable that in some counties the assessments will be on a greenback basis, and in others on a coin basis, making confusion and uncertainty in the amounts of moneys to be received into the State and county treasuries.

Second—It contemplates the retention of the present system of suits for delinquent taxes, and absolute sales of real estate, instead of which there should be substituted a mode of collecting like that in use by the United States, viz: Distraint and sale; and giving on real estate one year for redemption. To show the burdensome character of the plan, I adduce a few facts: Section 29, laws of 1865, page 284, provides that the jurisdiction of Justices of the Peace, in tax suits, shall be governed by the amount alone, without regard to location of lands as to township or district; nor residence of persons as to town, county or State. Section 140, page 323, provides that the Tax Collectors shall serve all papers in tax suits, and be allowed the same mileage and fees as other officers in civil cases. One portion of Lander county is three hundred miles, or thereabouts, from Austin. In such a case the mileage alone in serving summons in a Justice Court at Austin, if suit were brought there, for ten dollars delinquent taxes, would amount to seventy-five cents per mile, or two hundred and twenty-five dollars; and the same mileage repeated for traveling fees in levying execution, added to the other fees, would sum the fees up to four hundred and seventy-one dollars and forty cents, at the very lowest estimate. In practice the amount would probably be nearly five hundred dollars. Even where only one mile is charged, the costs are four times as much as they would be under a proper system.

Third—It allows a fixed amount, of twenty dollars per ton, and twenty-five per cent of the remainder, after deducting said twenty dollars, for the cost of extracting and reducing ores. This is too much in Storey county, and too little elsewhere. For example: Let it be supposed that a ton of rock is sent to the mill, from a mine in Virginia, and one in Austin, at the same time. The Assessor in each case deducts twenty dollars, leaving eighty dollars; and from the remainder takes twenty-five per cent, leaving the amount to be taxed sixty dollars; upon this, the tax of one dollar on $\frac{2}{3}$ the hundred dollars, is sixty cents. Suppose a thousand tons of ore in each case, and the tax upon each person or company would be six hundred dollars. In the Virginia case, the cost of reduction is fifteen dollars, and if we suppose five dollars for transportation from the mine to the mill of each ton, expenses deducted, would leave eighty dollars. But no man would give eighty dollars per ton for the ore at the dump, because that would allow no margin for profit. Deduct five dollars per ton as an inducement for purchasing, and the cash value of the ore at the mine, in the case supposed at Virginia, might be set down in round numbers at seventy-five dollars per ton; and a thousand tons ought, therefore, to pay a tax of seven hundred and fifty dollars, at one hundred cents on the hundred dollars, instead of six hundred dollars.

At Austin, the cost of reduction, at the lowest figures, is understood to

be fifty dollars; allow, as before, five dollars for transportation and five dollars for profit; and the cash value at the dump at Austin, of ore that would yield one hundred dollars to the ton, would be forty dollars per ton; the tax upon which, at one per cent, would be forty cents; and the tax on a thousand tons should be four hundred dollars. That is, ore which, at the mill would yield a hundred dollars per ton, should be worth at Virginia, to the owner at his mine, at the dump, ready for delivery, seventy-five dollars per ton, and should, therefore be taxed at that as its cash value; while at Austin, ore yielding the same at the mill, would be worth to the owner of the mine, at the dump, ready for delivery, only forty dollars per ton, and should be taxed no higher.

In the case under the present system, the proceeds of the mines, under the conditions supposed, would be taxed one hundred and fifty dollars too little, and in the other two hundred dollars too much.

Fourth—I object to Senate Bill No. 102 further, because it leaves the manner of calculating open; so the Assessor would be most likely to take from the books and returns of the proper parties, the gross return of the ores in coin, because the amounts would be stated in the books in coin, and also make the deductions in coin, leaving a coin basis for assessment of mines, while on other property the assessment would be partly or wholly greenbacks.

Fifth—I object further, that the Constitution requires the Legislature to provide for a uniform and equal rate of assessment and taxation; but upon the proceeds of the mines, only fifty cents on the one hundred dollars for State purposes, and fifty cents on the hundred dollars for county purposes, is assessed by the law of 1865, which Senate Bill No. 102 allows to remain thus; while the law assesses upon all other property a tax, for State purposes, of one dollar and twenty-five cents per hundred dollars, and for county purposes allows the various Boards of County Commissioners to assess one dollar and fifty cents on the hundred dollars. We borrow more money every year by fifty thousand dollars than the year previous; and if this plan is continued, of taxing ranches, town lots, cattle, and such proceeds of government land as hay, two or three times as much as the personal property, which is in the shape of proceeds of the mines, the result will be that, when the constitutional limit of one per cent. for State purposes expires, it may be found necessary to tax ranches, town property, cattle and hay, potatoes, and other proceeds of the land, at two or three, or five or six, cents on the hundred dollars, because we shall have probably then reached the three hundred thousand dollar limitation, and be unable to borrow more money.

Sixth—I further object to said bill, because it fails to require stamps to be paid for in coin. There is no legal difficulty in the way of collecting that tax in coin, and we should not unnecessarily throw away seventy thousand dollars of revenue in the difference between coin and greenbacks received, or that might be received, for stamps.

On motion, reading of minority report dispensed with, and placed on file with majority report.

Mr. Cutter moved the bill and reports be placed at the head of the file.

Yeas and nays called by Messrs. Grey, James, and Vandewater, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Cutter, Gaige, Grey, Glover, Hall, Hudson, Ingham, James, Lane, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Woodruff, and Work—19.

NAYS—Messrs. Beck, Clemens, Crawford, Elliott, Fisher, Haskell, Hayden, Hineckley, Julien, Mayhugh, Wood, and Mr. Speaker—12.

Lost.

Mr. Cutter moved the bill be made special order for eleven o'clock and thirty minutes on Monday next.

Carried.

Mr. Clemens, from Committee on Ways and Means to which was referred Senate Bill No. 119, an Act entitled "An Act to appropriate money to defray the civil expenses of the State Government up to the close of the second fiscal year," beg leave to report that they have had the same under consideration, have made an amendment thereto, and have directed their chairman to report the same, with accompanying amendment, back to the House, with a recommendation that the same do pass as amended.

Bill placed on file.

By Mr. O'Neil :

Mr. Speaker :

The Committee on Internal Improvements, to whom was referred Assembly Bill No. 162, an Act to amend an Act for the incorporation of railroad companies, etc., beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back with a recommendation that it do pass.

FELIX O'NEIL,
J. W. WOODRUFF,
E. F. GLOVER,
ROBERT FISHER.

Bill placed on file.

By Mr. Hall :

The Committee on State Institutions, to whom was referred Assembly Bill No. 110, entitled "An Act relating to accounts against the State," have had the same under consideration, have come to a favorable conclusion thereon, and instructed their chairman to report the same back, without amendments, and recommend its passage.

Bill placed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, February 16, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved Assembly Bill No. 161, an Act to provide for the purchase of a county building by the county of Storey.

H. G. BLASDEL,
Governor.

On motion Senate Bill No. 101, an Act amendatory of, and supplementary to, an Act entitled "An Act authorizing the Board of County Commissioners of the several counties of this State to apportion the county

revenue," approved March 10th, 1865, was taken up, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker.—29.

NAYS—None.

MOTIONS AND RESOLUTIONS.

Mr. Beck moved that two hundred and forty copies of Assembly Bill No. 22 be printed.

Carried and so ordered.

By Mr. O'Neil :

Mr. Speaker :

Your Committee on Internal Improvements have had Assembly Bill No. 43 under consideration, have made progress, and ask further time to report.

Leave granted.

Mr. McDougall moved a call of the House.

Carried and so ordered.

Mr. Mason excused.

Roll called.

Absent, Messrs. Canfield, Edwards and Munckton.

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

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 16, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 95, an Act authorizing a loan on the faith and credit of the State, to pay the indebtedness of the State, and of the late Territory of Nevada, assumed by the State; and not already provided for; the same having passed the Senate this day. Yeas, 12; nays, 1.

I am also directed to return to your honorable body, Assembly Bill No. 79, an Act concerning the collection of taxes on personal property; the same having passed the Senate this day. Yeas, 11; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 95, as per message, rules suspended, read first and second time by title, and referred to Committee on Ways and Means.

Assembly Bill No. 79, as per message, ordered enrolled.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 16, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body, Assembly Bill No.

125, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt county, for the year 1864; the same having passed the Senate this day. Yeas, 13; nays, none.

Also, Assembly Bill No. 5, 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; the same having passed the Senate this day, with the following amendments, viz :

In section four, last line, insert, between the words "if" and "elector," the word "the;" also, strike out section nine, and insert as follows: Section nine—When a naturalized citizen shall present himself for registration, his certificate of naturalization must be produced, and stamped or marked by the registry agent with his name, and the year and county where presented. But when it shall satisfactorily appear to the registry agent, by the oath of, or affirmation of, the applicant, (and the oath or affirmation of one or more credible citizens, as to the credibility of such applicant, if deemed necessary;) that such certificate of naturalization is destroyed or lost; said registry agent shall proceed to register the name of such applicant (if qualified in other respects) in said registry of voters, together with the names of witnesses produced, the time when, and the place where, said applicant was naturalized; with all the important facts sworn or affirmed to, on such application.

Also, in section ten, line sixty-two, after the word "agents," and before the word "shall," insert "during the time they are sitting to hear and determine objections to the right to vote;" and in line sixty-four, after the word "proven," and before the word "to," in line sixty-five, strike out the sentence thus transposed; also, strike out section sixteen, and insert as follows: Section Sixteen. The name of no person shall be registered by any registry agent, until such person shall pay into the hands of said registry agent the poll tax of four dollars due from such person, for the electoral year for which he shall offer to be registered, or, in case said poll tax shall have been already paid for such year, until the person offering to be registered shall present to the registry agent his poll tax receipt therefor. The registry agents shall receive ten per cent. of all poll taxes collected by them, as compensation for all services rendered under the provisions of this Act, and shall, on the first judicial day of each month, hand over to the County Auditor of their respective counties the aggregate poll tax so collected during the preceding month (after deducting the said ten per centum); together with the list of the persons paying the same. The County Auditors shall deliver to the several registry agents of their respective counties, such number of blank poll tax receipts as may be deemed necessary; which shall be receipted, and accounted for by said agents in the same manner as the County Assessors are required to do by law.

For the faithful performance of the duties herein imposed, each registry agent shall, before entering upon the discharge of his duties, file with the County Clerk of his county, a good and sufficient bond in such sum as the Board of County Commissioners shall determine.

Also, in section nineteen, line ten, between the words "thereof" and "by," insert the following: "By fine of not less than five hundred dollars, nor more than five thousand dollars." Yeas, 12; nays, 3.

All of which is respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

Assembly Bill No. 125, as per message, ordered enrolled.

Assembly Bill No. 5, as per message; previous question called by Messrs. Ingham, Cutter, and Glover.

Mr. Fisher rose to point of order in this: that Mr. Ingham moved the previous question, before the question of concurring in Senate amendments was announced by the Speaker as being before the House.

Mr. Speaker decided point of order not well taken.

Previous question sustained.

The question being, upon concurring in Senate amendments to section sixteen, yeas and nays called by Messrs. Julien, Ingham, and Cutter, resulting as follows:

YEAS—Messrs. Beck, Crawford, Cutter, Gaige, Grey, Glover, Hall, Hudson, Ingham, James, Linn, Taylor, Vandewater, Wood, and Woodruff—15.

NAYS—Messrs. Bearss, Canfield, Clemens, Edwards, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Lane, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, Williams, Work, and Mr. Speaker—20.

Senate amendment not concurred in.

The question being, upon concurring in Senate amendments, with the exception of that to section sixteen, yeas and nays called resulting as follows:

YEAS—Messrs. Bearss, Canfield, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, Williams, and Mr. Speaker—17.

NAYS—Messrs. Beck, Clemens, Crawford, Cutter, Grey, Glover, Hall, Hudson, Ingham, James, Lane, Taylor, Vandewater, Wood, Woodruff, and Work—16.

There not being a constitutional majority in the affirmative, amendments non-concurred in, as a whole.

Mr. Hayden rose to a point of order, that the yeas and nays could now be taken on Senate amendments severally.

Mr. Speaker decided point of order well taken, because,

First—Under our constitution, a vote on Senate amendments must be taken by yeas and nays; and a vote thereon taken otherwise, is informal and not final;

Second—Even after the House has refused to concur in sundry Senate amendments as a whole, it may, by the requisite vote, concur in some of said amendments, and refuse to concur in others.

Mr. Cutter appealed from the decision of the chair.

The question being, shall the decision of the chair stand as the decision of the House, yeas and nays called, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Clemens, Edwards, Elliott, Fisher, Haskell, Hayden, Hinckley, Ingham, Julien, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, Williams, and Work—19.

NAYS—Messrs. Beck, Crawford, Cutter, Grey, Glover, Hall, Hudson, James, Lane, Linn, Vandewater, Wood, and Woodruff—13.

Decision of the chair sustained.

The question being upon adopting Senate amendments to section four, yeas and nays called, resulting as follows:

YEAS—Messrs. Bearss, Canfield, Clemens, Edwards, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, Williams, Work, and Mr. Speaker—21.

NAYS—Messrs. Beck, Crawford, Cutter, Gaige, Grey, Glover, Hall, Hudson, Ingham, James, Taylor, Vandewater, Wood, and Woodruff—14.

Adopted.

The question being upon adopting Senate amendment to section nine, yeas and nays called, resulting as follows :

YEAS—Messrs. Bearss, Canfield, Clemens, Edwards, Fisher, Glover, Haskell, Hayden, Hinckley, Julien, Munckton, Walton, and Mr. Speaker—13.

NAYS—Messrs. Beck, Crawford, Cutter, Elliott, Grey, Hall, Hudson, Ingham, James, Lane, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Williams, Wood, Woodruff, and Work—20.

Amendments non-concurred in.

The question being upon adopting Senate amendments to section ten, yeas and nays called, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Edwards, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Wood Work, and Mr. Speaker—24.

NAYS—Messrs. Crawford, Cutter, Grey, Glover, Hall, Hudson, Ingham, James, Vandewater, Williams, and Woodruff—11.

Adopted.

The question being upon adopting Senate amendment to section nineteen, yeas and nays called, resulting as follows :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Hayden, Hinckley, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Williams, Work, and Mr. Speaker—22.

NAYS—Messrs. Cutter, Grey, Glover, Hudson, Ingham, James, Vandewater, Wood, and Woodruff—9.

Adopted.

Mr. Elliott moved a committee of conference, of three, be appointed by the chair, to confer with a like committee from the Senate, in reference to disagreement upon Assembly Bill No. 5.

Mr. Cutter rose to a point of order, that the amendments must now be submitted, as a whole, to a vote of the House.

Mr. Speaker decided point of order not well taken.

Mr. Cutter rose to a point of order, that the appointment of a committee of conference was not in order until it was ascertained that the Senate disagreed with the House in reference to said amendments.

Mr. Speaker ruled point of order not well taken.

Mr. Cutter appealed from the decision of the chair.

Chair sustained.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency, the Governor, for his approval, on the 17th inst., viz :

Assembly Bill No. 79, an Act concerning the collection of taxes on personal property ;

Also, Assembly Bill No. 125, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt county, for the year 1864 ; have been carefully compared with the engrossed bills, as passed by the two Houses, and found correctly enrolled.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 59, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865.

Also, Assembly Bill No. 105, an Act to amend an Act entitled "An Act in relation to District Attorneys," approved March 11th, 1865

On motion of Mr. Edwards, at one o'clock, House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

GENERAL FILE.

On motion, rules suspended, and Senate Bill No. 86, an Act to amend an Act entitled "An Act to incorporate the Town of Gold Hill," approved March 7th, 1865, was taken up.

On motion, Mr. Woodruff's name was added to minority report, he being allowed to sign the same.

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

YEAS—Messrs. Beck, Crawford, Cutter, Edwards, Elliott, Gaige, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Woodruff, Work, and Mr. Speaker—26.

NAYS—Messrs. Clemens, Fisher, Lane, and Wood—4.

Assembly Bill No. 155, an Act to provide a fund for the payment of the salaries of the District Judges of this State, and to regulate the disposition of the same ; read third time, and passed by the following vote :

YEAS—Messrs. Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Glover, Hall, Hayden, Hinckley, James, Julien, Linn, Mason, Munckton, McDougall, Taylor, Walton, Williams, Wood, and Work—22.

NAYS—None.

Assembly Bill No. 145, an Act to provide for the payment of the salaries of the District Judges of this State, for the month of December, 1866, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien,

Linn, Mason, Munckton, McDougall, Taylor, Walton, Williams, and Wood—24.

NAYS—None.

Mr. Haskell asked leave to continue a motion to reconsider.

Granted.

Assembly Bill No. 17, An Act to re-district the State of Nevada into Judicial Districts, and to fix the salaries of Judges, and terms of court therein, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Linn, Mason, Munckton, McDougall, Taylor, Vandewater, Williams, Walton, and Wood—26.

NAYS—None.

Assembly Bill No. 59, an Act to amend an Act entitled "An Act" to provide for the formation of corporations for certain purposes," approved March 10th, 1865, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Julien, Linn, Mason, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—24.

NAYS—None.

INTRODUCTION OF BILLS.

Rules suspended, and by unanimous consent Mr. Hinckley introduced Assembly Bill No. 176, an Act concerning crimes and punishments.

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

Also, pursuant to previous notice, by Mr. Clemens, Assembly Bill No. 177, an Act providing for public printing.

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

Also, by unanimous consent, Mr. Edwards introduced Assembly Bill No. 178, an Act authorizing the Secretary of State to employ a Deputy State Librarian, and fixing his compensation.

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

Assembly Bill No. 105, an Act to amend an Act in relation to District Attorneys, approved March 11th, 1865, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hall, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Munckton, McDougall, Taylor, Walton, Williams, Wood, and Mr. Speaker—26.

NAYS—None.

Assembly Concurrent Resolution No. 23, passed on file.

Assembly Bill No. 124, an Act authorizing the issuance of county warrants as certificates of indebtedness, considered by the House, amended, amendment agreed to, rules suspended, considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Crawford, Cutter, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—23.

NAYS—Messrs. Clemens and Grey—2.

Mr. Speaker appointed as committee of conference Messrs. Elliott, Hudson and Gaige, relative to Senate amendments to Assembly Bill No. 5, relating to registration of voters.

Mr. Ingham moved to adjourn.

Lost.

Mr. Elliott moved to add Messrs. Haskell and Fisher to committee just appointed, pending which, on motion of Mr. Wood, at four o'clock P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTIETH DAY.

MONDAY, February 19, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

All present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

REPORTS OF COMMITTEES.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Senate Bill No. 68, entitled "An Act to prohibit the carrying of concealed weapons," have considered the same favorably, and recommend its passage without amendments.

Bill placed on file.

By Mr. Walton :

Mr. Speaker :

Your Committee on Public Morals, to whom was referred the petition of the Independent Order of Good Templars, of Union Lodge No. 4, Carson City, and Champion Lodge No. 6, Virginia City, have had the same under consideration, and beg leave to report the same back favorably, and do so by the introduction of two bills, accompanying the report, and which seem to be necessary to carry out the wishes of the petitioners, and recommend that they do pass.

G. W. WALTON,
JOS. F. HALL,
J. J. LINN.

Assembly Bill No. 179, an Act to prohibit the sale of spirituous, malt, or fermented liquors or wines, in certain cases, as per report; rules suspended, read first and second time by title, and placed on file.

Assembly Bill No. 180, an Act to amend section sixty-five of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, as per report; rules suspended, read first and second time by title, and placed on file.

By Mr. Cutter:

Mr. Speaker:

Your Standing Committee on State Library, to whom was referred Assembly Bill No. 178, an Act authorizing the Secretary of State to employ a Deputy State Librarian, and fixing his compensation, respectfully beg leave to report the same back without amendment, and recommend its passage.

Bill placed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, February 17, 1866. }

To the Honorable the Assembly of Nevada:

I have this day approved the following Assembly bills:

No. 108, an Act to repeal an Act entitled "An Act to authorize the incorporation of the town of Aurora to the city of Aurora, approved February 9th, 1864, and to provide for the payment of the indebtedness thereof."

No. 19, an Act in relation to certain fees, heretofore collected by the Governor's Private Secretary.

No. 116, an Act for the relief of Benjamin Curler, District Attorney of Churchill County.

No. 79, an Act concerning the collection of taxes on personal property.

No. 125, an Act to legalize the assessment of real and personal property, as made by the County Commissioners of Humboldt County, for the year 1864.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Elliott withdrew his motion of Saturday, relative to adding two members to committee of conference.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
February 17, 1866. }

To the Honorable the Assembly:

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 134, an Act to provide for the reduction of the number of District Judges in the First Judicial District of the State of

Nevada, and for other purposes, the same having passed the Senate this day. Yeas, 11; nays, 1.

Also, Senate Bill No. 136, an Act appropriating money to pay for publishing of volume one of the reports of the decisions of the Supreme Court of the State of Nevada, the same having passed the Senate this day. Yeas, 12; nays, none.

I am also directed to return to your honorable body Assembly Bill No. 74, an Act to amend an Act entitled "An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," approved February 7th, 1865, the same having passed the Senate this day without amendment. Yeas, 11; nays, none.

Also, substitute for Assembly Concurrent Resolution, in regard to mail service from Wellington's Station, Esmeralda County, and Austin, Lander County, the same having passed the Senate without amendment. Yeas, 11; nays, none.

Also, Assembly Bill No. 152, an Act to transfer certain money from the legislative fund to the contingent fund of the Assembly, the same having passed the Senate this day with the following amendments:

Amend the bill so that it will read as follows: "An Act to transfer certain moneys from the legislative fund to the contingent funds of the Senate and Assembly." Also, in section one, line three, after the words "contingent fund," insert "and the sum of twelve hundred dollars in the Senate contingent fund, the surplus to revert back to the general fund." Yeas, 10; nays, 1.

Assembly Bill No. 88, an Act to regulate the civil jurisdiction and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject, the same having passed the Senate this day with the following amendments:

In section one hundred and thirteen, line two, strike out the words "the costs of the case, including;" also, in section one hundred and fifteen, line five, strike out the words "on appeal," and insert the words "of the action;" also, same section, line eight, strike out the words "on appeal," and insert the words "of the action;" also, same section, line ten, strike out the words "on appeal," and insert the words "of the action." Yeas, 10; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Bill No. 134, as per message, rules suspended, read first and second time by title, and referred to Storey county delegation.

Senate Bill No. 136, as per message, rules suspended, read first and second time by title, and referred to Committee on Public Printing.

Assembly Bill No. 174, as per message, ordered enrolled.

Assembly Concurrent Resolution No. 2, relative to mail service from Wellington's Station to Ione; on motion, clerk instructed to make certain corrections in said resolutions, and report the same back to the Senate.

Mr. Cutter moved the clerk be instructed to strike out the word "the," after the word "whereas," and insert the word "their;" also, strike out the word "county," after the word "Ione."

Carried, and so ordered.

Assembly Bill No. 152, as per message, Senate amendment adopted, and bill passed finally by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, El-

liott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, and Mr. Speaker—29.

NAYS—Messrs. Mayhugh, McDougall and Woodruff—3.

Special order postponed ten minutes.

Assembly Bill No. 88, as per message, Senate amendments adopted, and bill passed finally by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Walton, Williams, Wood, Woodruff, Work, and Mr. Speaker—32.

NAYS—Mr. Mayhugh—1.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 19, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 76, an Act to establish a standard of weights and measures, the same having passed the Senate this day. Yeas, 11; nays, 3.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Special order postponed five minutes.

Senate Bill No. 76, as per message, rules suspended, read first and second time by title, and referred to Committee on State Institutions.

Rules suspended, and Mr. Hayden offered the following :

Resolved, That four hundred and eighty copies of Assembly Bill No. 88, entitled "An Act to regulate the civil jurisdiction and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject," be printed in pamphlet form.

Laid over one day under the rules.

Special order, Senate Bill No. 102, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865.

The Clerk was ordered to insert the numbers of the sections.

Previous question called and sustained.

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

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Mason, Mayhugh, Munckton, O'Neil, Williams, Wood, Work, and Mr. Speaker—21.

NAYS—Messrs. Clemens, Fisher, Gaige, Glover, James, Lane, Linn, McDougall, Vandewater, Walton, and Woodruff—11.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. James introduced Assembly Bill No. 184, an Act supplementary to, and amendatory of, an Act entitled "An Act

to provide for the payment of the outstanding indebtedness of Virginia, Storey county," approved January 27th, 1865.

Rules suspended, read first and second time by title, and referred to Virginia portion of Storey County delegation.

By Mr. Cutter—Assembly Bill No. 185, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved February 19th, 1866.

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

By Mr. Mayhugh—Assembly Bill No. 186, an Act concerning the salary of the Deputy Secretary of State.

Rules suspended, read first and second time by title, and placed on file.

By Mr. Williams—Assembly Bill No. 187, an Act relating to boundaries of Lander county, and definitely defining the same.

Read first time, rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

Rules suspended, and Mr. Glover offered the following substitute for Rule No. 1.

Rule First—The House shall meet each day at ten o'clock A. M., and at seven o'clock P. M.; unless adjourned to some other hour, by a two third vote.

Laid over one day under the rules.

On motion of Mr. Glover, at one o'clock, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two P. M.

Mr. Speaker in the chair.

Quorum present.

GENERAL FILE.

Assembly Concurrent Resolutions No. 23, relative to Stockton and Copperopolis railroad, were taken up.

Mr. Mason moved that they be indefinitely postponed.

Previous question called and sustained.

Yeas and nays called, resulting as follows:

YEAS—Messrs. Canfield, Clemens, Crawford, Gaige, Hinckley, Julien, Lane, Mason, Mayhugh, Munckton, Prince, and Woodruff—12.

NAYS—Messrs. Bearss, Cutter, Elliott, Fisher, Glover, Hall, Haskell, Hayden, Hudson, James, Linn, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—19.

Motion lost.

The question being upon ordering the resolution engrossed for third reading, carried and so ordered.

Assembly Bill No. 138, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865.

Mr. Cutter moved the bill be laid on the table.

Lost.

Leave of absence granted Messrs. Cutter and James for the day.

Mr. Hayden moved to make the bill special order for Monday next, 26th inst., at two o'clock.

Lost.

Mr. Elliott moved it be made special order for Friday next, 23d inst., at two o'clock P. M.

Carried, and so ordered.

Rules suspended, and by unanimous consent Mr. Hinckley introduced Assembly Bill No 188, an Act to amend sections seventeen and eighteen of an Act entitled "An Act to create a Board of County Commissioners in the several counties and define their duties and powers," approved March 8th, 1865.

Rules suspended, read first and second time by title, and referred to select committee of one from each county.

Mr. Speaker appointed as such committee Messrs. Hinckley, Mason, Julien, Taylor, Crawford, Gaige, Clemens, Bearss, Glover, and Beck.

Assembly Bill No. 67, an Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office, and to enforce official duty, was considered, committee amendments adopted.

On motion, bill considered engrossed and ordered to third reading.

Read third time, pending which Mr. Cutter moved to re-commit the bill to special committee of one, with instructions to insert after the words "Tax Collector," in section one, the words "who shall be ex officio poll tax collector in counties where the annual revenue collected exceeds one hundred thousand dollars."

Lost.

Mr. Cutter moved to recommit the bill to special committee of one, with instructions to strike out the words "one county Tax Collector in counties where the annual revenue is sixty thousand dollars or more; in counties where it is less, the Sheriff shall be ex officio Tax Collector."

Yeas and nays called by Messrs. Cutter, McDougall, and Glover, resulting as follows:

YEAS—Messrs. Bearss, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Hall, Ingham, Julien, Lane, Munckton, Vandewater, Walton, Williams, Woodruff, and Mr. Speaker—18.

NAYS—Messrs. Beck, Canfield, Grey, Haskell, Hayden, Hinckley, Hudson, Mayhugh, McDougall, Prince, Wood, and Work—12.

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

Mr. Work moved the bill be re-committed to special committee of one, with instructions to amend by striking out the word "three," and insert the word "four," after the word "if," and before the word "thousand," in section one.

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

Mr. Cutter moved to recommit to special committee of one, with instructions to amend by striking out the words "one Public Administrator, who shall be *ex officio* Coroner."

Lost.

Mr. Hayden moved to recommit to special committee of one, with instructions to strike out, in section two, the words "State Reporter and," and insert in lieu thereof the word "or."

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

Mr. Haskell moved to recommit the bill to special committee of one, with instructions to strike out, in section nine, the words "County Tax Collector."

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

Mr. Glover moved to recommit the bill to special committee of one, with instructions to insert, in section nine, after the word "instruction," the words "State Printer."

Lost.

Mr. Wood moved to recommit the bill to special committee of one, with instructions to amend by striking out the words "Tax Collector," in section seventeen.

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

Mr. Work moved to recommit the bill to special committee of one, with instructions to amend by striking out the words "and Constables," in line five of section eighteen, and insert at the end of the section the words, "the Constables of the several townships of the State shall be chosen at the general election of the year 1866, and shall enter upon the duties of their offices on the first Monday of January next succeeding their election, and shall hold their offices for the term of two years thereafter, and until their successors are elected and qualified."

Yeas and nays called by Messrs, Work, McDougall and Glover, resulting as follows :

YEAS—Messrs. Crawford, McDougall, Work, and Mr. Speaker—4.

NAYS—Messrs. Bearss, Canfield, Clemens, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ing-ham, James, Julien, Linn, Mason, Munckton, Vandewater, Walton, Wood, and Woodruff—24.

Motion lost.

Mr. Cutter moved the bill be recommitted, with instructions to add to section twenty-two the words, "the present Justices and Constables shall continue to hold their respective offices until their successors are elected and qualified, as provided in this section."

Lost.

Mr. James moved to recommit the bill to special committee of one, with instructions to strike out the word "oath," in section twenty-two; also, strike out the word "following," before the word "oath," and insert in lieu thereof the word "official."

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 152, entitled "An Act to transfer certain moneys from the legislative fund to the contingent funds of the Senate and Assembly, has been carefully compared with the engrossed bill, as passed by the two Houses, and found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

Mr. Wood moved to recommit the bill to special committee of one, with instructions to strike out the words, in section twenty-four, "and prescribed oath," and insert in lieu thereof, "the official oath."

Carried, and committee reported bill amended as per instructions.

Amendments adopted.

Mr. James moved to recommit to special committee of one, with instructions to strike out, in section twenty-five, the word "said," and insert in lieu thereof the words "the official."

Carried, and committee reported bill amended as per instructions.

Amendment adopted.

On motion of Mr. Wood, at five o'clock p. m., House took a recess until six o'clock and thirty minutes p. m.

EVENING SESSION.

House re-assembled at six o'clock and thirty minutes p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Glover moved to reconsider the vote by which Assembly Bill No. 67 was considered engrossed.

Lost.

Consideration of said bill resumed.

On motion of Mr. Haskell, bill was recommitted to special committee of one, with instructions to amend by striking out, in section thirty-four, the words "presiding officer of the body to which they belong, who shall notify the;" also, after the word "Governor," strike out the word "thereof;" who reported bill amended as per instructions.

Amendment adopted.

On motion of Mr. Haskell, bill recommitted to special committee of one, with instructions to strike out the words "Tax Collector," in sections fifty-one and fifty-two, who reported the bill amended as per instructions.

Amendment adopted.

On motion of Mr. Wood, bill recommitted to special committee of one, with instructions to strike out, in section fifty-three, the words "Tax Collector," who reported bill amended as per instructions.

Amendment adopted.

On motion of Mr. Haskell, bill recommitted to special committee of one, with instructions to strike out, in sections sixty-one and sixty-four, the words, "Tax Collector," who reported bill amended as per instructions.

Amendments adopted.

On motion of Mr. Hayden, bill recommitted to special committee of one, with instructions to amend by inserting after the word "sections," the words "or either of them," who reported the bill amended as per instructions.

Amendment adopted.

On motion of Mr. Haskell, bill recommitted to special committee of one, with instructions to amend by inserting after the words "seventy-six," the words "or either of them," who reported the bill amended as per instructions.

Amendment adopted.

On motion of Mr. Cutter, bill recommitted to special committee of one, with instructions to insert after the word "Commissioners," in section one, the words "one County Tax Collector in counties having an annual revenue of sixty thousand dollars, or over, who shall collect all taxes, both State and county, except poll taxes and the tax on personal property, when there is no realty, and all taxes in counties having an

annual revenue of one hundred thousand, or over; *provided*, that in all other counties the Sheriff shall be *ex officio* Tax Collector."

Mr. Ingham rose to a point of order, that the same amendment had once been offered and voted down, therefore could not be entertained.

Mr. Speaker ruled point of order not well taken.

Mr. Vandewater rose to a point of order, that the words "Tax Collector," having once been stricken out by a vote of the House, the amendment of Mr. Cutter should not be entertained by the House.

Mr. Speaker ruled the point of order not well taken.

Mr. Ingham appealed from the decision of the chair.

The question being, shall the decision of the chair stand as the judgment of the House? chair sustained.

Mr. Ingham offered the following amendment to Mr. Cutter's motion: Strike out all to, and including, the word "provided."

Lost.

The question being upon adopting the motion of Mr. Cutter,

Pending which, Mr. Ingham moved to adjourn.

Yeas and nays called by Messrs. Cutter, McDougall and Linn, resulting as follows:

YEAS—Messrs. Bearss, Clemens, Crawford, Elliott, Fisher, Glover, Hall, Hudson, Ingham, Julien, Lane, Vandewater, Walton, Wood, and Woodruff—15.

NAYS—Messrs. Beck, Canfield, Cutter, Edwards, Gaige, Haskell, Hayden, James, Linn, Munekton, McDougall, Taylor, and Mr. Speaker—13.

Carried, and House adjourned at eight o'clock and forty-five minutes,
P. M.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-FIRST DAY.

TUESDAY, February 20, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Elliott, from Committee on Corporations, to which was referred Assembly Bill No. 185, entitled "An Act to amend an Act entitled 'An Act to provide for the formation of corporations for certain purposes,'" approved March 10th, 1865, begs leave to report that they have had the same under consideration, and have directed their chairman to report

the same back to the House with the following amendment, and as amended recommend its passage, to wit: Strike out the word "and," before the word "banking," and insert after "banking," and before "purposes," the words "and for ore reduction."

Bill placed on file.

Mr. Hall, from Committee on State Institutions, to which was referred Senate Bill No. 16, entitled "An Act to establish a standard of weights and measures," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend its passage.

Bill placed on file.

By Mr. Hall:

Mr. Speaker:

The Joint Senate and Assembly Committee, who were directed by concurrent resolution to make a thorough and full investigation of, and careful examination into, all matters and things touching, or in any manner relating to the regulations and manner of conducting the State Prison, have completed their labors, and beg leave to submit the following report:

On the 31st day of January inst., your committee proceeded to the prison, and made an examination of the buildings and grounds of the same, and regret to say that the building, in its present condition, is very insecure and illy suited for the purposes of a prison, requiring the utmost vigilance on the part of the officers and guards to prevent the prisoners from making their escape. The walls of the prison building are particularly very weak and insecure, having been laid up with stones of all sizes; the mortar used being made of sand, with little or no lime, being loose, and hence easily removed with a wire or other instrument sufficiently small to enter the space between the blocks of stone—a condition which, of itself, suggests to the minds of the prisoners the idea of escape. Your committee would, therefore, in view of the above premises, and to prevent the assistance to escape from without, recommend the employment of two additional guards for night service, until the prison buildings are rendered more secure.

Your committee would further recommend, in this connection, that the contemplated outer wall be commenced at as early a period as possible, and prosecuted to completion as vigorously as the financial condition of the institution will permit.

Your committee found the sanitary condition of the prison most satisfactory. The prisoners are comfortably clothed, and provided with wholesome and abundant food. No sickness now prevails at the prison, nor has there been but little during the past year. The cells and other apartments about the prison, including the beds and bedding, are kept in the most cleanly and creditable manner, which doubtless contributes much to the good health of the prisoners.

Your committee, in their investigations, find that the law (Statutes of 1864-5, p. 219, sec. 5) provides that the Board of State Prison Commissioners shall make rules and regulations for the government of the State Prison. This plain and necessary provision of the law, your committee regret to say, has not been complied with; in which particular it is the opinion of your committee that the Board of Commissioners are clearly chargeable with dereliction of duty. No rules and regulations for the

government of the prison having been established by the Commissioners, the Warden established a set of rules which are kept posted in conspicuous places in the prison, by which the discipline of the prison is regulated. The punishments inflicted during the past year, under these rules, has consisted of bucking and gagging, confinement in the stocks, solitary confinement on bread and water, the denial of the benefit of commutation of five days per month, as provided by law. In this connection your committee would respectfully suggest that the Board of State Prison Commissioners proceed, without delay, to establish a set of rules for the government of the prison, and cause the same to be posted up according to law. And that hereafter said Board visit the prison at least once every three months, or more frequently if possible, in order that they may observe the defects, if any, in the regulations which may be established, and to note any official delinquency in the enforcement of the same; and to alter or amend the rules as circumstances may require. It is but just to say, in reference to the above strictures on the official delinquency of the Board of State Prison Commissioners, that one member of the Board—Hon. C. N. Noteware—has, during the year, visited the prison at various times, and on frequent occasions aided the Warden in the discharge of his duty, by counsel and advice. Your committee, though fully satisfied that under the supervision of the present Warden great improvement has been made in the discipline of the prison, would respectfully suggest that a more strict obedience, on the part of subordinates, to the command and authority of the Warden, and other superior officers, be enforced, as necessary, in our opinion, to the preservation of that good order and unity of action which should prevail among the officers of a well regulated prison.

Your committee find, that at the present time there is but one trusty at the prison, in which case we find no cause of complaint. While your committee would not recommend the entire abolishment of the trusty system, yet we feel it our duty to say that a discretion in the premises should, in our opinion, be used with great caution, and that the system should be abridged and not resorted to except upon extraordinary occasions.

In regard to the financial management and conduct of the prison, your committee refer to that portion of the annual report of the Warden, and the accounts and vouchers concerning the same, in the office of the Secretary of the Board of Commissioners, which we are gratified to say exhibits a degree of economy rarely equaled, and well worthy of emulation, and for which the Warden is justly entitled to especial commendation, having proven himself, in this particular, a worthy public servant.

Your committee find that, taking into consideration the utter insecurity of the prison, few escapes have occurred, when compared with other institutions of like character. By referring to the reports of Committees of Investigation, appointed by the Legislature of California, we find that from the year 1855 to 1859, inclusive, out of one thousand three hundred and eighty-four prisoners, two hundred and eighty-three had escaped, of which one hundred and fourteen had been recaptured; and at that time the California prison was surrounded by a substantial wall twenty feet high, and had then cost the State one and a half million of dollars.

We cannot find that any of the escapes have occurred through the negligence, or other delinquency, of the officers, but most of them oc

curred through the insecurity of the Prison building, and perhaps a few of them may be attributed to an insufficient number of guards.

As being intimately connected with the matter of escapes, we would recommend, in this connection, that upon the arrival of prisoners they be shaved and their hair cut or shingled close to the head.

Your committee would also recommend that some State Prison uniform be adopted for the prisoners, that they may be easily distinguished by their dress, and known as State prisoners.

Your committee (in accordance with the recommendation of the Warden,) would further recommend that a suitable building be erected for a kitchen, about midway of the main building, and upon the south side, about twenty by forty feet, in order to avoid the present inconvenience of carrying the victuals through a number of rooms and crooked passage ways, from the present cook-room to the Prison mess-room. Such addition will add greatly to the security of the prisoners.

As suggested by the Warden, we would also recommend that at an early day a shop be erected in the Prison yard for the protection of the prisoners while at work, in stormy weather, which would also answer as a place where lumber and all loose material could be stored, under lock and key, out of reach of the prisoners.

Your committee would also recommend the erection of eight new cells over the present ones, in the west part of the building, six of them to have iron grate doors, and two of them to be with heavy, tight doors, suitable for the close confinement of prisoners.

Your committee are constrained to make the above recommendations in view of the present insecurity of the Prison building, and the suggestion contained in the Warden's report, to the effect that such improvements can be completed at a cost within the limits of the appropriation asked for in said report.

Your committee also recommend that a small sum of money be furnished, out of the Prison fund, to each convict on his discharge from Prison, as it will always cost a small sum to reach any point from the Prison at which employment can be obtained. The reason of this seems obvious, as otherwise, through the force of circumstances, such person might be compelled to commit other crimes.

Your committee would further recommend the appropriation of the sum of twenty-five thousand dollars for the fiscal year of 1866, as asked for in the Warden's report; which amount is as small, in the opinion of your committee, as will suffice to defray the current expenses of the year, and make the necessary improvements to the Prison.

All of which is respectfully submitted.

ALFRED JAMES, Chairman,	}	Senate Committee.
M. S. THOMPSON		
JOS. F. HALL, Chairman,	}	House Committee.
W. M. CUTTER,		
T. V. JULIEN,		
T. B. PRINCE,		
A. B. ELLIOTT,		

On motion, reading of report of State Prison Committee was dispensed with.

Mr. Speaker :

The Committee on Internal Improvements, to whom was referred As-

sembly Bill No. 43, an Act to allow any person or persons to divert the waters of any stream or river, and run the same through any ditch or flume, and to provide for the right of way through the lands of others, have had the same under consideration, and recommend that the Senate amendments be concurred in, and that the bill do pass as amended.

FELIX O'NEIL,
J. L. HINCKLEY,
E. F. GLOVER,

Bill placed on file.

Mr. Beck reported that the Standing Committee on Engrossment have carefully compared the following entitled resolution with the original, and found the same correctly engrossed, viz: Assembly Concurrent Resolution No. 23, in regard to Stockton and Copperopolis Railroad.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Mayhugh, rules suspended, and Assembly Bill No. 132, an Act to regulate and establish the hours of service and labor within this State, was considered, committee amendments accepted; the question being upon ordering the bill engrossed.

Previous question called and sustained.

Yeas and nays called by Messrs. McDougall, Edwards, and Linn, and bill ordered engrossed by the following vote:

YEAS—Messrs. Bearss, Canfield, Clemens, Edwards, Elliott, Gaige, Haskell, Julien, Lane, Linn, Mason, Mayhugh, McDougall, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—20.

NAYS—Messrs. Beck, Crawford, Fisher, Glover, Hayden, Hinckley, Hudson, James, Munckton, O'Neil, Prince, and Woodruff—12.

Mr. Speaker in the chair.

Mr. Hayden called up resolution relative to printing four hundred and eighty copies of Assembly Bill No. 88, which was, on yesterday, laid over one day under the rules.

On motion, resolution laid on the table.

By Mr. Cutter:

Resolved, That the State Controller be authorized to draw his warrant in favor of Chauncey Stewart for ninety dollars, payable out of the contingent fund of the Assembly.

Adopted.

Substitute for rule first, introduced yesterday, by Mr. Glover, and laid over one day under the rules, taken up and adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 19, 1866. }

To the Honorable the Assembly:

I am directed to inform your honorable body that a committee of conference, consisting of Messrs. Seely, Tritle, and Hastings, has been appointed to confer with a like committee appointed by your honorable body, upon amendments pending to Assembly Bill No. 5.

I am also directed to transmit, for the consideration of your honorable body, Senate Bill No. 118, an Act to provide for sales of property for delinquent taxes, the same having passed the Senate this day. Yeas, 13; nays, none.

I am also directed to return to your honorable body Assembly Bill No. 134, an Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt county," approved March 9th, 1865, the same having passed the Senate this day. Yeas, 12; nays, none.

Also, Assembly Bill No. 26, an Act to provide a seal of State for the State of Nevada, the same having passed the Senate this day without amendments. Yeas, 12; nays, none.

Also, Assembly Bill No. 109, an Act concerning the herding and protection of sheep, the same having been indefinitely postponed.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 118, as per message, rules suspended, read first and second time by title, and referred to Committee on Ways and Means.

Assembly Bills Nos. 134 and 26, as per message, ordered to enrollment.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. James introduced Assembly Bill No. 190, an Act to amend an Act entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee river," passed March 2d, 1865.

Rules suspended, read first and second time by title, and referred to Storey County delegation.

Mr. Cutter moved that two hundred and forty copies of report of State Prison Committee be printed.

Carried.

GENERAL FILE.

Assembly Concurrent Resolution No. 23, relative to Stockton and Copopolis Railroad, read third time, and lost by the following vote :

YEAS—Messrs. Bearss, Beck, Cutter, Elliott, Fisher, Glover, Haskell, Ingham, James, Linn, Taylor, Vandewater, Walton, Wood, and Mr. Speaker—15.

NAYS—Messrs. Canfield, Clemens, Crawford, Edwards, Gaige, Grey, Hayden, Hinckley, Hudson, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, Prince, Williams, Woodruff, and Work—19.

Assembly Bill No. 43, an Act allowing any person or persons to divert the waters of any river or stream and run the same through any ditch or flume, and to provide for right of way through the lands of others.

The question being upon concurring in first Senate amendment, yeas and nays called, resulting as follows :

YEAS—Messrs. Elliott, Fisher, Gaige, Glover, Haskell, and Lane—6.

NAYS—Messrs. Beck, Clemens, Crawford, Cutter, Edwards, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, McDougall,

O'Neil, Prince, Vandewater, Walton, Wood, Woodruff, Work, and Mr. Speaker—22.

Amendment non-concurred in.

The question being on concurring in second Senate amendment, yeas and nays called, resulting as follows :

YEAS—Messrs. Beck, Crawford, Elliott, Fisher, Gaige, Glover, Hinckley, Lane, Munckton, O'Neil, Prince, Walton, Wood, and Mr. Speaker—14.

NAYS—Messrs. Clemens, Grey, Hayden, Hudson, James, Julien, Linn, Mason, McDougall, Vandewater, Williams, Woodruff, and Work—13.

There not being a constitutional majority, Senate amendment non-concurred in.

On motion of Mr. Glover, a committee of conference, consisting of five members, was appointed, viz: Messrs. Glover, Woodruff, Hayden, O'Neil, and Crawford, to confer with a like committee to be appointed by the Senate, relative to the disagreement between the two Houses on amendments to Assembly Bill No. 43.

On motion of Mr. Wood, at one o'clock, House took a recess until two p. m.

AFTERNOON SESSION.

House re-assembled at two p. m.

Mr. Speaker in the chair.

No quorum present.

Mr. James excused for the day.

Mr. Fisher moved a call of the House.

Carried.

Roll called.

Absent, without leave: Messrs. Beck, Canfield, Crawford, Cutter, Hall, Julien, Mason, Mayhugh, O'Neil, Prince, and Walton.

Messrs. Cutter, Mayhugh, Walton, Hall, Mason, Canfield, Beck, and Prince were announced and excused.

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

Consideration of Assembly Bill No. 67, was continued.

Previous question called and sustained.

The question being upon the amendment offered by Mr. Cutter, yesterday evening, yeas and nays called by Messrs. Cutter, Wood and Vandewater, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, James, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Williams, and Work—23.

NAYS—Messrs. Clemens, Elliott, Fisher, Grey, Hall, Ingham, Lane, Vandewater, Walton, Wood, Woodruff, and Mr. Speaker—12.

Carried.

Committee reported bill amended, as per instructions.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Ed-

wards, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Williams, Wood, Work, and Mr. Speaker—31.

NAYS—Messrs. Grey, Ingham, Lane, Vandewater, and Woodruff—5.

Mr. Elliott gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

Mr. Crawford moved to adjourn.

Lost.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 74, an Act to amend an Act entitled "An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," approved February 7th, 1865, has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor, for his approval.

Assembly Bill No. 41, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865, was ordered engrossed for third reading.

Mr. Speaker *pro tem.* in the chair.

Assembly Bill No. 135, an Act to provide policemen in unincorporated cities, towns and villages, and to provide for the government thereof, committee amendments adopted, bill ordered engrossed for third reading.

Assembly Bill No. 78, an Act concerning the powers of corporations, was ordered engrossed for third reading.

On motion of Mr. Ingham, rules suspended, and Assembly Bill No. 46, an Act to amend an Act entitled "An Act to incorporate the city of Virginia, provide for the government thereof, and repealing all other Acts in relation thereto," approved March 4th, 1865, was considered, amended, rules suspended, bill considered engrossed, read third time.

On motion, bill recommitted to committee of one, with instructions to strike out all after the word "Court," in section six, who reported the bill amended, as per instructions.

Amendment adopted.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Crawford, Cutter, Edwards, Elliott, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Woodruff, and Work—27.

NAYS—Mr. Vandewater—1.

On motion, rules suspended, and substitute for Assembly Bill No. 71, an Act to amend an Act entitled "An Act amendatory of, and supplementary to, an Act of the Legislative Assembly of the Territory of Nevada, entitled 'An Act to incorporate the City of Austin,'" approved February 20th, 1864, was taken up, rules suspended, bill considered engrossed.

On motion, bill recommitted to special committee of one, with instructions to strike out, in section two, the words "shall be," and insert in lieu thereof, the words "is hereby," who reported the bill amended, as per instructions.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mayhugh, Munckton, Prince, Walton, Williams, Woodruff, and Work—26.

NAYS—None.

MINORITY REPORT.

To the Speaker of the Assembly :

The undersigned, of the Committee on Ways and Means, to whom was referred Assembly Bill No. 149, an Act entitled "An Act appropriating money for the benefit of St. Paul's Episcopal Parish School," and Senate Bill No. 41, an Act appropriating moneys for the benefit of the Orphan Asylum, conducted by the Sisters of Charity, at Virginia City, beg leave to submit the following report :

We have carefully considered the merits which are respectively and in association claimed by these two bills, and we recommend that the Assembly bill be indefinitely postponed, and that the Senate bill do pass.

The undersigned are wholly unable to see any legitimate legislative connection between the two bills—Assembly Bill No. 149 embracing, in our opinion, an absurd proposition, while Senate Bill No. 41 is deserving of all favor.

The undersigned call attention to the fact that the Senate bill was introduced in the Upper House on the nineteenth day of January, while the Assembly bill was not introduced [into this House] until the eighth day of February. Immediately on its introduction the Assembly bill was referred, with an accompanying petition, to the Committee on Ways and Means; but the chairman of this committee held the bill in his hands until the Asylum appropriation was passed by the Senate and came into this body—so holding the Assembly bill for a period of seven days. But so soon as the Senate bill came in, and was referred, a meeting of the Committee of Ways and Means was called, and the association deprecated, between the two measures, was forced by a simultaneous consideration and report; the report from the chairman upon both bills being made within two days from and after the reference of the Senate bill in this House. These facts of themselves are proof positive, in the opinion of the undersigned, that the object, and the only intention, in the introduction of the Assembly bill, was, if possible, to make weight against the Orphan Asylum appropriation with a preposterous claim on behalf of the Episcopal Parish School of Virginia.

The undersigned find no ground of merit whatever in the Assembly bill. It calls for an appropriation of ten thousand dollars for a select school, which is termed in the bill "St. Paul's Episcopal Parish School;" a school established and supported by some of the wealthiest citizens of Virginia City. This is, in no sense, a charitable institution. It is located by the side of public schools, established and maintained by the county of Storey and State of Nevada. We have not even heard any complaint as against the sufficiency of accommodation for the children of that county in the district and grammar schools, for the keeping of which the entire public are systematically taxed.

The undersigned have not thought it necessary to incur the personal expense of making a visit of inquiry to St. Paul's School, as the facts

concerning it, above stated, are well known; and they are deemed of themselves sufficient to command the prompt rejection of the Assembly bill, even if it were an original and independent measure, and not associated with another for an evident sinister object.

The petition on behalf of St. Paul's School is signed by the two wardens of St. Paul's Episcopal Church, and by eight members of the Vestry—their signatures being attached in official form. The petition is thus made on a strictly sectarian basis of appeal. We have been instructed, by one of the vestrymen of St. Paul's Episcopal Church, to publicly disclaim, for him, all connection with this petition or bill, as he at once recognized them to be the expression of an organized and discreditable effort to defeat or jeopardize the passage of the Orphan Asylum appropriation.

We observe, furthermore, that one of the names on the petition for the Assembly bill—that of a leading citizen of Virginia—is erased, and we have ascertained that the reason for such erasure is, that the signer was deceived into lending his signature to the request by representations on the part of the canvasser which were utterly untrue.

Senate Bill No. 41 is recommended by the Senate Committee on State Affairs, in an elaborate and convincing report, to which, inasmuch as it is printed for general circulation, we presume we violate no parliamentary propriety in referring. From that report we authoritatively learn that the building accommodations of the Asylum are abundant for one hundred orphans, of whom there were thirty in the institution when that report was made. Since the date of that report four more orphan children have been received in the Asylum, coming from the county of Lyon. The conductors of the Asylum are certified to be in debt in the sum of eight thousand three hundred dollars. They find themselves unable to meet accumulating interest and the current expenses of the institution. To the general depression in the business of the country, and the consequent inability of the generous members of the Storey county communities to contribute voluntarily in as liberal measure as heretofore, is attributed the failure to maintain the institution from popular donations. In the reception of inmates no preference or distinction has been made on account of maternal [denominational] creed of parents; nor have any applicants been rejected because they came from other portions of the State, outside of Storey County.

The bill appropriates the sum of ten thousand dollars, to be drawn upon from time to time to liquidate the current expenses of the institution, the bills to be audited and allowed by the State Board of Examiners. So the money expended, under the terms of this appropriation, will go for the actual feeding, clothing [and] physical care of the children brought into this institution as proper objects of charity.

As this bill contemplates the expenditure of a considerable amount of money from the State Treasury, the undersigned think that it was wise to circulate petitions for its passage or rejection, under such circumstances as are hereinafter described. We find that the Senate Bill was introduced on the nineteenth day of January. Its passage is petitioned for by leading citizens on the thirtieth day of January, eleven days after the measure had been introduced and ordered printed. The lapse of time between the presentation of the bill in the Senate and the signing of this petition, taken into consideration together with the fact that the bill had been printed and discussed in all the daily papers of Storey County soon after its presentation—and the character of the signers

being observed—we think this prayer for its passage is remarkably emphatic, and is entitled to great weight.

We find before us a petition for the passage of this bill, coming from leading citizens of Gold Hill—of whom it is said not more than two or three are Catholics in faith; which petition is dated on the 12th day of February, twenty-four days after the introduction of this bill, and subsequent, it is claimed, to the most earnest efforts on the part of the few opponents of the measure to get up a remonstrance in the premises.

From the counties of Lander, Lyon, Esmeralda, Ormsby and Churchill, there are petitions to this Legislature, signed by the principal county officers, the heaviest tax payers, the leading citizens, asking for the passage of this bill.

We think it fair to conclude from the number and character of formal requests thus laid before us, that not less than four fifths of the tax payers of Nevada—upon whom the burden of the appropriation, if made, will ultimately fall—are shown to be in favor of the measure. It is certain that the bill, which has now been before the Legislature for a month, has not received a single formal and directly dissenting voice from any of the people of this State; and if it be true, as we suspect, that real opponents indicate their disposition in regard to the matter by procuring the introduction of a ridiculous request for an appropriation of a like amount, then the undersigned argue that the almost entire unanimity of our citizens is again expressed by this very cautious if not cowardly attempt to bring odium upon a just appeal.

The undersigned are therefore clearly of the opinion that, as disbursers from the public treasury, we are fully authorized to make this donation, strictly in response to the popular advice and demand.

We deem it entirely unnecessary to expatiate here upon the worthiness of the object which the appropriation named in the Senate Bill will accomplish. It is sufficient for us to here repeat the assurance, that by means of this appropriation a home for the orphans of this State, wholly irrespective of the sectarian character of their religious faith, or that of their deceased parents, will be permanently established in our midst. Should the State undertake to establish and maintain such an institution—and the orphans must be in some manner provided for—a first class [cost] of not less than four times the amount here asked would be required. The five women who conduct, and who actually perform most of the labor connected with the care of children in the orphan asylum at Virginia, neither ask nor receive any pay for their services, except what may consist in a bare sustenance. The maintenance of an Orphan Asylum by the State, after it had been once established, would be at a heavy cost for the salarizing of matrons and nurses.

We think that the people of Nevada should feel especially grateful to the Sisters of Charity for the offer which is made by them, or authorized to be made on their behalf.

In the report submitted by the chairman of our committee, we first find the word "Catholic"—we suppose that "Roman Catholic" is meant—and the opinion is expressed that the only object had in view by the conductors of this institution is the building up of their church. We do not doubt but the Sisters of Charity are sincerely and devotedly attached to the Roman Catholic creed; but the injunction which they obey, when they feed and clothe and expend wearisome labor and undergo painful solicitude in the care of little orphan children, is an injunction which belongs to no one sect; while, as Protestants, we do not hesitate to declare it has been more exactly and extensively fulfilled by this same or-

der of the Sisters of Charity than by any organization, religious or otherwise, on the face of the earth.

Since an exclusively proselyting aim and object has been ascribed to these self-sacrificing women, we think they are entitled to this acknowledgement, on our part, of a truth of history in their eulogy. And this much more we will undertake to say, that in the criminal calendar of the world there are to be found the name of very few who, at an early age, came under the ministering influence of these women. On the other hand, among the brightest names on the records of humanity we find the signatures of those who from utter poverty and distress have been lifted up, cared for and educated by the members of that same order which has builded a home for the destitute children of this State.

California has almost annually made appropriation of this character. They passed the Legislature without objection. The practice of making such appropriations is kept up till this day in that State. While there might have been a few citizens opposed to such measures in California, not a single public journal, never a remonstrance, appeared in that State in opposition to a bill of this character.

It is our duty to provide, in some manner, for the keeping of the orphan children of this State. It seems to the undersigned that that duty will be performed in a just, economical and thorough manner by the passage of Senate Bill No. 41.

O. H. GREY.

Report placed on file with majority report, on Senate Bill No. 41.

Assembly Bill No. 141, An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861.

On motion, rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Fisher, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Ingham, James, Julien, Linn, Munckton, McDougall, Prince, Vandewater, Walton, Williams, Woodruff and Work—23.

NAYS—None.

Mr. McDougall excused for the day.

Rules suspended, and Assembly Bill No. 185, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865, was taken up, rules further suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Grey, Haskell, Hayden, Hinckley, Ingham, James, Julien, Linn, Mason, Munckton, Prince, Vandewater, Walton, Williams, Woodruff, Work, and Mr. Speaker—21.

NAYS—None.

Rules suspended, and Senate Message taken up.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 20, 1866. }

To the Honorable the Assembly :

I am directed to transmit herewith, for the consideration of your hon-

erable body, Senate Bill No. 85, an Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada, with a message from the Governor, signifying his disapproval thereof; the same having passed this day, notwithstanding his objections, by the following vote: yeas, 14; nays, none.

Very respectfully,

GEO. R. AMMOND, Secretary.

The question being, shall the bill, as per message, pass, notwithstanding the objections of the Governor?

Mr. James moved a call of the House.

Carried.

Messrs. Gaige, Clemens, Crawford, Elliott, Hudson, Lane, Mayhugh, O'Neil, and Wood absent without leave.

Messrs. Hudson, Elliott and Gaige were announced and excused.

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

Mr. Hayden moved to defer action on the message until to-morrow morning.

Previous question called and sustained.

The question being on the motion to defer action on the bill until to-morrow.

Lost.

Mr. Hayden moved to adjourn.

Mr. Cutter rose to a point of order; that a motion to adjourn was not in order, under the operation of the previous question.

Mr. Speaker submitted the question of order to the House, viz: Can the House adjourn under the previous question?

Decided in the negative.

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

The vote having been taken, but not announced by the Speaker, Mr. Cutter moved the announcement of the vote be postponed until to-morrow morning at eleven o'clock.

Mr. Speaker, in view of his opinion being in conflict with the course of the House in similar cases during last session, submitted to the House the following question of order: Can the announcement of a vote be postponed, after the vote has been taken?

House decided in the affirmative.

The question being on the motion of Mr. Curtis, carried, and the announcement of the vote was deferred until to-morrow.

On motion of Mr. Haskell, House took a recess until seven o'clock p. m.

EVENING SESSION.

House re-assembled at seven o'clock p. m.

Mr. Speaker in the chair.

No quorum being present, Mr. McDougall moved a call of the House. Messrs. Clemens, Edwards and Munckton granted leave of absence for the day, also, Mr. Mason.

Messrs. Beck, Crawford, Cutter, Grey, Haskell, Ingham, Julien, Linn, O'Neil, Prince, Taylor, Walton, Wood and Work absent without leave.

Messrs. Beck, Cutter, Work, Ingham, Bearss, Taylor, Julien, Prince, Haskell, and Wood were announced and excused.

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

GENERAL FILE.

Assembly Bill No. 118 laid on the table.

Substitute for Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming; original bill laid on the table.

House resolved itself into Committee of the Whole, Mr. Speaker in the chair, for consideration of substitute bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Substitute Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming, 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.

Committee amendments adopted.

Bill ordered engrossed for a third reading, by the following vote:

YEAS—Messrs. Beck, Cutter, Elliott, Gaige, Glover, Hall, Haskell, Hudson, Ingham, Julien, McDougall, Prince, Taylor, Vandewater, and Woodruff—15.

NAYS—Messrs. Canfield, Fisher, Hayden, Hinckley, Lane, Linn, Mason, Work, and Mr. Speaker—9.

Substitute of Senate Bill No. 5, an Act defining the duties of State Controller.

Previous question called and sustained.

The question being on concurring in committee amendments, Mr. Haskell moved to insert "twenty-five" instead of "thirty" in said amendments.

Carried, and amendments concurred in by the following vote:

YEAS—Messrs. Beck, Canfield, Cutter, Fisher, Haskell, Hudson, Ingham, Lane, Linn, Prince, Wood, and Work—12.

NAYS—Messrs. Elliott, Glover, Hall, Hayden, Julien, Vandewater, and Mr. Speaker—7.

Bill read third time and passed by the following vote:

YEAS—Messrs. Canfield, Cutter, Elliott, Fisher, Glover, Haskell, Hayden, Ingham, Julien, Lane, Linn, Mayhugh, McDougall, Prince, Taylor, Woodruff, Work, and Mr. Speaker—18.

NAYS—Mr. Vandewater—1.

Mr. Elliott moved to adjourn.

Lost.

Mr. Cutter offered a resolution, and moved the rules be suspended for its consideration.

Mr. Haskell moved a call of the House.

Messrs. Crawford, Gaige, Grey, Hall, Hayden, Hinckley, Mason, Walton, and Williams, absent without leave.

Mr. Fisher moved to adjourn.

Lost.

Mr. Hinckley was announced.

Mr. Julien moved Mr. Hinckley be fined ten dollars.

Carried.

Mr. Julien moved the Sergeant-at-Arms be instructed to retain ten dollars from the per diem of Mr. Hinckley, said sum to be divided between the Sergeant-at-Arms and his assistant.

Carried.

Mr. Gaige was announced and excused.

Mr. Beck moved the fine imposed upon Mr. Hinckley be remitted.

Carried and so ordered.

Mr. Wood offered the following :

WHEREAS, Mr. Hayden, from Lander, left the Assembly Hall after a call of the House had been moved, and before the Sergeant-at-Arms could secure the door; and,

WHEREAS, Mr. Hayden was afterwards notified by the Sergeant-at-Arms that a call of the House had been ordered, and neglected to appear; and,

WHEREAS, Mr. Hayden has escaped from seizure and arrest by the Sergeant-at-Arms, by jumping from his chamber window; therefore,

Resolved, That he be, and he is hereby, declared in contempt of the House, and not entitled to participate in the business of the House until he pay a fine of twenty-five dollars to the Sergeant-at-Arms, which is hereby declared imposed.

Mr. Hayden was announced, offered no excuse, and the resolution was adopted.

On motion of Mr. Fisher, at ten o'clock and fifteen minutes P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-SECOND DAY.

WEDNESDAY, February 21, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Mr. O'Neil, to whom leave of absence was granted until next Saturday.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Cutter called up the matter of the announcement of a vote taken on yesterday, relative to Senate Bill No. 85, until eleven o'clock A. M., to-day, and called for a re-count on said vote.

The Sergeant-at-Arms reported that Mr. Hayden had paid the fine imposed upon him yesterday.

Mr. Hayden rose to a point of order, that a re-count could not be had, but an announcement of the vote then taken was only in order.

Mr. Speaker ruled the point of order not well taken.

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

Bill passed, finally, by the following vote :

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, Woodruff, and Work—31.

NAYS—Messrs. Bearss, Glover, Mason, and Mr. Speaker—4.

REPORTS OF COMMITTEES.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his excellency, the Governor, for his approval, on the 21st inst, viz :

Assembly Bill No. 88, an Act to regulate the civil jurisdiction and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject.

Also, Assembly Bill No. 134, an Act to amend an Act to provide for the payment of the outstanding indebtedness of Humboldt county, approved March 9th, 1865.

Also, Assembly Bill No. 26, an Act to provide a Seal of State for the State of Nevada, have been carefully compared with the engrossed bills, as passed by the two Houses, and found correctly enrolled.

Mr. Crawford, from Committee on Public Printing, to which was referred Senate Bill No. 136, an Act appropriating money to pay for publishing volume one of the reports of the decisions of the Supreme Court of the State of Nevada, begs leave to report that they have had the same under consideration, have made one amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage as amended.

Bill placed on file.

By Mr. Munckton :

Mr. Speaker :

Your Standing Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 187, an Act relating to boundaries of Lander county, and definitely defining the same, beg leave to report that they have had the same under consideration, and find that the only change in the boundaries of Lander county, contemplated in the bill, is the southern line, dividing Lander and Nye counties. They find, further, that in consequence of the uncertainty of, and the difficulty in, establishing a true line from an imaginary one, believe that the necessities of the people demanded, and the Legislature enacted a law, substituting natural landmarks, dividing the two counties, which law has been approved by the people residing along said line. Your Committee are of the opinion that the bill is not called for by the inhabitants directly

interested, and would only tend to create confusion. Therefore your committee would respectfully recommend that the bill do not pass.

GEO. MUNCKTON,
H. H. BECK,
A. C. BEARSS,
J. G. CANFIELD.

Bill placed on file.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 41, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865.

Also, Assembly Bill No. 132, an Act to regulate the hours of service and labor within this State.

Also, Assembly Bill No. 135, an Act to provide policemen in unincorporated cities, towns and villages, and to provide for the government thereof.

Mr. Hudson, from majority of the Committee on Ways and Means to which was referred Senate Bill No. 95, an Act authorizing a loan on the faith and credit of the State to pay the indebtedness of the State, and of the late Territory of Nevada, assumed by the State and not already provided for, beg leave to report that they have had the same under consideration and have directed Mr. Hudson to report the same back to the House with a recommendation that the bill do pass.

G. A. HUDSON,
J. G. CANFIELD,
JEFF. WORK,
T. B. PRINCE,
O. H. GREY.

Bill placed on file.
By Mr. Munckton :

Mr. Speaker :

Your select committee, to whom was referred Assembly Bill No. 170, an Act entitled "An Act to consolidate and pay certain indebtedness of the county of Ormsby," have had the same under consideration, and have come to a favorable conclusion, and recommend its passage with the accompanying amendments.

Bill and amendments placed on file.
By Mr. Gaige :

Mr. Speaker :

Your committee of conference, appointed to confer with the like committee on the part of the Senate, in relation to certain amendments made by the Senate to Assembly Bill No. 5, 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, beg leave to report that they have met with said Senate committee; that they took into consideration the matter referred to them, and after a full, fair and free discussion of the matters before them, a major-

ity of your committee are of the opinion that the Assembly ought to concur in and adopt the said amendments made in the Senate, and do so recommend.

The following are some of the reasons operating upon the minds of your committee, which have brought them to the above conclusion :

The Constitution of this State makes it imperative upon the Legislature to provide, by law, for the payment of an annual poll tax of not less two nor exceeding four dollars, from each male person resident in the State, between the ages of twenty-one and sixty years, [uncivilized American Indians excepted], and gives to the Legislature the discretionary power to make the payment thereof a condition to the right of voting.

The duty to collect this poll tax having been imposed by the Constitution, is it not right to enforce the payment by making it a condition precedent to voting? We think it is.

In order to carry out the provisions of the Constitution, rigid laws have been passed, which reach all the property-holding and laboring classes of the community, and they are enforced. The people submit to these poll taxes without complaint, so that practically, (although different in theory), the payment of this tax is not a condition to the right of voting to any class of people who are valuable members of society.

This bill furnishes a remedy for the collection of the poll tax from a class of persons to be found in considerable numbers in and about the cities and towns, without property, and engaged in no honest employment, who could be made to pay in no other manner. The duty of all citizens to contribute something to the support of the government that protects them in their persons and property is apparent.

The history of the election last year, conducted without fraud or disturbance proves the importance and value of a registry law. There is one class of people, in addition to this non-producing class we have before mentioned, who are strongly opposed to the paying of a poll tax before voting; and that is, a class who have been in sympathy with the enemies of the Government during the last war; and their opposition is founded, we apprehend, not so much upon the reasons alleged, as upon the fact the registry law imposes upon them oaths which they cannot well take. For that class of people we ought not to have too high a regard.

The bill before us is much better in detail than the present law, and will accommodate the convenience of the people much better. We are also satisfied that unless we adopt these amendments, we shall be obliged to operate under the present law for another year at least, and we cannot learn that there is any reasonable hope that the Senate will recede from their amendments.

These reasons, with the many others that will suggest themselves to this honorable body, including the addition to the revenue so much needed, ought, in the opinion of your committee, to induce the Assembly to adopt these amendments.

M. M. GAIGE,
GEO. A. HUDSON.

Assembly Bill No. 5, as per report, made special order for two o'clock
P. M.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 February 21, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved Assembly Bill No. 152, an Act to transfer certain moneys from the Legislative Fund, to the Contingent Fund of the Senate and Assembly.

H. G. BLASDEL,
 Governor.

By Mr. Cutter :

Resolved, That the Controller of State is hereby authorized and required to draw his warrant on the State Treasurer in favor of H. P. Burnham, Sergeant-at-Arms of the Assembly, for the balance remaining in the fund set aside as the Assembly Contingent Fund; and the Sergeant-at-Arms is hereby required to deposit the amount of said warrant, when paid, in the banking house of Wells, Fargo & Co., in this city; to be drawn out on presentation of skeleton scrip issued by order of the Assembly.

Adopted.

On motion of Mr. Glover, Mr. Edwards was substituted for Mr. O'Neil, on select committee, to whom was referred Assembly Bill No. 43.

Mr. Elliott, in accordance with notice of yesterday, moved to reconsider the vote by which Mr. Cutter's amendment to Assembly Bill No. 5 was adopted.

Mr. Wood moved to take a recess until two o'clock.

Lost.

The question being on Mr. Elliott's motion to reconsider, yeas and nays called, and House refused to reconsider by the following vote:

YEAS—Messrs. Crawford, Elliott, Fisher, Gaige, Glover, Hall, Ingham, Munkton, Vandewater, Walton, Williams, Woodruff, and Mr. Speaker—13.

NAYS—Messrs. Bearss, Beck, Clemens, Cutter, Grey, Hayden, Hinckley, Hudson, James, Julien, Linn, Mayhugh, McDougall, Prince, and Wood—15.

On motion of Mr. Crawford, at one o'clock and ten minutes, House took a recess until two o'clock p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

Special order, Assembly Bill No. 5, was taken up.

Mr. Cutter moved a call of the House.

Messrs. Clemens, Grey, Haskell, James, Munkton, Prince, Taylor, and Williams, absent without leave.

Messrs. Munkton, James, Clemens, Williams, Prince, Haskell, and Grey, were announced, and excused.

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

The question being on concurring in Senate amendments to section nine, previous question called and sustained.

Senate amendments to section concurred in by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Edwards, Fisher, Gaige, Grey, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Munckton, McDougall, Wood, and Mr. Speaker—23.

NAYS—Messrs. Canfield, Crawford, Elliott, Lane, Mayhugh, Prince, Vandewater, Walton, Williams, and Work—10.

Senate amendments to section sixteen concurred in by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Gaige, Grey, Glover, Hall, Hudson, Ingham, James, Linn, Munckton, Prince, Vandewater, Walton, and Wood—19.

NAYS—Messrs. Canfield, Elliott, Fisher, Haskell, Hayden, Julien, Lane, Mason, Mayhugh, McDougall, Williams, Work, and Mr. Speaker—13.

Mr. McDougall moved to take a recess.

Lost.

Mr. Cutter moved the rules be suspended, and two hundred and forty copies of the majority and minority reports on Senate Bill No. 41, be printed.

Lost.

Assembly Bill No. 135, laid on the table.

Assembly Bill No. 132, an Act to regulate and establish the hours of service and labor within the State of Nevada; bill recommitted to special committee of one, with instructions to strike out, in section one, the words "be it scientific;" also, the words "or otherwise;" also, insert after the word "mechanical," the word "or," who reported the bill amended, as per instructions.

Amendments adopted.

On motion of Mr. Clemens, bill recommitted to special committee of one, with instructions to insert, at the end of section one, the following words: "*Provided*, that in case any employé should voluntarily work more than said number of hours per day, no action shall afterward be brought for such extra labor, without a special contract for such work," who reported the bill amended, as per instructions.

Amendment adopted.

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

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Edwards, Elliott, Grey, Glover, Hall, Haskell, Ingham, Linn, Mason, Mayhugh, McDougall, Walton, Williams, Work, and Mr. Speaker—20.

NAYS—Messrs. Crawford, Fisher, Gaige, Hayden, Hinckley, Hudson, James, Munckton, and Prince—9.

Mr. Glover gave notice that he would, on to morrow, move a reconsideration of the vote just taken.

Mr. Mason moved to take a recess.

Lost.

Assembly Bill No. 41, passed on file.

Assembly Bill No. 24, laid on the table.

Assembly Bill No. 67, an Act authorizing the official publication of general laws passed at the second session of the State Legislature, and provide compensation therefor.

Mr. McDougall moved the bill be laid on the table.

Lost.

Committee amendments withdrawn.

Mr. McDougall moved to fill blank by inserting the words "four hundred," in section two.

Lost by the following vote :

YEAS—Messrs. Beck, Crawford, Edwards, Grey, Lane, Munckton, McDougall, Prince, and Vandewater—9.

NAYS—Messrs. Bearss, Canfield, Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Mayhugh, Walton, Williams, and Mr. Speaker—19.

Second committee amendment, filling blank in section two, with the words "six hundred," adopted.

On motion, Senate Bill No. 75, upon the same subject, was read for information.

On motion, rules suspended, bill considered engrossed, read third time.

Mr. Fisher moved the bill be recommitted to special committee of one, with instructions to insert the words, "the proprietors of the 'Enterprise' to furnish a copy of said paper to each member of the Legislature while such laws are being printed."

Lost.

Bill passed by the following vote :

YEAS—Messrs. Beck, Canfield, Cutter, Elliott, Fisher, Gaige, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mayhugh, Munckton, McDougall, Prince, Walton, Williams, and Mr. Speaker—23.

NAYS—Messrs. Bearss, Clemens, Crawford, Grey, and Vandewater—5.

Mr. McDougall gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 78, an Act concerning powers of corporations.

On motion of Mr. Glover, House adjourned until seven o'clock p. m.

EVENING SESSION.

House re-assembled at seven o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

On motion, rules suspended, and Senate Bill No. 119, an Act to appropriate moneys to defray the civil expenses of the State Government up to the close of the second fiscal year, was taken up.

On motion, House resolved itself into Committee of the Whole—Mr. Cutter in the chair—for consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 119, entitled "An Act to appropriate moneys to defray the civil expenses of the State government up to the close of the second fiscal year, had gone through therewith, made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended.

Committee amendments adopted.

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

YEAS—Messrs. Bearss, Beck, Crawford, Cutter, Edwards, Elliott, Fisher, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—27.

NAYS—None.

Assembly Bill No. 78, an Act concerning the powers of corporations, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Edwards, Elliott, Fisher, Glover, Hall, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—27.

NAYS—Mr. Crawford—1.

Assembly Bill No. 62, an Act to amend an Act concerning officers, approved November 29th, 1861, ordered engrossed for third reading.

Assembly Bill No. 129 was passed on file.

Senate Bill No. 75 was passed on file.

Assembly Bill No. 40 was passed on file.

Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale in certain cases," approved March 6th, 1865.

The question being on the amendment offered by Mr. Wood, to insert "three thousand" in place of "five thousand," the yeas and nays called, and amendment lost by the following vote :

YEAS—Messrs. Canfield, Clemens, Elliott, Hayden, Lane, Mayhugh, Munckton, McDougall, Taylor, Williams, and Wood—11.

NAYS—Messrs. Bearss, Beck, Crawford, Cutter, Edwards, Fisher, Glover, Hall, Haskell, Hinckley, Hudson, Ingham, Linn, Mason, Vandewater, Walton, and Mr. Speaker—17.

Mr. Wood moved to amend by striking out "five thousand" and inserting "four thousand."

Lost.

Mr. Beck's amendment to section one adopted, and bill refused engrossment.

Mr. Haskell gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

Assembly Bill No. 102, passed on file.

Mr. Crawford in the chair.

Assembly Bill No. 150, an Act to provide for a reduction of the expenses of the State Government.

Previous question called, but not sustained.

Mr. Fisher moved to adjourn until Friday morning.

Lost.

Mr. Wood moved to adjourn.

Carried, and House adjourned at eight o'clock and forty-five minutes
P. M.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-THIRD DAY.

THURSDAY, February 22, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Crawford, Hall, and Woodruff.

Prayer by the Chaplain.

Mr. Crawford granted leave of absence for two days, Mr. Hall for an indefinite time, and Mr. Woodruff for one day.

On motion of Mr. Mason, in honor of the anniversary of the birthday of Washington, at ten o'clock and fifteen minutes the House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-FOURTH DAY.

FRIDAY, February 23d, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Hinckley and Woodruff, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday, and day previous, read and approved.

PRESENTATION OF PETITION.

By Mr. Lane—A petition from citizens of Gold Hill, relative to the Orphan Asylum Appropriation Bill.

Placed on file.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Senate Bill No. 29, entitled "An Act to protect the wages of labor in the State of Nevada," have deliberately and maturely considered the same, and report as follows :

Your committee approve of what appears to be the purpose of the bill—that of affording additional protection to the laboring man in recovering the pay for his labor. They further agree, that the laborer, especially the miner, needs assistance from the law, beyond what the law now gives him, to enable him to secure his wages. The laborer in the mines is now generally the employé of a corporation, and as the mines of the State are more and more developed, large corporations will become, to a still greater extent, the employers of the working miner. Against men clothed with the power possessed by a great and wealthy corporation, the ordinary laborer is not able to contend. His claims, however just, are too apt to be overlooked or disregarded. Other creditors of the corporation, possessed of more means and influence, step in before him, and secure claims which ought to be subordinated to his. The laborer, too, is too often so situated that he is compelled to give credit. He cannot, as the merchant or manufacturer can, have the option of trusting or not. Except at places or in seasons when the demand for labor is great, he is more strictly at the mercy of the corporation than any other man who deals with it. These considerations, and others which will suggest themselves, operate in this State, in addition to those which have generally led legislators to prefer the debts of labor to other liabilities. It being thus apparent that something should be done to secure from the loss of their earnings a class upon whom that loss generally falls with crushing severity, the question arises, by what means can the object be accomplished? The bill now under consideration proposes to attain the end in this way: It provides that before any property, real or personal, can be sold under execution or other legal process, the Sheriff or Constable shall give the persons employed by the defendant notice of the issue of the writ, by newspaper or hand-bill, ten days before the sale, which notice shall require the employés to make known to him, before the sale, the kind and amount of their claims; and that such claims shall first be paid out of the proceeds of the sale *pro rata*; the claims, however, being subject to all legal objections.

It will readily be seen how utterly impracticable this scheme is. In the first place, all final legal process is stopped. No sale, under execution or otherwise, can be made. The moment a Sheriff or Constable gets an execution, instead of proceeding to execute it, and make the money for the plaintiff, he is compelled to do that which may prevent his making the money at all. He is required to give notice to all the persons employed by the defendant, that such process has issued. But how if there be persons employed by the same company at a distance? If the officer is to notify them, the plan proposed would be impracticable; if not, they could not present their claims. Again. How is it to be, even with the parties who receive notice? Are they to be barred if they do not present their claims? Suppose no one present claims, how long is the officer to wait before he may sell? The bill gives no light on these very material points. But there are still more serious objections. What remedy has the plaintiff in the execution—who, per-

haps, after years of litigation, has at last succeeded in getting his execution against the property of the defendant—if that property is to be first subjected to the claims of laborers? Is he to stand and look on, while the property is eaten up by claims which accrued long after his? or is he still further to litigate, and being a party interested, to contest the laborer's demands? These demands may be unjust. They may be pretended, not real claims. Offsets may exist against them. Who is to settle these things, and preside at and dispose of the triangular fight between the laborers, the plaintiff in the execution, and the defendant in the execution?

But suppose that Court is a Justice's Court, and that the demands of some of the laborers are over three hundred in amount? Or, suppose it is a District Court, and some of the demands are under three hundred in amount? But even where the Court would have jurisdiction, the bill provides no machinery by which the claims can be brought before it and adjusted. Indeed, it does not seem to contemplate that the Court shall decide upon the claims, but the Sheriff or Constable. It says that the laborers shall make known to him—*i. e.*, the Sheriff or Constable—the kind and amount of their respective claims, etc. But how can this be done? Is the Sheriff a judicial officer? Is a Constable to adjudicate questions of law? The constitutional distribution of powers would be slightly in the way of such a provision; and even if that be regarded as of no importance, the spectacle of a Constable seated on the judicial bench every time an execution is put into his hands, and attempting to settle the abstruse propositions of law that would often be involved, might be a subject for laughter to the bystander, but would certainly be a subject of grief to the litigants.

It is often said that a trial before a Justice of the Peace is a mere farce. What, then, would a trial before a Constable be? But suppose the Constable to have decided the vexed questions between the plaintiff in the execution, the defendant, and the laborers? Is such decision to be final, or is there to be an appeal? If final, it can only be on the ground that the decision of a Constable would be sounder than that of a Court; for an appeal is the ordinary right of every litigant. If not final, how is the appeal to be taken? And is the Sheriff or Constable to wait until he can be heard in the Supreme Court before he sells? As the *pro rata* distribution must depend on the amount to be distributed, would not all the demands, as well those of the laborers as that of the plaintiff, have to wait upon the decision of the Appellate Court?

It is hardly worth while to allude to the mere constitutional objection, that the right to a trial by jury is secured to every citizen, and that no provision whatever is made for it in questions arising on the claims of labor. It is presumed that it was the intention of the author to entrust the decision of questions of fact to the Constable, on the principle that, if he were competent to settle points of law, he would be competent to decide questions of fact.

The prominent features of the other parts of the bill are, if possible, still more objectionable. A secret lien is established which would extend to every article of property, real and personal. The laborer, or assignee of the laborer, would have a secret right in the property of his debtor, of which no notice would be imparted, no warning given. The lien would follow the article, if portable, wherever the article went. If non-portable it would be a mortgage unacknowledged and unrecorded. By this law, though one man might have, and might always have had the possession of a horse or a gun, no one could be sure that the possessor

owned it; no one could be safe in buying; for in spite of the best proof of ownership, the secret lien might exist in favor of some man who had a claim for wages against the asserted owner. By this law, the owner of one of these secret liens might stand by, see a horse or wagon sold, without disclosing his lien; see the price paid, and the moment the price was paid by an honest purchaser, claim the horse as his own. By this law, a speculator, buying up the claims of laborers, might put a stop to half the commercial transactions of a community. It would not only open a door, at every step, to fraud, and give the sharper a constant advantage over the honest man; but it would do far more; it would, after sufficient time had elapsed for its full operation, put a stop to the sale of real and personal property. No man could safely buy. His search of the records would be useless; for after he had ascertained what encumbrances and liens existed under the present laws, there would be this new class of liens, of which there is no record and no notice. Whenever a man wished to buy a horse or wagon, as well as a piece of real estate, he would, in order to secure himself against the secret lien, have to take a bond from the vendor, conditional that the price should be repaid in case the property were taken from the vendee under the secret lien; and even then, he might have as many law-suits on his hands as there were laborers' claims against the owner of the property. It is not necessary to be a lawyer to understand the paramount importance of either having no liens whatever on property other than possessory liens, or else having a convenient place where all liens are recorded. Upon the free and safe transfer of property, real and personal, depends the prosperity of every people; depends the very existence of a commercial nation. But how can property be either freely or safely transferred, when no man who buys can be certain that the next person whom he meets has not a better title to the property purchased than himself. After what has been said, it is hardly necessary to remark that the bill is in direct antagonism to long established principles of American law. These principles favor the free and easy transfer of all property. They have of late years tended more and more to strike off every shackle that impeded the ceaseless passing and repassing of property from hand to hand. To secure this great end, and yet also to secure that other object—the important but almost antagonistic object of enabling the owner while he held his property to pledge it, and thereby give another a qualified interest in it—they have, in every State of the Union, established a system of forcing the property holder to record his evidences of title; and the lien holder to record his claims against property. The requirements of this system are an immense tax upon the time, patience and money of the citizen, and a tax which no one pretends to justify except upon this ground: The absolute and permanent necessity of making public the titles to, and rights in property, in order that property may pass with perfect freedom from hand to hand.

Such being the character of this bill, your committee have no option except to recommend that it do not pass.

C. S. HAYDEN, Chairman.
T. D. EDWARDS,
A. B. ELLIOTT,
D. H. HASKELL,

Bill placed on file.

By Mr. Clemens:

Mr. Speaker :

The minority of your Committee on Ways and Means, to whom was referred Senate Bill No. 95, entitled "An Act authorizing a loan on the faith and credit of the State to pay the indebtedness of the State, and of the late Territory of Nevada, assumed by the State and not already provided for, has had the same under consideration, has come to an unfavorable conclusion thereon, and reports adversely thereto, for the following reasons :

The following is the indebtedness of the State :

First—\$200,000 recently borrowed, at eighteen per cent. interest per annum, and due about the first of February, 1867.

Second—Territorial Bonds issued under the Acts of February 16th, and February 20th, 1864, bearing interest at the rate of eighteen per cent. per annum.

Due February 1st, 1867.....	\$35,000
Due February 1st, 1868.....	40,000
Due February 1st, 1869.....	50,000
	\$125 000

Accrued indebtedness on account of extra pay and bounties to volunteers to date, and which bears no interest, \$70,858 67; making, in the aggregate, \$395,858 67. If the object of borrowing the money is to save interest; the warrants which bear none should be deducted to the amount of 70,858 67, leaving indebtedness bearing interest \$325,000, or \$175,000 less than proposed to be borrowed. The bill allows the bonds to be negotiated at eighty-five cents on the dollar, with interest at ten per cent on the amount realized. This would be paying \$500,000 for the use of \$425,000 for ten years. This is too much. It seems extravagant to pay \$925,000, where only \$425,000 is received.

The receipts for 1866 are estimated by the State Controller at \$315,000 00, and current expenditures at \$186,555 62; leaving to be applied on bonds and interest already issued and accruing \$128,444 38. From indebtedness bearing interest, \$325,000 00, deduct the above surplus revenue, \$128,444 38, leaving to be borrowed, if any, \$196,555 62. But if the sum of \$186 555 62, above referred to, as the amount needed for current expenses of 1866; the Legislative Department \$60,000, and Judicial Department \$21,000, and I know not how much more have been provided for by the \$200,000 bonds recently issued. There seems to be, then, no use contemplated for the revenue of this year; and on page — of the Treasurer's report, it is proposed that \$175,000 of the amount proposed to be borrowed, "principal and interest payable in gold coin," is "to pay cash through the year." Is this part of the loan to be negotiated because the revenue will be paid in greenbacks? Are the expenditures of the Government still to be paid in coin, notwithstanding the late decision? And are the people to be made to pay the difference between the two kinds of currency, besides enormous interest on coin borrowed for the purpose? The people's taxes will not be lightened by paying them in paper currency, because the assessments will be proportionally higher than if assessed on a coin basis. They are heavy enough now, and the general understanding has all the time been that the change in currency would, as far as possible, immediately apply to all the expenditures of the State, as well as its income. Section first of the bill states that \$82,500 of the amount proposed to be borrowed, is to

replace in the General Fund, that amount paid out on Territorial indebtedness. But if the Territorial and State indebtedness and expenses of the State for one year are all to be taken up and provided for by the money received for the new bonds; what is the object of replacing \$82,500 in the General Fund? Admit, however, for the sake of argument, all the bill and Treasurer's report together claim to be necessary, and the figures are as follows :

To pay money recently borrowed.....	\$200,000 00
Territorial indebtedness.....	125,000 00
Current expenses one year.....	175,000 00
Soldiers' warrants (amount stated by Controller)	70,858 67
Replace in General Fund as aforesaid	82,500 00
	<hr/>
	\$653,358 67

Against this, place money to be realized from sales of	
\$500,000 bonds, amounting to.....	425,000 00
And State Controller's estimate of receipts from revenue for the fiscal year 1866.....	315,000 00
	<hr/>
	\$740,000 00

Allowing then the wildest estimates of the necessities of the State—even drawing on the imagination to the extent of \$82,500—and there is still left \$86,641 63, the use of which is not apparent to the minority of your committee. Add to this the \$82,500 merely designed to change the money from one fund to another, and the bonds are evidently too large, by one hundred and sixty-nine thousand, one hundred and forty-one dollars and thirty-three cents, to say nothing of the \$75,000 for which bonds are to be given where no money is to be received. Take off \$75,750, one fourth of the estimated revenue for 1866, to reduce said revenue from paper to coin currency, so as to make it as favorable to the friends of the bill as they might ask; and take off also from the estimated revenue of 1866, \$42,500, to pay interest on the new bonds for the year 1866—amounting in all to \$121,250—and we have left \$47,891 33, too much, even if the State pay every dollar of its expenditure for the year 1866 in gold coin, besides giving bonds drawing interest to take up warrants to the amount of \$70,858 67, not now drawing any interest; and also giving bonds for \$75,000, for which we receive no money; and besides paying for the use of \$425,000 at such rates that if the bonds were redeemed in one year the cost to the State would be more than equivalent to interest at the rate of $27\frac{1}{2}$ per cent. per annum, or if redeemed in two years, would be fully equal to interest at the rate of $18\frac{1}{2}$ per cent. per annum, or over $15\frac{3}{4}$ per cent. if redeemed in three years, or over 14 per cent. if redeemed in four years, or $13\frac{1}{2}$ per cent. if redeemed in five years, or $12\frac{3}{4}$ per cent. if redeemed in six years, or $12\frac{1}{2}$ per cent. if redeemed in seven years, or over 12 per cent. if redeemed in eight years, or over $11\frac{3}{4}$ per cent. if redeemed in nine years, and $11\frac{1}{2}$ per cent. if paid in ten years. The bill provides for the redemption of bonds at not more than par, from time to time, as money may accumulate in the Sinking Fund.

It will be seen that in whatever year, from first to last inclusive, these bonds, or any portion of them may be redeemed by the State at par, the cost of the use of the money borrowed will be too great. The result

will be that no holder of such bonds would surrender them, and the Sinking Fund must be idle in the treasury from one to ten years, while the State pays from $11\frac{3}{4}$ to $27\frac{1}{2}$ per cent. on borrowed money. It is true the bill provides that if there are no bidders offering to surrender bonds upon advertisement by the Treasurer, the Sinking Fund may be invested in United States gold-bearing bonds. But six per cent. interest received on money loaned comes far short of balancing $11\frac{3}{4}$ to $27\frac{1}{2}$ per cent. paid out on money borrowed.

REPORT OF SELECT COMMITTEE

By Mr. McDougall:

Mr. Speaker:

Your Special Committee, appointed under resolution to inquire into the condition and state of forwarding of the publication of Debates of the Constitutional Convention, beg leave to report that we have made diligent investigation in the premises, and submit the accompanying documents, from "A" to "G", in full statements of the facts connected with the publication. We recommend that these documents be ordered printed.

Your committee find that a contract was made for the printing of the debates, at the lowest cash terms, by J. Neely Johnson, late President of the Constitutional Convention; and we further recommend the passage of the accompanying bill, appropriating five hundred dollars to Frank Eastman, the publisher of the work, as an extra compensation, upon the completion and delivery of the publication.

H. C. McDOUGALL,
Chairman.

B. S. MASON,
GEO. A. HUDSON.

Documents as per report, [see appendix No. 3] two hundred and forty copies ordered printed.

MOTIONS AND RESOLUTIONS.

By Mr. Clemens:

Resolved, That hereafter, when any resolution appropriating money out of the contingent fund is offered for the consideration of this House, it shall be accompanied by a bill of particulars, certified to be correct by some person or persons who shall, in the same certificate, state their means of knowledge of the correctness of such bill, and that the services or purchases were necessary.

Laid over one day under the rules.

By Mr. Cutter:

Resolved, That the chairman of the Standing Committee on Enrollment be, and he is hereby, authorized and empowered to audit all accounts for extra enrolling, and certify the same to the Sergeant-at-Arms, who shall draw his order in favor of the party to whom such account may be certified, payable out of the legislative fund.

Mr. Fisher moved the resolution do lie on the table.

Lost, and resolution adopted.

By Mr. Taylor:

Resolved, That the Sergeant-at-Arms is authorized and required to draw his warrant on the Assembly contingent fund in favor of S. Pixley, for the amount of sixteen dollars and fifty cents, work done and materials furnished the Assembly in 1865.

Referred to Committee on Contingent Expenses.

On motion, Assembly Bill No. 85 was placed at the head of the file.

By Mr. Beck :

WHEREAS, This House did, on the 20th inst., impose a fine of twenty-five dollars against the gentleman from Lander, Mr. Hayden; and,

WHEREAS, Said sum has been paid to the Sergeant-at-Arms of this House, as per direction; therefore,

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to pay to the State Librarian the sum of twenty dollars for the benefit of the library fund.

Mr. Fisher moved the resolution be laid on the table.

Yeas and nays called by Messrs. Vandewater, Lane, and James; motion carried by the following vote :

YEAS—Messrs. Canfield, Clemens, Elliott, Fisher, Ingham, Julien, Linn, Mayhugh, Munckton, Prince, Taylor, Walton, Williams, Work, and Mr. Speaker—15.

NAYS—Messrs. Beck, Cutter, Grey, Glover, Haskell, Hudson, James, Lane, McDougall, Vandewater, and Wood—11.

Mr. Munckton introduced Assembly Concurrent Resolution No. —, relative to mail service.

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

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
February 21, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has this day appointed Messrs. James, Lockwood and Haines a committee of conference, to confer with a like committee appointed by your honorable body, on Senate amendments to Assembly Bill No. 43, an Act to allow any person or persons to divert the waters of any river or stream, and run the same through any ditch or flume, and to provide for the right of way through the lands of others.

I am also directed to transmit, for the consideration of your honorable body, Senate Bill No. 110, an Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," the same having passed the Senate this day. Yeas, 15; nays, none.

Also, Senate Bill No. 164, an Act to provide for the payment of claims created by the Warden of the State Prison, in recapturing escaped prisoners, the same having passed the Senate this day. Yeas, 16; nays, none.

Also, Senate Concurrent Resolution, relative to appointing committee of free conference, the same having passed the Senate this day, unanimously.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Bill No. 110, as per message, read first and second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 164, as per message, read first time, rules suspended, read second time by title, and placed on file.

Senate Concurrent Resolution No. 170, as per message, laid over one day, under the rules.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 21, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 132, an Act in relation to the payment of salaries, and other claims, against the State, the same having passed the Senate this day. Yeas, 11; nays, 3.

Also, Senate Bill No. 144, an Act for the relief of John F. Stone, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Senate Bill No. 127, an Act to transfer certain books, in the State Library, to the State Prison, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Senate Bill No. 146, an Act to amend an Act to provide for organizing and disciplining the militia of this State, approved March 4th, 1865, the same having passed the Senate this day. Yeas, 12; nays, none.

Also, Senate Bill No. 153, an Act to amend section fifty of an Act of the Legislature of this State, entitled "An Act concerning the Courts of Justice of this State, and judicial officers," the same having passed the Senate this day. Yeas, 12; nays, 1.

Also, Senate Bill No. 147, an Act to amend an Act to provide for organizing and disciplining the militia of this State, approved March 4th, 1865, the same having passed the Senate this day. Yeas, 13; nays, none.

I am also directed to return to your honorable body, Substitute for Assembly Concurrent Resolution No. 2, in regard to mail service from Wellington's Station, Esmeralda county, to Austin, Lander county, the Senate having concurred in Assembly amendments thereto.

Also, Assembly Bill No. 76, an Act to amend an Act entitled "An Act concerning conveyances," approved November 5th, 1861, the same having been this day indefinitely postponed.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 132, as per message, rules suspended, read first and second time by title, and referred to Committee on State Institutions.

Senate Bill No. 144, as per message, rules suspended, read first and second time by title, and referred to Committee on Claims.

Senate Bill No. 127, as per message, rules suspended, read first and second time by title, and placed on file.

Substitute for Senate Bill No. 127, as per message, rules suspended, read first and second time by title, and referred to Committee on Military and Indian Affairs, with instructions to report to-morrow.

Senate Bill No. 153, as per message, rules suspended, read first and second time by title, and referred to Committee on Judiciary with instructions to report to-morrow.

Senate Bill No. 147, as per message, rules suspended, read first and second time by title, and referred to Committee on Military and Indian Affairs.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 21, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has this concurred in Assembly amendments to Senate Bill No. 5, an Act defining the duties of State Controller. Yeas, 11; nays, 1.

I am also instructed to return to your honorable body Assembly Bill No. 59, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865, the same having passed the Senate this day. Yeas, 12; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

INTRODUCTION OF BILLS.

By unanimous consent, Mr. Vandewater introduced Assembly Bill No. 199, an Act for the disposal of the moneys in the county building fund in the county of Storey.

Rules suspended, read first and second time by title, and referred to Storey County delegation.

Also, by Mr. McDougall—Assembly Bill No. 200, an Act for the relief of Frank Eastman.

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

Also, by Mr. Williams—Assembly Bill No. 201, an Act amending an Act entitled "An Act in relation to common jails and the prisoners thereof."

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

Also, by Mr. James—Assembly Bill No. 202, an Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," approved March 10th, 1865.

Rules suspended, read first and second time by title, and referred to Storey County delegation.

Pursuant to previous notice, by Mr. Munckton, Assembly Bill No. 203, an Act to incorporate Carson City and provide for the government thereof.

Rules suspended, read first and second time by title, and referred to Ormsby County delegation.

GENERAL FILE.

Assembly Bill No. 141, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10, 1865.

Read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Glover, Grey, Haskell, Hayden, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—26.

NAYS—None.

Mr. Speaker *pro tem.* in the chair.

Assembly Bill No. 85, an Act to amend an Act entitled "An Act concerning the courts of justice of this State and judicial officers," approved January 26, 1865.

On motion, bill recommitted to special committee of one, with instructions to insert in section one, after the word "month," the words "and of the district or county, thirty days"—who reported the bill amended as per instructions.

Amendment adopted.

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

YEAS—Messrs. Beck, Canfield, Clemens, Cutter, Elliott, Grey, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Walton, Wood, Work, and Mr. Speaker—23.

NAYS—Mr. Fisher—1.

Assembly Bills No. 153 and 154, withdrawn.

Assembly Bill No. 150, an Act to provide for a reduction of the expenses of the State Government.

Mr. Cutler moved the bill do lie on the table.

Bill laid on the table by the following vote :

YEAS—Messrs. Beck, Canfield, Crawford, Cutter, Grey, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Vandewater, Walton, and Work—15.

NAYS—Messrs. Clemens, Elliott, Fisher, Glover, Haskell, Hayden, Hinckley, Mayhugh, Munckton, McDougall, Prince, Taylor, Wood, and Mr. Speaker—14.

Assembly Bill No. 102 passed on file.

Assembly Bill No. 129 laid on the table.

Mr. Speaker in the chair.

Assembly Bill No. 170 passed on file.

Senate Bill No. 75 laid on the table.

Assembly Bill No. 40 laid on the table.

Assembly Bill No. 27 passed on file.

On motion of Mr. Ingham, at twelve o'clock and fifty minutes, House took a recess until two o'clock p. m.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

Special order, Assembly Bill No. 138, laid on the table.

Rules suspended, and Senate Bill No. 95, an Act authorizing a loan on the faith and credit of the State, to pay the indebtedness of the State, and of the late Territory of Nevada assumed by the State and not already provided for.

House resolved itself into Committee of the Whole, Mr. James in the chair, for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate bill No. 95, an Act authorizing a loan on the faith and credit of the State, to pay the indebtedness of the State, and of the late Territory of Nevada assumed by the State and not already provided for, 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.

Committee amendments adopted.

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

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Edwards, Gaige, Grey, Glover, Haskell, Hayden, Hudson, Ingham, Julien, Lane, Linn, Mason, Munckton, McDougall, Walton, Williams, Wood, Work, and Mr. Speaker—24.

NAYS—Messrs. Clemens, Elliott, Fisher, and James—4.

Assembly Bill No. 34, an Act to revise and amend "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 29, 1861," approved March 6, 1865; also, section two hundred and forty-three of an Act entitled "An Act to regulate proceedings in civil cases in the Territory of Nevada," approved November 29, 1861, was amended and ordered engrossed for third reading.

Mr. Haskell, in accordance with motion made yesterday, called up Assembly Bill No. 49, and moved a reconsideration of the vote by which said bill was refused engrossment; vote reconsidered, and bill ordered engrossed.

Assembly Bill No. 146, Mr. Ingham moved the bill be laid on the table, yeas and nays called by Messrs. Fisher, Gaige, and Munckton, resulting as follows :

YEAS—Messrs. Canfield, Cutter, Edwards, Grey, Glover, Hudson, and Ingham—7.

NAYS—Messrs. Bearss, Beck, Crawford, Elliott, Fisher, Gaige, Haskell, Hayden, Hinckley, Julien, Lane, Linn, Mason, Munckton, McDougall, Prince, Taylor, Walton, Work, and Mr. Speaker—20.

Motion lost.

Mr. Crawford moved the bill be recommitted to a select committee,

consisting of Messrs. Fisher, Crawford, and Haskell, with instructions to report on Monday next.

Carried.

Assembly Bill No. 159, passed on file, rules suspended, and Mr. Glover offered the following:

Mr. Speaker:

Your committee of conference appointed to confer with a like committee appointed by the Senate, concerning amendments made by the Senate to Assembly Bill No. 43, an Act to allow any person or persons to divert the waters of any river or stream, and run the same through any ditch or flume; and to provide for the right of way through the lands of others, beg leave to report, that they recommend all after the word "right," in section third of the said bill, be stricken out, and that the bill pass as amended.

On motion of Mr. Haskell, bill recommitted to committee of conference.

Assembly Bill No. 101, an Act in relation to legal currency.

Mr. Crawford moved to recommit to Judiciary Committee.

Lost.

Committee amendments adopted, bill ordered engrossed for third reading.

Assembly Bill No. 139, indefinitely postponed.

Assembly Bill No. 157, an Act to amend an Act entitled "An Act defining the time of commencing civil actions," approved November 21st, 1861, and as amended by an Act entitled "An Act amendatory of section thirty-four of an Act entitled 'An Act defining the time of commencing civil actions,'" approved November 21st, 1861, approved December 9th, 1862, was ordered engrossed for third reading.

Senate Bill No. 78, recommitted to Lander Delegation.

Assembly Bill No. 144, ordered engrossed for third reading.

Senate Bill No. 78, by leave, reported back from Lander County delegation.

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

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Julien, Linn, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Work, and Mr. Speaker—26.

NAYS—None.

Rules suspended; Mr. Elliott offered the following minority report:

Mr. Speaker:

The undersigned, a minority of your committee of conference, to whom was referred the matters of disagreement between the two Houses on amendments proposed by the Senate to Assembly Bill No. 5, 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," begs leave to report that he, together with a majority of your committee, met with a like committee appointed by the Senate, and duly considered said matters of disagreement between the two Houses; and, after such consideration, is unable to reconcile the same, for the following reasons: The most difficult matter of

disagreement was the question, shall the payment of a poll tax of four dollars be made a condition precedent to the right of registration or voting? Your minority thinks not. If the right to enforce the payment of the poll tax in this manner is resorted to; why attempt to enforce it in any other way? Why pass stringent revenue laws to enforce the payment, giving the right of seizure and sale of any property, together with the right of attaching any money which may be due? If the payment of the poll tax as a condition precedent to the right of registration is resorted to as a remedy to enforce the payment of the poll tax, then why not adopt the same remedy to enforce the collection of all taxes on property, both real and personal, as well as the license tax? It seems to me that if the reasoning will hold good in the one case, it will in the other. But it is alleged and put forth by the majority of your committee, rather as an excuse for resorting to such a remedy, that it is necessary, and furnishes a remedy for the collection of the poll tax from a class of persons to be found in considerable numbers in and around cities and towns, without property and in no honest employment; and who can be made to pay in no other way. It is sufficient answer to this, to say that such persons will never pay their poll tax, even though it should be made a condition to the right of voting. The political parties, politicians, and candidates for office will have to, and invariably will, pay the poll tax of all such persons, and in this way, as the Governor of our State truly says in his annual message, "we will throw into the arena of politics, an illegitimate and unwholesome influence." Indeed, it is the candid and settled opinion and conviction of the minority, from former experience and observation, that it will be the cause of more corruption and demoralization of society, and more undermining of, and destructive to, the stability of our free institutions, and the patriotism of our fellow-citizens, than almost anything which could be thrown into the arena of party politics. Our citizens will come to regard the ballot, and the right of voting, as a farce and a mockery, when they come to see and realize that elections are carried by money, and not by the fair and impartial expression of the deliberate opinion of a free people.

Elections should be free from all money influences, and unless so preserved and protected, we cannot, with any degree of confidence, feel and say of the institutions of our country, "*esto perpetua*." The majority of your committee say, that "practically the payment of this tax is not a condition to the right of voting to any class of people who are valuable members of society." Practically, as well as a matter of fact, it is, in the judgment of your minority, making it a condition to the right of voting. It says you shall not register until you have paid your poll tax of four dollars, and that you shall not vote until registered. It is, therefore, both in law and in fact, as much a condition to one class as to another. It is true, one class, the wealthy, may be more able to pay it than the poorer class, and hence, practically, to such class—the wealthy—it is not so much of a condition, or they may not feel it so much as the poorer classes; yet I am to learn, and believe, as a fact, that the poorer classes of our fellow citizens are not valuable members of society, or that the wealthy are the only class of our fellow citizens who are valuable members of society. The majority of your committee say there is one class of people in addition to the non-producing class we have before mentioned, who are strongly opposed to the paying of a poll tax before voting, and that is a class who have been in sympathy with the enemies of the Government during the late war; and their opposition is founded, we apprehend, not so much upon the reasons alleged,

as upon the fact that the registry law imposes upon them oaths which they can not take. Your minority concur with the majority of your committee, that the opposition of this class to the four dollar poll tax section, is founded, not so much upon the reasons alleged, as that the law imposes upon them oaths which they can not well take. The section requiring the oath to be taken and subscribed, is entirely a distinct, separate and independent section, and has no relation to, or connection with, the section requiring the payment of the poll tax, and to which no loyal man has, or can have, any objections. Your minority apprehends that the opposition of the disloyal class referred to, is to the section requiring the taking and subscribing of the oath, and not so much to the poll tax section. This class, so far as the observation and knowledge of your minority extends, are fully, if not more able, to pay a poll tax than those who made no objections to the sections requiring the oath. Previous to the election of last Fall it was generally conceded by both parties, so far as the information of your minority extended, that the result of this Legislature on the subject, would be the repeal of the poll tax as a condition precedent to the right of voting. Your minority believes that this pledge, implied and generally understood, if not expressed, should, in good faith, be carried out. Personally, it is a matter of but small concern with the minority of your committee, whether the poll tax is made a condition precedent to the right of voting or not; but, believing it to be a restriction upon the elective franchise, not warranted by the spirit and intention of our free institutions, to wit: The preservation and perpetuation of free and self government; and believing that its tendency and effect is to corrupt and undermine the elective franchise—the basis and very foundation stone upon which our government's and all other rights are based; and believing further, it to be in contravention of the wise policy which should be pursued in a country and under a government where the people rule—of encouraging each to feel himself a part of the government; the undersigned does not choose to give in his adherence to such a policy, and believes it to be radically wrong.

In conclusion, your minority would beg leave to quote the eloquent, and, in the judgment of your minority, truthful language of the Adjutant-General of this State on this subject:

“There is no one thing that instills into the hearts of our people true patriotism more than the idea that each man is himself a part of the government. The soldier, when he goes to battle, feels that the starry banner which waves above him is his flag, and that, as an American citizen, the battle is his battle, which idea of individual interest it should be our policy to encourage, by securing to each citizen the largest participation in the affairs of the government consistent with our institutions. All restraints and limitations upon the right to exercise the privileges of an American citizen are in antagonism with the republican spirit of the age, and in conflict with the genius and spirit of our institutions, calculated to alienate and separate the people in affection and interest from the government, to wound and mortify their pride, and destroy their veneration, patriotism and love of country.

“The national honor having been vindicated, the supremacy of the laws established, treason overthrown, and the republic maintained, as one glorious and free, in the very hour of triumph it will ill become us to deny, by statutory enactment, to the returning veteran that right held most dear by every freeman—the right to a free exercise of the elective franchise.”

Rules suspended, and Mr. Hinckley offered the following report :

Mr. Speaker :

The majority of the select committee, consisting of one from each county, to whom was referred Assembly Bill No. 188, an Act to amend sections seventeen and eighteen of an Act entitled "An Act to create a Board of County Commissioners in the several counties, and to define their duties and powers," approved March 8th, 1865, beg leave to report that they have had the same under consideration, approve its provisions, and recommend its passage.

J. L. HINCKLEY,
M. M. GAIGE,
B. S. MASON,
E. F. GLOVER,
A. C. BEARSS.
W. H. TAYLOR.

Bill placed on file.

Also, by Mr. Clemens :

Mr. Clemens, from Committee on Ways and Means, to which was referred Senate Bill No. 110, entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend that it do pass.

Bill placed on file.

Assembly Bill No. 100 passed on file.

Rules suspended, Senate Bill No. 41 and Assembly Bill No. 149 made special order for seven o'clock this evening.

By leave, Mr. Elliott offered remonstrances to Senate Bill No. 41, which were placed on file with said bill.

On motion of Mr. Glover, at five o'clock House took a recess until seven p. m.

EVENING SESSION.

House re-assembled at seven p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Walton excused for the evening.

Mr. Glover, from conference committee, reported back Assembly Bill No. 43, an Act to allow any person or persons to divert the waters of any river or stream and run the same through any ditch or flume, and to provide for the right of way through the lands of others.

Committee amendments concurred in, and bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, Lane, Linn, Mason, McDougall, Taylor, Vandewater, Williams, and Mr. Speaker—19.

NAYS—Messrs. Hudson, Ingham, and Julien—3.

Special order, Senate Bill No. 41 and Assembly Bill No. 149 were taken up.

House resolved itself into the Committee of the Whole for consideration of said bills.

Mr. Haskell in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No 149, an Act appropriating money for the benefit of St. Paul's Episcopal Parish School, and directed their chairman to report the bill to the House, and recommend its indefinite postponement.

Also, Senate Bill No. 41, an Act appropriating moneys for the benefit of the Orphan Asylum, conducted by the Sisters of Charity, at Virginia City, and recommend its indefinite postponement.

Mr. Cutter moved to adjourn.

Yeas and nays called, and motion lost by the following vote :

YEAS—Messrs. Bearss, Cutter, Grey, Glover, Ingham, James, Lane, McDougall, Taylor, and Williams—10.

NAYS—Messrs. Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Haskell, Hayden, Hinckley, Hudson, Julien, Linn, Mason, Munckton, Prince, Vandewater, Wood, Work, and Mr. Speaker—19.

The question being upon indefinite postponement of Assembly Bill No. 149, as per recommendation of committee.

Previous question called and sustained.

Yeas and nays called by Messrs. Cutter, Wood and Haskell, and bill indefinitely postponed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, McDougall, Prince, Taylor, Vandewater, Williams, Wood, Work, and Mr. Speaker—30.

NAYS—None.

Previous question called and sustained.

The question being upon the indefinite postponement of Senate Bill No. 41, yeas and nays called by Messrs. Cutter, Work and Fisher, and bill indefinitely postponed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Prince, Vandewater, Wood, Work, and Mr. Speaker—19.

NAYS—Messrs. Canfield, Grey, Glover, Hudson, Ingham, James, Lane, Munckton, McDougall, Taylor, and Williams—11.

Mr. Cutter gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

On motion of Mr. Hayden, at ten o'clock p. m., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-FIFTH DAY.

SATURDAY, February 24, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Woodruff and Edwards, to whom leave of absence was granted for one day.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

By Mr. Prince :

Mr. Speaker :

Your Committee on State Institutions, to whom was referred Senate Bill No. 132, in relation to the payment of salaries, and other claims against the State, beg leave to report the same back without amendment, and recommend its passage.

Bill placed on file.

Senate Concurrent Resolution No. 170, relative to Committee of Free Conference, introduced yesterday, was called up and adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 23, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 174, entitled "An Act to amend an Act 'entitled an Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada,'" the same having passed the Senate this day. Yeas, 15; nays, none.

Also, Senate Substitute Bill No. 107, an Act supplementary to, and amendatory of, an Act to provide for the maintenance and supervision of public schools, approved March 20th, 1865, the same having passed the Senate this day. Yeas, 15; nays, 1.

I am also directed to return Assembly Concurrent Resolution No. 29, in relation to United States Branch Mint, the same having passed the Senate this day without amendment. Yeas, 14; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Bill No. 174, an Act to amend an Act entitled "An Act to provide for the payment of the salaries of the Judges of the Supreme Court of the State of Nevada," as per message, read first time, rules suspended, read second time, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Gaige, Haskell, Hayden, Hinkley, Hudson, James, Julien, Lane, Linn, May-

hugh, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—25.

NAYS—None.

Substitute Senate Bill No. 107, as per message, rules suspended, read first and second time by title, and referred to Committee on Education.

SENATE CHAMBER, CARSON CITY, }
February 23, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 168, an Act appointing a commission to prepare and report to the Legislature, at its next regular session, for its adoption, a Civil Practice Act, the same having passed the Senate this day. Yeas, 12; nays, 2.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Bill No. 168, as per message, read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

SENATE CHAMBER, CARSON CITY, }
February 23, 1866. }

To the Hon. the Assembly :

I am directed to inform your honorable body, that the Senate has this day concurred in Assembly amendments to Senate Bill No. 119, an Act to appropriate moneys to defray the civil expenses of the State Government up to the close of the second fiscal year. I am also directed to return to your honorable body, the following Assembly Bills, viz :

No. 84, an Act to create a Board of Commissioners to examine and report upon the amount of just claims existing for property destroyed, and for losses sustained by Indian depredations in Humboldt county, in this State, in the years 1864, 1865, and 1866, the same having passed the Senate this day, without amendment. Yeas, 16; nays, none.

Also, No. 81, an Act authorizing the survey and establishment of the boundaries between the several counties of this State, the same having passed the Senate with an additional section, as follows: "Section Seven. Nothing in the provisions of this Act shall be construed so as to compel or enforce the Boards of County Commissioners of the several counties of this State to have any county line or lines surveyed and established, except where such county line or lines are now or may hereafter be in dispute, by reason of the settlement of persons and the ownership of property along such county line or lines." Yeas, 10; nays, 5.

Also, No. 145, an Act to provide for the payment of the salaries of the District Judges of this State for the month of December, 1866.

Also, No. 105, an Act to amend an Act entitled "An Act in relation to District Attorneys, approved March 11, 1865.

Also, No. 71, an Act to amend an Act entitled "An Act amendatory of and supplementary to an Act of the Legislative Assembly of the Territory of Nevada, entitled 'An Act to incorporate the city of Austin,' approved February 20, 1864," approved March 8, 1865; the same having passed the Senate this day without amendment.

Also, No. 95, an Act to create the county of Lincoln and provide for

its organization; the same having passed the Senate this day with the following amendments: In section four, line four, amend by striking out after the word "Nye" and before the word "counties," the words "and Churchill;" also, in same section and same line, strike out the word "counties" and insert in lieu thereof the word "county."

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Assembly Bill No. 81, as per message; Senate amendments concurred in, and bill passed by the following vote:

YEAS—Messrs. Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, O'Neil, Walton, Williams, Wood, Work, and Mr. Speaker.—25.

NAYS—None.

Assembly Bill No. 95, as per message; Senate amendments concurred in, and bill passed finally by the following vote:

YEAS—Messrs. Beck, Clemens, Elliott, Fisher, Gaige, Grey, Glover-Hall, Haskell, Hinckley, Hudson, Ingham, James, Lane, Linn, Munckton, McDougall, O'Neil, Walton, Williams, Wood, Work and Mr. Speaker—23.

NAYS—Messrs. Crawford and Hayden—2.

REPORTS OF COMMITTEES.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the originals, and found the same correctly engrossed, viz:

Assembly Bill No. 62, an Act to amend an Act concerning officers, approved November 29, 1861

Also, Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming.

By Mr. O'Neil:

Mr. Speaker:

The Committee on Internal Improvements, to whom was referred Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto, beg leave to report that they have had the same under consideration and recommend the passage of the bill with the following amendment: Strike out in line thirty-two, after the word "thereof," all of line thirty-three, and up to the word "over" in line thirty-four.

Bill and amendments placed on file.

Mr. Bearss 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, viz:

Assembly Bill No. 5, 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. 59, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10, 1865.

Also, substitute for Assembly Concurrent Resolution No. 2, in regard to mail service from Wellington Station, Esmeralda county, to Austin, Lander county.

Mr. Speaker *pro tem.* in the chair.

Rules suspended, and Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto, was taken up, and made special order for two o'clock to-day.

Mr. Canfield excused for the day.

GENERAL FILE.

Assembly Bill No. 62 passed on file.

Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming.

Bill recommitted to special committee of one, with instructions to insert at the end of section three the following words: "Provided that in incorporated cities which, at the general election in 1864, cast a vote of twenty-five hundred and upwards, said room or rooms shall in no case be situated on the first story of any building or buildings"—who reported the bill amended as per instructions.

Amendment adopted, bill read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Cutter, Elliott, Gaige, Grey, Glover, Haskell, Hinckley, Ingham, James, Julien, McDougall, O'Neil, Prince, Taylor, Vandewater, Williams, and Wood—19.

NAYS—Messrs. Clemens, Crawford, Fisher, Hayden, Hudson, Lane, Linn, Munckton, Walton, Work, and Mr. Speaker—11.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 43, an Act to allow any person or persons to divert the waters of any river or stream, and run the same through any ditch or flume, and to provide for the right of way through the lands of others," has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

Rules suspended, and Mr. Ingham offered the following report:

Mr. Ingham, chairman Committee on Military and Indian Affairs, to which was referred Senate Bill No. 146, an Act to amend an Act to provide for the organizing and disciplining the militia of this State, approved March 4th, 1865; also, Senate Bill No. 147, an Act to amend an Act to provide for the organizing and disciplining the militia of this State, approved March 4th, 1865, begs leave to report that they have had the same under consideration, made certain amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

Bills placed on file.

Mr. Cutter asked leave to continue, until Monday next, his motion to reconsider the vote by which Senate Bill No. 41 was lost.

Leave granted.

Rules suspended, and Mr. Taylor, from Committee on Claims, to which was referred Senate Bill No. 144, entitled "An Act for the relief of John F. Stone," begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, and recommend its passage.

Rules suspended, and Mr. Clemens introduced Assembly Bill No. 207, an Act establishing a State Orphan Asylum at the city of Carson, and provide for the government of the same.

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

Assembly Bill No. 27, an Act to provide for the collection of State and county taxes, and to define the duties of the Collector or Collectors thereof, was ordered engrossed for third reading.

Assembly Bill No. 102, laid on table.

Assembly Bill No. 159, an Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865, was ordered engrossed for third reading.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the originals, and found the same correctly engrossed, viz: Assembly Bill No. 34, an Act to revise an Act entitled "An Act to amend section two hundred and nineteen of an Act to regulate proceedings in civil cases in the Courts of Justice in the Territory of Nevada," approved November 29th, 1861, approved March 6th, 1865; and to amend section two hundred and forty-three 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, 1861.

Assembly Bill No. 100, an Act concerning juries, committee amendment rejected, rules suspended, bill considered engrossed, recommitted to special committee of one, with instructions to amend the oath as follows: After the word "God," in section eleven, insert the words "if an oath, under the pains and penalties of perjury; if an affirmation," who reported the bill amended as per instructions; amendment adopted; bill recommitted to special committee of one with instructions to insert, in section eleven, after the word "physicians," the words "apothecaries, and druggists," who reported the bill amended, as per instructions.

Amendments adopted, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinekey, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Williams, Wood, Work, and Mr. Speaker—28.

NAYS—None.

Rules suspended, and Mr. Fisher offered the following:

Resolved, That from and after this day, the 24th inst., the clerks heretofore acting as Committee Clerks be, and they are hereby, discharged from further duty and pay.

Adopted.

Rules suspended for introduction of Senate Message.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 24, 1866. }

To the President of the Senate :

I am directed to transmit herewith, for your consideration, Senate Concurrent Resolution, in relation to correcting an error in section nine of Senate Bill No. 5, an Act defining the duties of State Controller ; the same having passed the Senate this day unanimously.

Respectfully,

JOHN R. EARDLEY, Ass't Secretary.

Rules suspended, Senate Concurrent Resolution, as per message, adopted by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, O'Neil, Prince, Taylor, Walton, Wood, Work, and Mr. Speaker—25.

NAYS—Mr. Crawford—1.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz : Assembly Bill No. 49, An Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale in certain cases," approved March 6th, 1865.

Also, Assembly Bill No. 144, an Act concerning the boundaries of the counties of Nye and Lander.

On motion, Assembly Bill No. 64, and Senate Bill No. 110, referred to select committee of three, Messrs. Haskell, Elliott and Hinckley ; said bills, when reported back, to take their place at the head of the file.

On motion of Mr. Gaige, at one o'clock and fifteen minutes, House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

No quorum present.

Mr. Beck moved a call of the House.

Carried.

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

Special order, Assembly Bill No. 174, was made special order for Monday next.

On motion, rules suspended, and Mr. Wood introduced Assembly Bill No. 208, an Act to provide for the payment of the outstanding indebtedness of the Town of Gold Hill.

Rules suspended, read first and second time by title, rules further suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, McDougall, Hudson, Ingham, Julien, Lane,

Linn, O'Neil, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—23.

NAYS—None.

By leave, Mr. Cutter offered the following report :

Mr. Speaker :

The Storey county delegation, to whom was referred Senate Bill No. 134, an Act to provide for the reduction of the number of District Judges in the first Judicial District of the State of Nevada, and for other purposes, have had the same under consideration and beg leave to report the same back, recommending its passage.

Bill placed on file.

Assembly Bill No. 144, an Act concerning the boundaries of the counties of Nye and Lander, was read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, Julien, Lane, Linn, McDougall, O'Neil, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—24.

NAYS—None.

Assembly Bill No. 62, passed on file.

Assembly Bill No. 34, passed on file.

Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead, and other property, from forced sale in certain cases," approved March 6th, 1865 ; bill read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Hayden, Hinckley, Hudson, James, Julien, Linn, Munckton, McDougall, O'Neil, Prince, Walton, Williams, Work, and Mr. Speaker—19.

NAYS—Messrs. Cutter, Fisher, Grey, Glover, Haskell, Taylor, Vandewater, and Wood—8.

Assembly Bill No. 170, passed on file.

Assembly Bill No. 34, an Act to revise an Act entitled "An Act to amend section two hundred and nineteen of an Act to regulate proceedings in civil cases in the Courts of Justice in the Territory of Nevada," approved November 29th, 1861, approved March 6th, 1865, and to amend section two hundred and forty-three of 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 ; bill read third time and passed by the following vote :

YEAS—Messrs. Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, James, Julien, Linn, Munckton, McDougall, O'Neil, Prince, Walton, Williams, Work, and Mr. Speaker—22.

NAYS—Messrs. Beck and Grey—2.

Assembly Bill No. 163 passed on file.

Rules suspended, and Assembly Bill No. 57, an Act relating to elections, the manner of conducting and contesting the same; election returns, and the canvassing the same; ballot-box stuffing; destroying, or attempting to destroy, the ballot-box; illegal, or attempted illegal, voting, and misconduct at elections.

Committee amendments agreed to, bill considered engrossed, and read third time.

On motion, bill recommitted to special committee of one, with instructions to strike out, in section thirty-one, fourth and fifth lines, the following words: "Or as soon as the returns have been received from all the counties of the State, if necessary before that day;" also, in same section, line eight, before the word "and," insert the word "district;" and also, after the word "and," strike out the word "all"—who reported bill amended as per instructions.

Amendment adopted.

On motion, bill recommitted to special committee of one, with instructions to strike out, in section ninety-nine, second line, the word "if," and insert the word "to;" also, in same section, same line, strike out the word "article," and insert the word "allegation"—who reported bill amended as per instructions.

Amendment adopted.

On motion, bill recommitted to special committee of one, with instructions to transpose, in section one hundred and twenty-five, in second and third lines, the following: To the first line, after the word "given," "on the votes of two thirds of the members of the Legislature;" also, in same section, third line, after the word "the," strike out the word "Justice;" also, insert after the word "Judge," in the same section, same line, insert the words "District Attorney or any State officer"—who reported bill amended as per instructions.

Amendment adopted.

On motion, bill recommitted to special committee of one, with instructions to strike out, in section one hundred and twenty-six, first line, after the word "presented," the word "to," and insert the word "against"—who reported bill amended as per instructions.

Amendment adopted.

On motion, bill recommitted to special committee of one, with instructions to amend the title by striking out the word "stuffing," and insert "frauds upon the" before "ballot-box;" also, in section one hundred and twenty-eight, heading, insert between the words "fraud upon the," and after the word "box," strike out "stuffing;" also, in same heading, between the words "for" and "ballot-box," insert "fraud upon the," and after the word "box," strike out the word "stuffing."

Bill passed by the following vote:

YEAS—Messrs. Bearss, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, James, Julien, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—24.

NAYS—None.

By leave, Mr. Cutter offered the following:

Resolved, That Messrs. Crawford, Beck, and Work, be appointed a committee to visit the Orphan Asylum conducted by the Sisters of Charity, at Virginia City, with instructions to report on Monday next.

Mr. Hayden move its indefinite postponement.

Previous question called and sustained.

Yeas and nays called by Messrs. Cutter, Vandewater, and Haskell, and indefinitely postponed by the following vote:

YEAS—Messrs. Clemens, Crawford, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Linn, Prince, Vandewater, Walton, Wood, and Mr. Speaker—14.

NAYS—Messrs. Bearss, Cutter, Gaige, Grey, Glover, Hudson, James, Munkton, McDougall, O'Neil, Taylor, and Williams—12.

On motion of Mr. Hayden, at five o'clock and fifteen minutes House adjourned.

EVENING SESSION.

House re-assembled at seven o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

General file postponed ten minutes.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, February 24, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved the following Assembly Bills, viz:

No. 134, an Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Humboldt county," approved March 9th, 1865.

No. 59, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865.

No. 5, 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.

No. 26, an Act to provide a State Seal for the State of Nevada.

Also, Assembly Bill No. 74, an Act to amend an Act entitled "An Act to provide for the disincorporation of cities and towns incorporated under the laws of the Territory of Nevada," approved February 7th, 1865.

H. G. BLASDEL,
Governor.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz:

Assembly Bill No. 101, an Act in relation to legal currency.

Also, Assembly Bill No. 157, an Act to amend an Act entitled "An Act defining the time of commencing civil actions," approved November 21st, 1861, and as amended by an Act entitled "An Act amendatory of section thirty-four of an Act entitled 'An Act defining the time of commencing civil actions,'" approved December 19th, 1862.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 24, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Bill No. 95, an Act authorizing a loan on the faith and credit of the State to pay the indebtedness of the State, and of the late Territory of Nevada, assumed by the State and not already provided for.

I am also directed to return to your honorable body Assembly Bill No. 17, an Act to redistrict the State of Nevada into Judicial Districts, and to fix the salaries of the Judges and terms of Court therein, the same having passed the Senate this day with the following amendments : In section one, line one, strike out the word "seven" and insert the word "eight;" in line seven, strike out the word "counties" and insert "county;" also, in same line, strike out the words "and Esmeralda;" in line eleven, between the words "Churchill" and "there" insert the words "Eighth Judicial District of the county of Esmeralda."

In section two, line three, strike out the word "five," and insert "four;" in line four, insert the words "five hundred" between the words "thousand" and "dollars;" in line five, strike out the words "thirty-five hundred" and insert "three thousand;" in line nine, strike out "five" and insert "four;" also, strike out all between the words "year," in ninth line, and the word "that," in eleventh line; strike out "twenty," at the end of twelfth line, and insert "thirty;" strike out "four," in thirteenth line, and insert "two;" add at the end of section two the following words: "and that of the Judges of the Eighth Judicial District shall be three thousand dollars a year."

In section three, line ten, strike out the words "in Lyon County." Strike out all of line twelve, and all of line thirteen to the word "in." In lines fourteen and fifteen, strike out the words "March, June, September," and insert the words "April and August." Add at the end of section three the words "in Eighth Judicial District on the first Mondays of February, May, August and November."

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate amendments concurred in, and Assembly Bill No. 17 passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Catter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hudson, James, Julien, Linn, Munkton, McDougall, Prince, Taylor, Vandewater, Walton, Wood, and Work—23.

NAYS—Mr. Speaker—1.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
February 24, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 22,

an Act concerning the location and possession of mining claims, the same having passed the Senate this day with the following amendments:

In section one, line eleven, between the words "all" and "holding," strike the words "such persons" and insert the words "males of the age of twenty-one years and upwards."

Add at the end of section twenty-four the following: "Locations may be made on blind ledges in the same manner as on cropping ledges; and any person, company or corporation finding a blind ledge in any excavation made by him or them, shall for ten days after finding the same have the exclusive privilege of locating the same."

Add the following as a new section: "Section Forty-Seven. The provisions of this Act shall be applicable to all the counties of this State except the county of Storey, in which county none of the provisions of this Act shall be deemed to apply, or have force or effect."

All of which is respectfully submitted.

JOHN B. EARDLEY,
Assistant Secretary.

Senate amendments concurred in, and Assembly Bill No. 22 passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hudson, James, Julien, Lane, Linn, Munckton, McDougall, Prince, Taylor, Walton, Wood, Work, and Mr. Speaker—23.

NAYS—Mr. Vandewater—1.

Assembly Bill No. 148 laid on the table.

Assembly Bill No. 169 indefinitely postponed.

Assembly Bill No. 101, an Act in relation to legal currency, read third time and lost by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Gaige, Glover, Hayden, Hudson, Lane, Munckton, Walton, and Mr. Speaker—14.

NAYS—Messrs. Cutter, Haskell, James, Linn, McDougall, Prince, Vandewater and Wood—8.

Mr. Haskell gave notice that he would, on Monday next, move a reconsideration of the vote just taken.

Assembly Bill No. 157, an Act to amend an Act defining the time of commencing civil actions, approved November 21, 1861, and as amended by an Act entitled "An Act amendatory of section thirty-four of an Act entitled 'An Act defining the time of commencing civil actions,' approved November 21, 1861," approved December 19, 1862.

On motion, bill recommitted to a special committee of one, with instructions to strike out as follows: Section Four. This Act shall take effect and be in force from and after its passage—who reported bill amended as per instructions.

Amendment adopted.

Bill passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Glover, Haskell, Hayden, Hudson, James, Lane, Linn, Munckton,

McDougall, Prince, Taylor, Vandewater, Walton, Wood, Work and Mr. Speaker—23.

NAYS—None.

Assembly Bill No. 114 laid on the table.

Assembly Bill No. 117 passed on file.

Assembly Bill No. 44 ordered engrossed for third reading.

Assembly Bill No. 162, an Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March 22d, 1865.

Rules suspended, bill considered engrossed, read third time and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutler, Elliott, Glover, Haskell, Hayden, Hudson, Lane, Linn, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Wood, Work and Mr. Speaker—20.

NAYS—None.

Assembly Bill No. —, an Act relating to accounts against the State.

Rules suspended; bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Gaige, Glover, Hayden, Haskell, Hudson, Lane, Linn, Munckton, McDougall, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—20.

NAYS—None.

Senate Bill No. 68, passed on file.

Assembly Bill No. 34; bill considered engrossed, read third time, and, on motion, referred to special committee of one, Mr. Hayden, for correction.

Assembly Bill No. 180, an Act to amend section sixty-five of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," recommitted to special committee of three, consisting of Messrs. Haskell, Elliott and Hinckley.

Assembly Bill No. 178, ordered engrossed for third reading.

Assembly Bill No. 186, ordered engrossed for third reading.

Senate Bill No. 76, passed on file.

Senate Bill No. 136, passed on file.

Senate Bill No. 29, passed on file.

Senate Bill No. 164, passed on file.

Senate Bill No. 127, an Act to transfer certain books from the State Library to the State Prison, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Munckton, McDougall, Prince, Taylor, Walton, Wood, Work, and Mr. Speaker—22.

NAYS—None.

Assembly Bill No. 188, passed on file.

REPORT.

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee herewith report Assembly Bill No. 209, an

Act in relation to the distribution of the reports of the Supreme Court of the State of Nevada, and recommend that said bill be passed without amendment.

Assembly Bill No. 209, as per report, rules suspended, read first and second time by title, rules further suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Munckton, McDougall, Taylor, Walton, Wood, Work, and Mr. Speaker—21.

NAYS—None.

Mr. Haskell moved to adjourn.

Lost.

Senate Bill No. 132, an Act in relation to the payment of salaries and other claims against the State, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, Munckton, McDougall, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—19.

NAYS—Mr. Linn—1.

On motion of Mr. Munckton, at nine o'clock and fifty minutes P. M., House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-SEVENTH DAY.

MONDAY, February 26, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Woodruff and Edwards.

Mr. Woodruff granted indefinite leave.

Mr. Edwards granted leave of absence for one day.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Speaker *pro. tem.* in the chair.

PETITIONS.

By Mr. Munckton—A petition from citizens of Ormsby county, relating to an Act to re-district the State of Nevada into Judicial Districts, and to fix the salaries of the Judges, and terms of Court therein.

On motion, rules suspended, vote reconsidered by which said bill passed.

On motion, bill recommitted to special committee of one, with instructions to strike out in section two, the words "four thousand five hundred," and insert in lieu thereof the words "five thousand;" also, strike out in line five "three thousand," and insert in lieu thereof the words "three thousand five hundred;" also, in line nine, after the word "thousand," insert "five hundred;" also, in second line, strike out word "six," and insert in lieu thereof the word "seven," who reported the bill amended, as per instructions.

Amendments adopted, and bill passed by the following vote:

YEAS—Messrs. Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, O'Neil, Vandewater, Walton, Williams, and Wood—25.

NAYS—None.

REPORTS OF STANDING COMMITTEES.

By Mr. Mason:

Mr. Speaker:

Your Standing Committee on Federal relations, to whom was referred Concurrent Resolution No. 34, relating to mail facilities, introduced by Mr. Munckton, have had the same under consideration, and report the same back, and recommend their passage.

All of which is respectfully submitted.

B. S. MASON, Chairman.
THOMAS LANE,
W. M. CUTTER.

Resolution placed on file.

By Mr. Williams:

Mr. Speaker:

The undersigned, members of the Committee on Education, to whom was referred Substitute Senate Bill No. 107, entitled "An Act supplemental to, and amendatory of, an Act to provide for the maintenance and supervision of public schools," approved March 20th, 1865, beg leave to report back said bill, with the additional section, No. 5, and recommend its passage.

R. M. WILLIAMS,
DUNOIS WOOD,
GEO. A. HUDSON,
J. C. JAMES.

Bill placed on file.

By Mr. Haskell:

Mr. Speaker:

The majority of your Committee on Judiciary, have had under consideration, Senate Bill No. 168, entitled "An Act appointing a commissioner to report to the Legislature at its next session, for its adoption, a Civil

Practice Act," have carefully examined the same, and respectfully recommend its passage, without amendments.

D. H. HASKELL,
J. C. JAMES,
T. D. EDWARDS,
R. H. WILLIAMS.

Bill placed on file.

By Mr. Clemens:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 166, entitled "An Act concerning currency; also, Assembly Bill No. 151, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the Government of the State of Nevada,'" approved March 9th, 1865, beg leave to report that they have had the same under consideration, and have directed their chairman to report said bills back to the House, with a recommendation that the same do not pass; other bills covering the same ground having passed this session.

Also, Assembly Bill No. 147, entitled "An Act to fix the compensation of county officers within this State, and to provide for the payment of the same," beg leave to report that they had the same under consideration, together with the accompanying amendment, and have directed their chairman to report the same back to the House, with a recommendation that the same do pass as amended.

Also, Senate Bill No. 118, entitled "An Act to provide for the sale of property for delinquent taxes," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with a recommendation that the bill pass.

Bills placed on file.

RESIGNATION.

February 26th, 1866.

By Mr. Clemens:

Mr. Speaker:

I ask leave to resign my position as chairman of the Committee on Ways and Means, for the following reasons:

First. I desired to increase the revenue by raising the value of the basis of taxation, beginning at the fountain head, by effectually protecting every man, poor or rich, who might buy shares in any mining corporation. With this view I introduced a bill to provide for the formation and regulation of mining corporations," having as its chief points—

1. In the election of officers, to give the right of suffrage equally to each stockholder.

2. To give to stockholders the power to elect the Secretary, Treasurer and Superintendent, and remove said officers, as well as the Trustees, at pleasure.

3. To confine the power of the Trustees to levy assessments within the limits of authority yearly given by the owners of a majority of stock.

This bill was laid on the table without reading.

Second. I desired to change our present revenue system, and with that purpose introduced a bill having for its chief points the following:

1. After the ore leaves the dump, and is reduced to bullion, to retrace the process so as to ascertain the precise cash value of the proceeds of

the mine in the dump, thus proportioning taxation to the actual expenses of reduction and transportation to the mills, as varied in the different counties.

2. To raise taxes on the proceeds of the mines from fifty cents to one dollar and twenty-five cents on the one hundred dollars for State purposes, to make taxation constitutionally equal, and because the agricultural interests and town property of this State are too weak to support a State government without more assistance from the mines.

3. To abolish the enormously expensive system of suits for taxes, and substitute instead thereof the cheap, prompt and efficient mode of seizure and sale used under the United States revenue laws in the collection of taxes.

4. To substitute one year's redemption in place of absolute sales of real estate.

This bill was also laid on the table without reading.

Having thus failed to be as useful to the State as in my opinion I should have been, and the committee having finished all the business so far referred to it, I respectfully resign my position as chairman of the Committee on Ways and Means.

ORION CLEMENS.

Resignation accepted.

By Mr. Haskell:

Mr. Speaker:

Your select committee, to whom was referred Senate Bill No. 110, an Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," and Assembly Bill No. 64, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, have had the same under consideration, and beg leave to report the same back to the House, with the accompanying amendments to Senate Bill No. 110, which amendments are compiled from Assembly Bill No. 64, except the amendment proposed by the committee to section sixty-six. Your committee recommend the passage of Senate Bill No. 110, as amended, and that Assembly Bill No. 64 be laid on the table.

D. H. HASKELL,
J. L. HINCKLEY,
A. B. ELLIOTT.

Bill and amendments placed on file.

REPORTS OF SELECT COMMITTEES.

By Mr. Hayden:

Mr. Speaker:

The special committee, to whom was referred Assembly Bill No. 179, an Act to prohibit the sale of spirituous, malt and fermented liquors and wines, in certain cases, with instructions to correct the language of the same, report said bill back, and recommend its passage with accompanying amendments.

Bill and amendments placed on file.

Mr. Fisher, from special committee, to which was referred Assembly Bill No. 46, entitled "An Act regulating the number and compensation

of deputies and clerks in the various State offices of this State," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with the following amendments: In line fourteen, after the word "clerk," and before the word "at," insert "or deputy;" in line sixteen, in lieu of the words "one thousand," insert "twelve hundred."

Bill and amendments placed on file.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz: Assembly Bill No. 27, an Act to provide for the collection of State and county taxes, and to define the duties of the collector or collectors thereof.

Also, Assembly Bill No. 44, an Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861.

Also, Assembly Bill No. 159, an Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865.

Also, Assembly Bill No. 178, an Act authorizing the Secretary of State to employ a Deputy State Librarian, and fixing his compensation.

Also, Assembly Bill No. 186, an Act concerning the salary of Deputy Secretary of State.

MOTIONS AND RESOLUTIONS.

By Mr. Glover:

Resolved, by the Assembly, the Senate concurring, the Governor be requested to return to the House, Assembly Bill No. 43, in order that concurrent action may be taken in relation to the same by both branches of the Legislature.

Adopted.

On motion of Mr. Glover, a committee of free conference was appointed, to confer with like committee from the Senate, in reference to Assembly Bill No. 43, as per resolution, Messrs. Glover, O'Neil and Ingham being appointed by the chair as said committee.

On motion of Mr. Crawford, the vote was reconsidered by which Senate Bill No. 132 was passed on Saturday last.

Bill re-committed to special committee of one, with instructions to amend as follows: In section one, line two, after the word "first," strike out the word "day," and insert, in lieu thereof, the word "Monday;" also, in section two, line one, after the word "first," strike out the word "day," and insert, in lieu thereof, the word "Monday;" who reported the bill amended at per instructions.

Amendments adopted, and bill passed by the following vote:

YEAS—Messrs. Beck, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Mason, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, and Williams—22.

NAYS—Messrs. Canfield and Linn—2.

GENERAL FILE.

Assembly Bill No. 203 was withdrawn.

Rules suspended, and Mr. Williams offered the following minority report:

Mr. Speaker:

The undersigned, of the Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 187, entitled "An Act relating to boundaries of Lander county, and definitely defining the same," has had the same under consideration, and begs leave to recommend that the same do pass.

R. H. WILLIAMS.

Placed on file with bill and majority report.

Assembly Bill No. 27, an Act to provide for the collection of State and county taxes, and to define the duties of the collector or collectors thereof, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, and Williams—22.

NAYS—Mr. Haskell—1.

Assembly Bill No. 44, an Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, and Williams—24.

NAYS—Mr. Prince—1.

Assembly Bill No. 176, was withdrawn.

Assembly Bill No. 159, an Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, and Wood—26.

NAYS—None.

Assembly Bill No. 178, an Act authorizing the Secretary of State to employ a Deputy State Librarian, and fixing his compensation.

Mr. Elliott moved the rules be suspended, and bill be recommitted to a select committee with instructions to report to-morrow.

Lost.

Mr. Fisher moved the bill be laid on the table to await action on another bill.

Lost.

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

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Glover, Hudson, Ingham, James, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, and Work—20.

NAYS—Messrs. Clemens, Crawford, Elliott, Fisher, Gaige, Hayden, Hinckley, Julien, Lane, and Prince—10.

Assembly Bill No. 186, an Act concerning the salary of Deputy Secretary of State, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Clemens, Cutter, Glover, Hudson, James, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Williams, Wood, and Work—19.

NAYS—Messrs. Crawford, Elliott, Fisher, Hayden, Hinckley, Julien, and Linn—7.

Assembly Bill No. 62, an Act to amend an Act concerning officers, approved Nov. 29th, 1861; bill recommitted to special committee of one, with instructions to amend in section one, line eight, after the word "papers," insert the words "except those in tax suits, who reported bill amended as per instructions.

Amendment adopted, and bill passed by the following vote :

YEAS—Messrs. Beck, Clemens, Crawford, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Walton, Wood, and Work—25.

NAYS—None.

Assembly Bill No. 163, an Act to amend an Act entitled "An Act to regulate fees and compensation for special and other services in the State of Nevada," approved March 9th, 1865, ordered engrossed for third reading.

Mr. Linn in the chair.

Assembly Bill No. 170, passed on file.

Assembly Bill No. 117, an Act to provide for securing and enforcing payment of debts and obligations previous to the maturity thereof, in certain cases, ordered engrossed for third reading.

Mr. Speaker *pro tem.* in the chair.

Senate Bill No. 68, an Act to prohibit the carrying of concealed weapons, read third time, and lost by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Elliott, Fisher, Hayden, Lane, Linn, McDougall, Taylor, Wood, and Mr. Speaker—12.

NAYS—Messrs. Canfield, Cutter, Gaige, Grey, Glover, Hinckley, Hudson, Ingham, James, Mason, Mayhugh, O'Neil, Walton, Williams, and Work—15.

Senate Bill No. 76, an Act to establish a standard of weights and measures, read third time, bill recommitted to special committee of one, with instructions to strike out in section six, line two, the words "the expense of said State," and insert the words "at his own expense," who reported bill amended, as per instructions.

Amendment adopted.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Cutter, Elliott, Grey, Glover, Haskell, Hudson, Ingham, James, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, and Wood—21.

NAYS—Messrs. Beck, Clemens, Fisher, Hayden, Hinckley, Julien, Prince, and Mr. Speaker—8.

Mr. Bearss 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, viz :

Assembly Bill No. 22, an Act concerning the location and possession of mining claims; and that the same has this day been handed to the the Governor for his approval.

On motion of Mr. Glover, at one o'clock and fifteen minutes, House took a recess until two P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

No quorum present.

Mr. Ingham moved a call of the House.

Carried.

Messrs. Canfield, Cutter, Beck, Fisher, Gaige, Grey, Hayden, Mayhugh, McDougall, Munckton, O'Neil, Taylor, Williams, and Wood, absent without leave.

Messrs. Cutter, McDougall, Fisher, Williams, Beck, Mayhugh, Canfield, Taylor, Munckton, Hayden, Wood, O'Neil, and Gaige were announced and excused.

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

Mr. Cutter, in accordance with notice of Friday last, moved to reconsider the vote by which Senate Bill No. 41 was then indefinitely postponed.

Previous question called and sustained.

The question being, shall the vote be reconsidered, the yeas and nays were called, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Edwards, Grey, Glover, Hudson, Ingham, James, Lane, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Williams, Wood, and Work—20.

NAYS—Messrs. Clemens, Crawford, Elliott, Fisher, Gaige, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Prince, Walton, and Mr. Speaker—14.

Motion carried.

Mr. Fisher rose to a point of order, that on the previous question being ordered, on a question to reconsider a vote by which Senate Bill No. 41 was indefinitely postponed, he claimed that the previous question did not extend to the question on the final passage of the bill.

Mr. Speaker ruled the point of order not well taken.

The question being upon the final passage of the bill, yeas and nays called, resulting as follows :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Edwards, Grey, Glover, Hudson, Ingham, James, Lane, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Williams, Wood, and Work—19.

NAYS—Messrs. Clemens, Crawford, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Linn, Mason, Prince, Vandewater, Walton, and Mr. Speaker—14.

Mr. Crawford gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

Mr. James rose to a point of order, that the vote having once been reconsidered on the passage of the bill, the motion of Mr. Crawford was not in order.

Mr. Speaker ruled point of order well taken.

REPORTS OF COMMITTEES.

Mr. Bearss reports that the Standing Committee on Enrollment delivered the following entitled bills to his Excellency the Governor, for his approval, on the 26th inst., viz:

Assembly Bill No. 81, an Act authorizing the survey and establishment of the boundaries between the several counties of this State.

Also, Assembly Bill No. 95, an Act to create the county of Lincoln and provide for its organization.

Also, Assembly Bill No. 84, an Act to create a Board of Commissioners to examine and report upon the amount of just claims existing for property destroyed, and for losses sustained by Indian depredations in Humboldt county, in this State, in the years 1864, 1865 and 1866.

Also, Assembly Substitute for Bill No. 71, an Act to amend an Act entitled "An Act amendatory of and supplementary to an Act of the Legislative Assembly of the Territory of Nevada, entitled 'An Act to incorporate the City of Austin,' approved February 20, 1861," approved March 8, 1864.

Also, Assembly Bill No. 105, an Act to amend an Act entitled "An Act in relation to District Attorneys," approved March 11, 1865.

Also, Assembly Bill No. 145, an Act to provide for the payment of the salaries of the District Judges of this State for the month of December, 1864 [1866].

Also, Assembly Concurrent Resolution No. —, regarding United States Branch Mint.

All the above have been carefully compared with the engrossed bills as passed by the two Houses, and found correctly enrolled.

By leave, Mr. Hinckley offered the following:

Mr. Speaker:

I wish to enter my solemn protest against the passage of the Orphan Asylum Bill, considering it, as I do, the first step towards uniting Church and State in the State of Nevada.

J. L. HINCKLEY.

Special order, Assembly Bill No. 174, postponed ten minutes.

By leave, Mr. Edwards offered a verbal minority report, unfavorable to Assembly Bill No. 160, relative to Ormsby county indebtedness.

Mr. Cutter moved to suspend the rules and take from the table a resolution offered by Mr. Hayden relative to printing two hundred and forty copies of Assembly Bill No. 88.

Carried.

Pending which, special order again postponed ten minutes.

RESOLUTION.

Resolved, by the Assembly, the Senate concurring, That four hundred and eighty copies of Assembly Bill No. 88, entitled "An Act to regulate

the civil jurisdiction and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject," be printed in pamphlet form—two hundred and forty of the same to be placed with the Secretary of State for distribution.

Laid over until to-morrow.

Special order, Assembly Bill No. 174, an Act to aid in carrying out the provision of the Pacific Railroad and Telegraph Act of Congress, and other matters relative thereto.

Committee amendments adopted.

Bill amended.

The question being upon the addition to section one, as follows: "*Provided*, that said company shall not charge more than ten cents per mile for each passenger, or more than ten cents per mile for each ton of freight transported on its road," yeas and nays called by Messrs. Beck, Cutter, and Elliott, and amendment lost by the following vote:

YEAS—Messrs. Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Hayden, Julien, Lane, Mason, and Work—11.

NAYS—Messrs. Bearss, Beck, Cutter, Glover, Haskell, Hinckley, Hudson, Ingham, James, Linn, Munckton, O'Neil, Prince, Walton, Wood, and Mr. Speaker—16.

The question being upon ordering the bill engrossed, yeas and nays called by Messrs. Hayden, Fisher, and Elliott, resulting as follows:

YEAS—Messrs. Bearss, Beck, Cutter, Glover, Haskell, Hinckley, Ingham, James, Linn, Munckton, O'Neil, Prince, Wood, and Mr. Speaker—14.

NAYS—Messrs. Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Hayden, Hudson, Julien, Lane, Mason, Walton, and Work—13.

On motion of Mr. Work, at four o'clock and fifty minutes House took a recess until seven P. M.

EVENING SESSION.

House re-assembled at seven o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

REPORTS OF COMMITTEES.

Mr. Bearss, by leave, reported verbally on Assembly Bill No. 167, an Act to regulate fees and compensation for official and other services in the State of Nevada. Also, Assembly Bill No. 168, an Act to regulate fees and compensation for official and other services in the State of Nevada, recommending their passage.

By leave, Mr. James, chairman of committee composed of Storey County delegation, to which was referred Assembly Bill No. 202, an Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," approved March 10th, 1865.

Also, Assembly Bill No. 190, entitled "An Act to amend an Act enti-

itled 'An Act authorizing the construction of a railroad from Virginia City to the Truckee River,' passed March 20th, 1865.

Also, Assembly Bill No. 199, an Act for the disposal of the moneys in the county building fund in the county of Storey, begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House and recommend their passage.

Bills placed on file.

Rules suspended, and Mr. James introduced Assembly Bill No. 210, an Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 25th, 1861.

Rules suspended, read first and second time by title, and referred to select committee—Messrs. Crawford and James.

By leave, Mr. Speaker recorded his vote in the negative, on Assembly Bill No. 186, an Act concerning the Deputy Secretary of State; also, Assembly Bill No. 178, an Act authorizing the Secretary of State to employ a Deputy State Librarian and fix his compensation.

Rules suspended, and Senate Bill No. 110, an Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, was taken up and amended."

Amendments adopted.

On motion of Mr. Cutter, to amend by adding an additional section, yeas and nays called, resulting as follows:

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Haskell, Hudson, James, Linn, and O'Neil—9.

NAYS—Messrs. Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Ingham, Mason, Mayhugh, Munckton, Prince, Vandewater, Walton, Williams, Work, and Mr. Speaker—19.

Amendment lost, bill read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work and Mr. Speaker—28.

NAYS—Mr. Clemens—1.

Rules suspended to take up Senate message.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 26, 1866. }

To the Honorable the Assembly:

I am directed to inform your honorable body that the Senate has this day concurred in Assembly amendments to the following Senate bills, viz:

No. 132, an Act in relation to the payment of salaries and other claims against the State.

Also, No. 76, an Act to establish a standard of weights and measures.

I am also directed to transmit, for your consideration, Senate Concurrent Resolution, in relation to granting leave of absence to State Treasurer, the same having passed the Senate this day.

Also, Senate Bill No. 191, an Act to submit to the decision of the majority of the voters in each county, whether Douglass and Ormsby Counties shall be consolidated into one county, the same having passed the Senate this day. Yeas, 13; nays, 2.

Also, Senate Bill No. 169, an Act concerning the qualifications of grand and trial jurors, the same having passed the Senate this day. Yeas, 12; nays, none.

Also, Senate Concurrent Resolution in relation to the establishment of a daily mail between Virginia and Washoe, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Senate Bill No. 22, an Act to provide for the condemnation of real estate and other property required for mining purposes, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Senate Bill No. 59, an Act to provide for the collection and disposition of the five per cent. of sales of public lands within this State, as provided by section ten 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 May 21st, 1864, the same having passed the Senate this day. Yeas, 15; nays, none.

Also, Senate Bill No. 69, an Act supplemental to an Act approved March 10th, 1865, entitled "An Act to provide for the selection and location of five hundred thousand acres of land, donated to this State, by an Act of Congress of the United States," the same having passed the Senate this day. Yeas, 16; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Concurrent Resolution No. 192, relative to absence of the Treasurer, as per message, read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Gaige, Grey, Glover, Haskell, Hayden, Hineckley, Hudson, Ingham, James, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—26.

NAYS—Messrs. Clemens, Elliott, and Fisher—3.

Senate Bill No. 191, an Act to submit to the decision of the voters of each county, whether Douglas and Ormsby counties shall be consolidated into one county; rules suspended, read first and second time by title and laid on the table.

Senate Bill No. 169, as per message, rules suspended, read first and second time by title, and placed on file.

Senate Concurrent Resolution, in relation to mail service between Virginia and Washoe; rules suspended, read first and second time by title, and referred to Committee on Federal Relations.

Senate Bill No. 22, as per message, rules suspended, read first and second time by title, and referred to Committee on Mines and Mining Interests.

Senate Bill No. 59, as per message, rules suspended, read first and second time by title, and placed on file.

Senate Bill No. 69, as per message, rules suspended, read first and second time by title, and placed on file.

GENERAL FILE.

Senate Bill No. 136, an Act appropriating money to pay for publishing volume one of the reports of the decisions of the Supreme Court.

House resolved itself into Committee of the Whole—Mr. Speaker in the chair—for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration the Senate Bill No. 136, an Act appropriating money to pay for publishing volume one of the reports of the decisions of the Supreme Court of the State of Nevada, had gone through therewith, and directed their chairman to report the bill to the House, and recommend its passage.

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

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Mason, Munckton, O'Neil, Walton, Wood, and Mr. Speaker—21.

NAYS—None.

On motion of Mr. Haskell, at nine o'clock and fifty minutes P. M. House adjourned.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-EIGHTH DAY.

TUESDAY, February 27, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

No quorum present.

Mr. Haskell in the chair.

Mr. Mason moved a call of the House.

Carried.

Messrs. Beck, Clemens, Cutter, Gaige, Hinckley, Ingham, James, Julien, McDougall, Prince, Taylor, Vandewater, Williams, and Wood, absent without leave.

Messrs. Julien and Vandewater were announced, and excused.

Indefinite leave of absence granted Mr. Edwards.

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

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Banks, rules suspended for reconsideration of Assembly Bill No. 101.

Mr. Vandewater rose to a point of order, that the motion to reconsider having been passed one day, was not now in order.

Mr. Speaker ruled that the bill, being in the hands of the clerk, the point of order was not well taken.

Mr. McDougall appealed from the decision of the chair.

The question being, shall the decision of the chair stand as the judgment of the House.

Chair not sustained.

Mr. Speaker in the chair.

Mr. Munckton moved to suspend the rules, and take up Senate message.

Carried.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER,
Carson City, February 26, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body the following Assembly bills, viz :

No. 92, an Act to amend an Act relating to wild game and fish, approved November 21st, 1861, approved February 20th, 1864, the same having passed the Senate this day, with the following amendment :

Section one, line five, strike out the word "April," and insert "March;" line six, strike out the word "September," and insert "May."

Also, No. 85, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State and judicial officers," approved January 26th, 1865, the same having passed the Senate this day without amendment.

Also, No. 141, an Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861, the same having passed the Senate this day, without amendments.

Also, No. 155, an Act to provide a fund for the payment of the salaries of the District Judges of this State and to regulate the disposition of the same, the same having passed the Senate this day with the following amendment : Section one, line five, between the words "apart" and "a" insert "quarterly."

Also, No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State, the same having passed the Senate this day, without amendment.

Also, No. 110, an Act relating to accounts against the State, the same having passed the Senate this day, without amendment.

Also, No. 63, an Act in relation to public highways, the same having this day been indefinitely postponed.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Assembly Bill No. 92, as per message, Senate amendments non-concurred in, by the following vote :

YEAS—Messrs. Beck and Canfield—2.

NAYS—Messrs. Clemens, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Julien, Linn, Munchton, Prince, Taylor, Williams, and Mr. Speaker—16.

On motion, a committee of Free Conference was appointed, consisting of Messrs. Hinckley, Gaige, O'Neil, Hudson, and James, to confer with like committee on the part of the Senate, in reference to said bill.

Assembly Bill No. 155, as per message, Senate amendments concurred in, and bill passed by the following vote :

YEAS—Messrs. Beck, Clemens, Crawford, Edwards, Elliott, Fisher, Gaige, Grey, Hayden, Hinckley, Hudson, James, Julien, Linn, Mason, Munchton, McDougall, Prince, Taylor, Williams, and Mr. Speaker—21.

NAYS—Mr. Canfield—1.

REPORTS OF STANDING COMMITTEES.

By Mr. Hayden :

A report from Judiciary Committee, relative to Senate Bill No. 163.

Mr. Ingham moved the report be rejected.

Previous question called and sustained. Yeas and called by Messrs. Hayden, Mason, and Elliott, and motion lost by the following vote :

YEAS—Messrs. Bearss, Cutter, Edwards, Glover, Haskell, Ingham, James, McDougall, Vandewater, and Wood—10.

NAYS—Messrs. Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Hayden, Hinckley, Hudson, Julien, Lane, Mason, Munchton, Prince, Taylor, Walton, and Mr. Speaker—17.

On motion of Mr. Elliott, report filed with bill. Also —

By Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 201, an Act amending an Act entitled "An Act in relation to common jails and the prisoners thereof," have considered the same favorably, and recommend its passage without amendment.

Also, that they have considered Assembly Bill No. 216, a bill which they herewith introduce, and that they recommend the passage of the same without amendment.

Bill No. 201 placed on file.

Assembly Bill No. 216, as per report, read first time, rules suspended, read second time by title, and placed on file.

Mr. Edwards, from Committee on Education, to which was referred Senate Bill No. 121, an Act to amend an Act entitled "An Act to provide for the disposition of the sixteenth and the thirty-sixth sections of the public lands donated by the United States Government to the State of Nevada," approved February 27th, 1865, beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House with the following amendment: Strike out all after enacting clause and insert as follows :

Bill and amendment placed on file.

Mr. Prince, from Committee on State Institutions, to which was referred Assembly Bill No. 200, an Act for the relief of Frank Eastman, begs leave to report that they 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.

Bill placed on file.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to issue his warrant on the contingent fund in favor of the following persons: R. A. Chase, for services rendered as clerk of committees, for the sum of forty-eight dollars; also, John R. Eardley, for one day's services as Journal Clerk, the sum of nine dollars; also, B. F. Meder, for the sum of seventeen dollars, for the rent of room, lights and fuel furnished Copying Clerk from February 8th to March 1st, 1866.

Also reports the following resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to issue his warrant on the contingent fund of the Assembly in favor of S. Pixley for the sum of sixteen dollars and fifty cents, for labor performed and materials furnished during the first session of the Nevada Legislature.

Resolved, That a resolution passed February 8th, 1866, authorizing the payment of the aforesaid account out of the legislative fund is hereby rescinded.

Adopted.

Mr. Julien, from Committee on State Institutions, to which was referred Assembly Bill No. 207, an Act to establish a State Orphan Asylum, begs leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with accompanying amendments, without recommendation.

Bill and amendments placed on file.

By Mr. Haskell :

Mr. Speaker :

Your select committee, to whom was referred Assembly Bill No. 180, an Act to amend section sixty-five of an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9th, 1865, have given the same their careful consideration, and report it back to the House without recommendation.

Bill placed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, February 26, 1866.

To the Honorable Assembly of Nevada :

I have this day approved Assembly Bill No. 88, an Act to regulate the

civil jurisdiction and practice in Justices' Courts, and to consolidate into one Act former provisions on the subject.

Also, Assembly Bill No. 105, an Act to amend an Act concerning District Attorneys, approved March 11th, 1865.

Also, Assembly Bill No. 84, an Act to create a Board of Commissioners to examine and report upon the amount of just claims existing for property destroyed, and losses sustained, by Indians in Humboldt county in this State, in the years 1864, 1865 and 1866.

Also, Assembly Bill No. 95, an Act to create the county of Lincoln, and provide for its organization.

Also, Assembly Bill No. 81, an Act authorizing the survey and establishment of boundaries between the several counties of this State.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

By Mr. Gaige :

Resolved, That the Chief Clerk be allowed ten days at the close of the session to arrange and close up the business of the present session ; and the Sergeant-at-Arms is hereby required to draw his warrant on the Contingent Fund of the Assembly for said amount, being the *per diem* he is now receiving.

On motion, laid over one day.

By Mr. Cutter :

Resolved, That the Sergeant-at-Arms be authorized and required to draw his scrip in favor of A. S. Cook, in the sum of forty dollars, for clerical services for the Storey delegation.

The question being upon the adoption of Mr. Cutter's resolution, yeas and nays called by Messrs. Cutter, Crawford and Elliott, and resolution adopted by the following vote :

YEAS—Messrs. Canfield, Crawford, Cutter, Edwards, Glover, Hudson, Ingham, Mayhugh, Munkton, McDougall, Vandewater, Walton, Williams, and Work—14.

NAYS—Messrs. Clemens, Elliott, Fisher, Grey, Hayden, Linn, Prince, and Mr. Speaker—8.

Mr. Crawford gave notice that he would, on to-morrow, move a reconsideration of the vote just taken.

On motion of Mr. Haskell, at one o'clock P. M., House took a recess until two o'clock P. M.

AFTERNOON SESSION.

House re-assembled at two o'clock P. M.

Mr. Speaker in the chair.

Quorum present.

On motion of Mr. Fisher, regular order of business continued.

GENERAL FILE.

Senate Bill No. 29, an Act to protect the wages of labor in the State of Nevada, read third time, and passed by the following vote :

YEAS—Messrs. Beck, Canfield, Crawford, Cutter, Edwards, Fisher, Grey, Hinckley, Hudson, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Vandewater, Williams, Work, and Mr. Speaker—20.

NAYS—Messrs. Elliott and Walton—2.

Rules suspended, and Assembly Bill No. 200, an Act for the relief of Frank Eastman, was taken up.

Rules suspended, bill considered engrossed, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Crawford, Edwards, Elliott, Fisher, Grey, Glover, Haskell, Hinckley, Hudson, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, Walton, Williams, Wood, Work, and Mr. Speaker—22.

NAYS—Messrs. Beck and Hayden—2.

On motion, Clerk authorized to return to the Senate, Assembly Bill No. 63, an Act in relation to public highways.

Mr. Fisher gave notice that he would, on to-morrow, move a reconsideration of the vote by which Senate Bill No. 29 was passed.

Rules suspended, and Senate Message taken up.

SENATE CHAMBER, CARSON CITY, }
February 27, 1866. }

To the Honorable the Assembly of Nevada :

I am directed to transmit herewith Assembly Concurrent Resolution, relative to return from the Governor of Assembly Bill No. 43; the same having passed the Senate this day.

I am also directed to inform your honorable body that Messrs. James, Hutchings and Winton have been appointed a Free Conference Committee relative to the amendments to said bill.

Respectfully submitted,

GEO. R. AMMOND, Secretary.

On motion, chairman of Enrolling Committee was instructed to deliver to the Governor Assembly Concurrent Resolution, as per message.

Rules suspended, and Assembly Bill No. 201, an Act to amend an Act entitled "An Act in relation to county jails and prisoners thereof," was taken up.

Rules further suspended; bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Clemens, Crawford, Fisher, Glover, Haskell, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—22.

NAYS—None.

REPORTS FROM STANDING COMMITTEES.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto.

Senate Bill No. 164, an Act to provide for the payment of claims created by the Warden of the State Prison in recapturing escaped prisoners.

House resolved itself into Committee of the Whole—Mr. Crawford in the chair—for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 164, an Act to provide for the payment of claims created by the Warden of the State Prison in recapturing escaped prisoners, had gone through therewith, and directed their chairman to report the bill to the House, and recommend its passage.

Agreed to.

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

YEAS—Messrs. Bearss, Canfield, Clemens, Crawford, Cutter, Grey, Glover, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, Vandewater, Walton, Williams, Wood, and Mr. Speaker—20.

NAYS—Messrs. Fisher and Mayhugh—2.

Mr. Bearss 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, viz:

Assembly Bill No. 85, an Act to amend an Act entitled "An Act concerning the courts of justice of this State, and judicial officers," approved January 26, 1865.

Also, Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State.

Also, Assembly Bill No. 141, an Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Also, Assembly Bill No. 110, an Act relating to accounts against the State.

Rules suspended, and Senate Bill No. 168, an Act appointing a Commissioner to prepare and report to the Legislature, at its next session, for its adoption, a Civil Practice Act, was taken up.

House resolved itself into Committee of the Whole, Mr. Wood in the chair, for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 168, an Act appointing a Commissioner to prepare and report to the Legislature at its next regular session, for its adoption, a Civil Practice Act—have gone through therewith, and directed their chairman to report the bill to the House, and recommend its passage.

Agreed to.

Mr. Speaker *pro tem.* in the chair.

Previous question called, on which yeas and nays called by Messrs. Clemens, Julien and Linn, and previous question sustained by the following vote:

YEAS—Messrs. Bearss, Canfield, Cutter, Edwards, Fisher, Grey, Haskell, Hudson, Ingham, James, Lane, Munckton, McDougall, Vandewater, Walton, Williams, Wood, and Work—18.

NAYS—Messrs. Beck, Clemens, Crawford, Elliott, Glover, Hayden, Julien, Linn, and Mason—9.

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

YEAS—Messrs. Bearss, Canfield, Cutter, Edwards, Fisher, Grey, Glover, Haskell, Hudson, Ingham, James, Lane, Mayhugh, Munckton, McDougall, Vandewater, Walton, Williams, Wood, and Work—20.

NAYS—Messrs. Beck, Clemens, Crawford, Elliott, Hayden, Julien, Linn, and Mason—8.

Assembly Bill No. 170, an Act to consolidate and pay certain indebtedness of the county of Ormsby.

Pending which, Mr. Hudson moved a call of the House.

Carried, and Messrs. Canfield, Clemens, Gaige, Grey, Glover, Haskell, Hinckley, Lane, O'Neil, and Prince, absent without leave.

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

Mr. Speaker in the chair.

Committee amendments to Assembly Bill No. 170 were adopted, rules suspended, bill considered engrossed, read third time.

Previous question called and lost.

Bill passed by the following vote :

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mayhugh, Munckton, McDougall, Prince, Vandewater, Williams, Wood, and Mr. Speaker—24.

NAYS—Messrs. Fisher and Mason—2.

Mr. Bearss 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, viz :

Assembly Bill No. 17, an Act to re-district the State of Nevada into Judicial Districts, and to fix the salaries of the Judges, and terms of Court therein, and that the same has this day been handed to the Governor, for his approval.

On motion of Mr. Wood, at four o'clock and fifty minutes p. m., House took a recess until seven p. m.

AFTERNOON SESSION.

House re-assembled at seven o'clock p. m.

Mr. Speaker in the chair.

No quorum present.

Mr. McDougall moved a call of the House.

Carried.

Messrs. Bearss, Clemens, Edwards, Grey, Gaige, Ingham, James, Julien, Mayhugh, Munckton, Taylor, Vandewater, Williams, Wood, and Work, absent without leave.

Messrs. James, Vandewater and Munckton were announced and excused.

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

Assembly Bill No. 188, an Act to amend sections seventeen and eighteen of an Act entitled "An Act to create a Board of County Commissioners in the several counties, and to define their duties and powers," approved March 8th, 1865.

Pending which, Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bills with the original, and found the same correctly engrossed, viz :

Assembly Bill No. 117, an Act to provide for securing and enforcing payment of debts and obligations, previous to the maturity thereof, in certain cases.

Also, Assembly Bill No. 163, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

On motion, House resolved itself into Committee of the Whole—Mr. Mayhugh in the chair—for consideration of Assembly Bill No. 188.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Chairman reported that Committee of the Whole had had under consideration Assembly Bill No. 188, an Act to amend sections one hundred and seventeen and eighteen of an Act entitled "An Act to create a Board of County Commissioners in the several counties, and to define their duties and powers," approved March 8th, 1865, 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.

Pending which, on motion of Mr. Ingham, at eight o'clock p. m., House adjourned until nine o'clock a. m.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

FIFTY-NINTH DAY.

WEDNESDAY, February 28, 1866.

House met, pursuant to adjournment.

Mr Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
February 28, 1866. }

To the Honorable Assembly of Nevada :

I have this day approved substitute for Assembly Bill No. 71, an Act

to amend an Act entitled "An Act amendatory of, and supplementary to, an Act of the Legislative Assembly of the Territory of Nevada, entitled 'An Act to incorporate the city of Austin,' approved February 20th, 1864, approved March 8th, 1865.

Also, Assembly Bill No. 22, an Act concerning the location and possession of mining claims.

Also, Assembly Bill No. 145, an Act to provide for the payment of the salaries of the District Judges of this State, for the month of December, 1866.

Also, Assembly Bill No. 17, an Act to re-district the State of Nevada into judicial districts, and to fix the salaries of Judges and the terms of court therein.

Also, Assembly Bill No. 113, an Act for the apportionment of Senators and Assemblymen in the different counties of this State.

Also, Assembly Bill No. 110, an Act relating to accounts against the State.

Also, Assembly Bill No. 141, an Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Also, Assembly Bill No. 85, an Act to amend an Act entitled "An Act concerning the courts of justice of this State, and judicial officers," approved January 21, 1865.

H. G. BLASDEL,
Governor.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, February 27, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has concurred in Assembly amendments to Assembly Bill No 17, an Act to re-district the State of Nevada into judicial districts, and to fix the salaries of Judges and terms of court therein.

I am also directed to transmit for the consideration of your honorable body, Senate Bill No. 177, an Act to provide for the incorporation of insurance companies and savings associations—the same having passed the Senate this day—yeas, 12; nays, none.

Also, Senate Substitute Concurrent Resolution in relation to the adjournment *sine die* of the two Houses of the Legislature, the same having passed the Senate this day unanimously.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 177, as per message; rules suspended, read first and second time by title, and placed on file.

Senate Concurrent Resolution relative to adjournment, as per message; read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Elliott, Fisher, Gaige, Grey, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—27.

NAYS—None.

By leave, Mr. Mayhugh offered the following report:

Mr. Speaker:

Your Standing Committee on Mines and Mining, to whom was referred Senate Substitute Bill No. 22, entitled "An Act to provide for the condemnation of real estate and other property for mining purposes," beg leave to report that they have had the same under consideration, have made an amendment thereto, and have come to a favorable conclusion thereon, and have directed their chairman to report the same back to the House, and recommend that said bill do pass with accompanying amendment.

Bill and amendment placed on file.

INTRODUCTION OF BILLS.

By leave, Mr. Gaige introduced Assembly Bill No. 218, an Act to amend an Act entitled "An Act in relation to the compensation of members of the Legislature and State officers," approved January 16, 1865.

Read first time, rules suspended, read second time by title, rules further suspended; bill considered engrossed, read third time, and lost by the following vote:

YEAS—Messrs. Cutter, Elliott, Fisher, Gaige, Glover, Ingham, James, Julien, Lane, Linn, Mason, McDougall, O'Neil, Walton, and Work—15.

NAYS—Messrs. Bearss, Beck, Canfield, Clemens, Grey, Haskell, Hayden, Hineckley, Hudson, Mayhugh, Muncleton, Prince, Taylor, Wood, and Mr. Speaker—15.

Rules suspended to take up

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 27, 1866. }

To the Honorable the Assembly:

I am directed to return to your honorable body Assembly Bill No. 67, an Act relating to officers, their qualifications, terms of office, election, official duties and resignations, removals, vacancies in office and the mode of supplying the same, misconduct in office, and to enforce official duty, the same having passed the Senate this day with the following amendments:

In section one, line twenty-nine, strike out all after the words "counties five" up to and including the words "Tax Collector," in the forty-first line; also, strike out the words "Tax Collector" wherever they occur.

In section two, line eleven, strike out the words "or District Judge;" also, add to the end of section two the following words: "any person over the age of twenty-five years shall be eligible to the office of District Judge who is a qualified elector of the State and district in which he resides."

In section nine, line two, between the words "Governor" and "Justice" insert the words "Secretary of State."

In section eighteen, lines nine and ten, strike out the words "Justices of the Peace and;" line fourteen, strike out "eight" and insert "six;" also, add to the end of the same section the following: "Justices of the

Peace, of the several townships of the State, shall be chosen at a general election to be held for that purpose on the Tuesday after the first Monday in November, in the year eighteen hundred and sixty-six, who shall hold their offices from the expiration of the term of the present incumbents, until the first Monday of January, A. D. 1869, and until their successors are elected and qualified."

In section forty-nine, line seven, after the word "fill" insert the word "such;" and after the word "until" insert the word "the."

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Assembly Bill No. 67, as per message, the question being upon concurring in Senate amendments to strike out, in section first, line twenty-nine, after the words "counties five" up to and including the words "Tax Collector" in the forty-first line; also, strike out the words "Tax Collector" where it occurs.

Previous question called and sustained.

Senate amendments non-concurred in by the following vote:

YEAS—Messrs. Bearss, Clemens, Elliott, Fisher, Grey, Glover, Ingham, Julien, Lane, Munckton, Vandewater, and Mr. Speaker—12.

NAYS—Messrs. Beck, Canfield, Crawford, Gaige, Haskell, Hayden, Hinckley, Hudson, James, Linn, Mason, Mayhugh, McDougall, O'Neil, Prince, Walton, and Williams—17.

Senate amendments Nos. two, three and four, concurred in by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Work, and Mr. Speaker—26.

NAYS—None.

Senate amendment No. five, to section eighteen, non-concurred in by the following vote:

YEAS—Messrs. Elliott, Grey, Fisher, Glover, Hayden, Hinckley, Hudson, Ingham, Julien, Linn, Munckton, Walton, Work, and Mr. Speaker—14.

NAYS—Messrs. Beck, Canfield, Clemens, Cutter, Gaige, Haskell, James, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, and Vandewater—14.

Senate amendment No. 6 concurred in by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, Julien, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Work, and Mr. Speaker—25.

NAYS—None.

On motion of Mr. James, a committee of free conference, of five, viz: Messrs. James, Elliott, Hayden, Clemens and Bearss, were appointed by

the chair to confer with like committee of the Senate in relation to said bill.

REPORTS OF COMMITTEES.

By leave, Mr. Glover offered the following report:

Mr. Speaker:

Your committee of free conference, appointed to confer with a like committee from the Senate, in relation to the differences between the two Houses on Assembly Bill No. 43, beg leave to report that the Senate objections are withdrawn, and that the committee unanimously approve of the bill as it is engrossed, and have instructed their chairman to so report, and to recommend its passage.

Also, by Mr. Fisher:]

Mr. Speaker:

The Standing Committee on Contingent Expenses beg leave to report by resolution.

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant in favor of the persons hereinafter specified: In favor of Beatty & Harris, for rent of room furnished Enrolling and Engrossing Clerks, from February 8th to March 1st, inclusive, thirty-six dollars and sixty-six cents; also, in favor of J. Painter, for cutting wood, thirteen dollars and seventy-nine cents; also, in favor of John G. Fox, for the sum of nine dollars, sundry articles furnished for the use of this House; also, in favor of E. B. Rail, for sundries, one dollar and twenty-five cents; also, in favor of E. D. Sweeny, for water furnished for twenty-three days, twenty-three dollars; also, H. P. Burnham, for carpeting and tacks used in repairing carpet, five dollars and fifty cents.

Adopted.

Mr. Bearss 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, viz: Assembly Bill No. 155, an Act to provide a fund for the payment of the salaries of the District Judges of this State, and to regulate the disposition of the same; and that the same has this day been delivered to the Governor for his approval.

GENERAL FILE.

Rules suspended to take up Assembly Bill No. 199, an Act for the disposal of the moneys in the county building fund in the county of Storey, in certain contingencies.

Rules suspended, bill considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Haskell, Hayden, Hudson, Ingham, James, Julien, Linn, Mayhugh, Munckton, O'Neil, Prince, Taylor, Vandewater, and Mr. Speaker—21.

NAYS—None.

Rules suspended to take up Senate Bill No. 118, an Act to provide for sales of property for delinquent taxes.

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

YEAS—Messrs. Canfield, Clemens, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Work, and Mr. Speaker—24.

NAYS—None.

Rules suspended, and Mr. Cutter introduced Assembly Concurrent Resolution No. 41, in relation to the repeal of the fifteenth joint rule.

Read first time, rules suspended, read second time by title, rules further suspended, and resolution adopted unanimously.

Mr. Fisher, in accordance with notice of yesterday, moved a reconsideration of the vote by which Senate Bill No. 29, an Act to protect the wages of labor in this State, then passed.

Previous question called and sustained; vote of yesterday reconsidered, and bill lost by the following vote :

YEAS—Messrs. Canfield, Cutter, Grey, Ingham, James, Lane, Mayhugh, McDougall, Vandewater, and Mr. Speaker—10.

NAYS—Messrs. Bearss, Beck, Clemens, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Julien, Linn, Munckton, Prince, Taylor, Walton, and Work—17.

Mr. Speaker in the chair.

Mr. Munckton was appointed to fill vacancy on Committee on Ways and Means.

Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto.

Bill recommitted to special committee of one, with instructions to amend, in section one, by inserting after "company," the words, "or any other railroad company now formed, or hereafter to be formed"—who reported bill amended as per instructions.

Amendment adopted, bill read third time, and passed by the following vote :

YEAS—Messrs. Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Work and Mr. Speaker—29.

NAYS—None.

On motion of Mr. Ingham, at twelve o'clock and forty-eight minutes, House took a recess until one o'clock P. M.

AFTERNOON SESSION.

House re-assembled at one o'clock P. M.

Mr. Speaker *pro tem.* in the chair.

No quorum present.

Mr. Glover moved a call of the House.

Carried.

Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Gaige, Haskell, Hinckley, Hayden, Lane, Munckton, O'Neil, Prince, Taylor, Vandewa-

ter, Walton, Williams, Wood, Work, and Mr. Speaker, absent without leave.

Messrs. Beck, Lane, Hayden, Haskell, Elliott, Hinckley, Vandewater, Bearss, Work, and Mr. Speaker, were announced and excused.

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

Assembly Bill No. 163, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, O'Neil, Vandewater, Walton, and Work—19.

NAYS—Messrs. Beck, Grey, Haskell, Lane, Mason, Mayhugh, and Mr. Speaker—7.

Rules suspended, and Mr. James offered the following report :

Mr. Speaker :

Your committee, composed of the Storey county delegation, to whom was referred Assembly Bill No. 184, an Act supplemental to, and amendatory of, an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county," approved January 27th, 1865, have had the same under consideration, and have directed their chairman to report the bill to the House, and recommend its passage.

Assembly Bill No. 184, an Act supplemental to, and amendatory of, an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county," approved January 27th, 1865, was taken up, rules suspended, bill considered engrossed; bill committed to special committee of one, with instructions to strike out the word "sixty," and insert in lieu thereof the words "thirty-six," before the words "per cent.," who reported bill amended as per instructions.

Amendments adopted.

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

YEAS—Messrs. Beck, Canfield, Clemens, Cutter, Elliott, Fisher, Gaige, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Vandewater, Walton, Williams, Work, and Mr. Speaker—25.

NAYS—Mr. Grey—1.

Rules suspended, and Senate Substitute Bill No. 22, an Act to provide for the condemnation of real estate and other property required for mining purposes, was taken up, committee amendments adopted, bill read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Fisher, Gaige, Grey, Glover, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, Taylor, Vandewater, Williams, and Work—20.

NAYS—Messrs. Clemens, Crawford, Elliott, Hayden, Julien, Walton, and Mr. Speaker—7.

Assembly Bill No. 117, an Act to provide for securing or enforcing the payment of debts or obligations previous to the maturity thereof, in certain cases, read third time.

Mr. Work moved a call of the House.

Carried.

Messrs. Bearss, Hinckley, O'Neil, Prince, and Wood, absent without leave.

Further proceedings under the call, dispensed with.

Bill passed by the following vote :

YEAS—Messrs. Beck, Canfield, Crawford, Cutter, Fisher, Gaige, Glover, Haskell, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Muncleton, McDougall, Taylor, Vandewater, Williams, Work, and Mr. Speaker—21.

NAYS—Messrs. Hudson and Walton—2.

Rules suspended to take up

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 28, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Senate Bill No. 110, an Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," and to inform you that the Senate has concurred in all the Assembly amendments thereto, except in the following cases : In section eleven, lines four and five, the Senate proposes to strike out the words "or provide." In section four, line nine, the Senate refuses to strike out the word "ten," and insert the word "twelve."

I am also directed to inform you that the Senate has appointed the following, as a conference committee, to meet a like committee of your honorable body, to confer on amendments to Assembly Bill No. 192, viz : Messrs. Ives, Hutchins and Lockwood.

The Senate has also appointed Messrs. Tritle, Slingerland and Seely, a free conference committee to confer with a like committee appointed by your honorable body, on Senate amendments to Assembly Bill No. 67, pertaining to Tax Collector, etc.

I am also directed to transmit for your consideration Senate Bill No. 209, an Act making further appropriation to defray the expenses of the Nevada State Prison for the fiscal year ending December 31st, 1866.

Also, Senate Bill No. 190, an Act concerning escaped prisoners, and the recapture of the same.

Also, Senate Bill No. 189, an Act to exempt incorporated cities and towns from the payment of costs in certain cases.

Also, Senate Bill No. 103, an Act to amend an Act concerning juries, approved February 8, 1865, the same having passed the Senate this day.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 110, as per message ; Senate amendments concurred in by the following vote :

YEAS—Messrs. Beck, Crawford, Cutter, Fisher, Gaige, Hinckley, Hudson, Ingham, Linn, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Work, and Mr. Speaker—19.

NAYS—Messrs. Canfield, Glover, Lane, and Mayhugh—4.

House receded from amendment to section four, by the following vote :

YEAS—Messrs. Beck, Crawford, Cutter, Fisher, Gaige, Hinckley, Hudson, Ingham, Linn, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Work, and Mr. Speaker—20.

NAYS—Messrs. Canfield, Glover, and Lane—3.

Senate Bill No. 209, as per message, read first time, rules suspended, read second time by title, rules further suspended.

House resolved itself into Committee of the Whole, Mr. Beck in the chair, for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 209, an Act making further appropriation to defray the expenses of the Nevada State Prison for the fiscal year ending December 31st, 1866—had gone through therewith, and directed their chairman to report the bill back to the House and recommend its passage.

Agreed to.

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

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Gaige, Hayden, Hinckley, Hudson, Ingham, James, Lane, Mason, Mayhugh, O'Neil, Prince, Williams, and Wood—19.

NAYS—Messrs. Clemens, Julien, McDougall, and Vandewater—4.

Senate Bill No. 189, as per message ; rules suspended, read first and second time by title, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, James, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Vandewater, Williams, Work, and Mr. Speaker—24.

NAYS—Mr. Julien—1.

Senate Bill No. 190, as per message, read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, James, Julien, Lane, Linn, Mason, Munckton, O'Neil, Prince, Vandewater, Williams, Work, and Mr. Speaker—24.

NAYS—Mr. Clemens—1.

Senate Bill No. 103, as per message, on motion, laid on the table.

MAJORITY REPORT FROM COMMITTEE OF FREE CONFERENCE.

By Mr. James :

Mr. Speaker :

Your committee of free conference, appointed on the subject matter of difference between the two Houses on Assembly Bill No. 67, respectfully report, that on the first matter of difference, viz: First, The Senate Committee agree to recede from its amendment striking out so much as relates to the creation of the office of Tax-Collector; Second, That the Senate Committee insists on its amendment striking out that portion relating to Justice of the Peace and Constable; and that a majority of your committee agree thereto.

Placed on file with the bill.

REPORT FROM COMMITTEE ON FREE CONFERENCE.

By Mr. Hinckley :

Mr. Speaker :

The free conference committee, to whom was referred Assembly Bill No. 92, an Act to amend an Act relating to wild game and fish, beg leave to report that they have met a like committee on the part of the Senate, and have agreed unanimously to the following amendments :

In line five, section one, after the word "of," strike out the word "March" and insert the word "April"; and in line six, same section, strike out, after the word "of," the word "May," and insert the word "July."

Assembly Bill No. 92, as per report; committee amendments adopted, and bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Williams, and Mr. Speaker—21.

NAYS—None.

Rules suspended, and Mr. Canfield introduced Assembly Concurrent Resolution No. 42, relative to forwarding copies of Assembly and Senate Journals to elective officers of each House.

Read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Vandewater, Williams, Work, and Mr. Speaker—25.

NAYS—None.

Rules suspended, and Mr. Canfield offered the following report :

Mr. Speaker :

The Committee on Elections, to whom was referred Assembly Bill No. 33, an Act to provide for the election of Presidential Electors, Members of Congress, and State and county officers. Also, Assembly Bill No. 83, an Act amendatory of an Act entitled "An Act to create a Board of

County Commissioners in the several counties of this State, and define their duties and powers, approved March 8th, 1865. Also, Assembly Bill No. 7, an Act in relation to officers and their election and terms of office, and to regulate the transmission and canvassing election returns, etc. Also, No. 18, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State, and judicial officers, approved January 27th, 1865. Also, No. 35, an Act concerning constables; have had the same under consideration, and directed their chairman to report the bills back, and recommend that they do not pass; for the reasons that the provisions of said bills are incorporated in bills already recommended by the committee.

Report and bills placed on file.

Rules suspended, and Mr. Gaige called up a resolution introduced yesterday, relative to Chief Clerk; indefinitely postponed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Elliott, Grey, Glover, Hayden, Hinckley, Julien, Lane, Linn, Mason, Munckton, O'Neil, Prince, Walton, and Mr. Speaker—18.

NAYS—Messrs. Cutter, Gaige, Haskell, Ingham, James, McDougall, Taylor, Williams, and Work—9.

Rules suspended, and Mr. Work introduced Assembly Concurrent Resolution No. 25.

Resolved, by the Assembly, the Senate concurring, That the action of President Johnson, in vetoing the Freedmans' Bureau Bill, meets the approval of this Legislature.

Resolved, That the thanks of this Legislature are hereby tendered to the Hon. Wm. M. Stewart for supporting the action of the President in vetoing the said bill.

On motion of Mr. Cutter, the resolutions were indefinitely postponed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Fisher, Grey, Glover, Haskell, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Munckton, O'Neil, Taylor, Vandewater, Walton, Williams, Work, and Mr. Speaker—25.

NAYS—Messrs. Canfield, Elliott, Hayden, and McDougall—4.

Absent, Edwards, Gaige, Hall, Mayhugh, Prince, Wood, and Woodruff—7.

Messrs. Edwards, Hall, and Woodruff were excused—3.

Rules suspended, and Mr. Elliott introduced minority report:

Mr. Speaker:

The undersigned, a minority of the committee on conference, on the subject matter of difference between the two Houses, on Assembly Bill No. 67, an Act relating to officers, their qualifications, times of election, resignation, removals, vacancies in office and the mode of supplying the same, misconduct in office, and to enforce official duty, beg leave to report that they have met with a like committee, appointed by the Senate, and after duly considering the matter of difference, came to the following conclusions:

That they cannot agree with the majority of your committee as to

the recommendation that the House do not concur with the Senate amendments as to Tax Collector, etc.; and that they agree with the recommendation of the majority of your committee as to Justices of the Peace and Constables.

A. B. ELLIOTT,
ORION CLEMENS,
Minority Committee on Free Conference.

Placed on file with majority report.

Assembly Bill No. 67 was considered with majority and minority reports relative thereto.

The question being upon disagreement between the two Houses relative to said bill.

Previous question called and sustained.

The question being upon concurring in Senate amendment to section one, amendment non-concurred in by the following vote :

YEAS—Messrs. Bearss, Clemens, Crawford, Elliott, Fisher, Glover, Hayden, Ingham, Julien, Lane, Linn, Munckton, Vandewater, and Mr. Speaker—14.

NAYS—Messrs. Canfield, Cutter, Gaige, Haskell, Hinckley, Hudson, James, Mason, McDougall, O'Neil, Prince, Taylor, Walton, and Williams—14.

Senate amendments to section eighteen concurred in by the following vote :

YEAS—Messrs. Bearss, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Prince, Vandewater, Walton, and Mr. Speaker—20.

NAYS—Messrs. Canfield, Haskell, Lane, Mason, Munckton, McDougall, O'Neil, and Taylor—8.

Mr. Ingham moved to adjourn.

Lost.

Mr. Cutter moved a committee of free conference, of five, be appointed by the chair to confer with like committee from the Senate, relative to Assembly Bill No. 67.

Mr. Fisher rose to a point of order, that a second such committee could not now be appointed.

Mr. Speaker ruled the point of order not well taken.

Mr. Cutter's motion was carried, and Mr. Speaker appointed as said free conference committee Messrs. Cutter, Vandewater, Linn, Haskell, and Prince.

On motion of Mr. Haskell, at five o'clock and ten minutes p. m. House took a recess until seven o'clock p. m.

EVENING SESSION.

House re-assembled at seven o'clock p. m.

Mr. Speaker in the chair.

Quorum present.

REPORTS OF COMMITTEES.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 92, an Act to amend an Act entitled "An Act relating to

wild game and fish," has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

Rules suspended for report by Mr. Hayden :

Mr. Speaker :

The Judiciary Committee, to whom was referred Senate Bill No. 79, an Act to amend an Act concerning conveyances, approved November 6th, 1861, and also Senate Bill No. 131, an Act to amend section one hundred and fifty, chapter second, title six, of an Act of the Governor and legislative Assembly of the Territory of Nevada, entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Nevada," approved November 29th, 1861, have considered the same favorably, and recommend the passage of said bills without amendment.

Bills placed on file.

Rules suspended, and Mr. James introduced Assembly Bill No. 223, an Act to provide for paying for copying and preparing a duplicate assessment roll of property assessed by the city of Virginia, for the year 1865.

Read first time, rules suspended, read second time, rules further suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Fisher, Grey, Glover, Hayden, Hinkley, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—27.

NAYS—None.

Mr. Speaker *pro tem.* in the chair.

Assembly Bill No. 188, an Act to amend sections seventeen and eighteen of an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers," approved March 8th, 1865, was referred to the author for corrections.

Rules suspended to take up

MESSAGES FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 28, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 142, an Act to regulate rafting and running timber and wood in the rivers of the State of Nevada, the same having passed the Senate this day. Yeas, 12 ; nays, none.

Respectfully,

JOHN R. EARDLEY, Ass't Secretary.

Senate Bill No. 142, as per message, rules suspended, read first and second time by title, rules further suspended, read third time, made special order for to-morrow at ten o'clock A. M.

STATE OF NEVADA, SENATE CHAMBER, }
February 28, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has refused to concur in the report of the Senate committee of free conference receding from amendments proposed by the Senate on Assembly Bill No. 67, an Act relating to officers, their qualifications; terms of election, etc., etc.

Also, that the Senate has concurred in Assembly amendments to Senate Bill No. 22, an Act to provide for the condemnation of real estate required for mining purposes.

Also, that the Senate refuse to appoint another committee of free conference to Assembly Bill No. 67, above referred to.

I am also directed to return to your honorable body, Assembly Bill No. 186, an Act concerning the salary of Deputy Secretary of State; the same having passed the Senate this day. Yeas, 13; nays, none.

Also, Assembly Bill No. 178, an Act authorizing the Secretary of State to employ a Deputy State Librarian, and fixing his compensation; the same having this day failed to pass the Senate.

I am also directed to transmit for your consideration, Senate Bill No. 225, an Act for the relief of J. F. Hatch; the same having passed the Senate this day. Yeas, 15; nays, none.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Mr. Cutter moved that the Clerk be instructed to transmit a message to the Senate, communicating the following facts :

First—That by Joint Rule No. 1 of the two Houses, when a committee of conference is appointed by one body, the other shall appoint a like committee to confer therewith.

Second—That said rule has never, to the knowledge of the Assembly, been either suspended or rescinded.

Yeas and nays called by Messrs. Canfield, Hayden and Mayhugh, and resolution lost by the following vote :

YEAS—Messrs. Beck, Canfield, Cutter, Gaige, Haskell, Hudson, James, Mayhugh, McDougall, O'Neil, Prince, Taylor, and Walton—13.

NAYS—Messrs. Bearss, Clemens, Crawford, Elliott, Fisher, Grey, Glover, Hayden, Ingham, Julion, Lane, Linn, Munckton, Vandewater, Wood, and Mr. Speaker—16.

Mr. Ingham moved the vote by which a second committee on free conference, relative to Assembly Bill No. 67, was appointed, be reconsidered, and the committee discharged.

Previous question called and sustained.

Mr. Ingham's motion carried.

The question being, shall a committee of free conference be appointed? Lost.

Mr. Fisher moved to reconsider the vote by which the Assembly refused to concur in Senate amendment to section one.

Yeas and nays called by Messrs. Elliott, Fisher and Lane, and vote reconsidered by the following vote :

YEAS—Messrs. Bearss, Clemens, Crawford, Elliott, Fisher, Grey,

Glover, Haskell, Hayden, Ingham, Julien, Lane, Linn, Munckton, Vandewater, Wood, and Mr. Speaker—17.

NAYS—Messrs. Beck, Canfield, Cutter, Gaige, Hudson, James, Mayhugh, McDougall, O'Neil, Prince, Taylor, Walton, Williams, and Work—14.

The question being upon concurring in Senate amendments to section one.

Mr. Clemens moved to postpone announcement of the vote until ten o'clock to-morrow.

Carried.

Assembly Bill No. 225, as per message, read first time, rules suspended, read second time.

House resolved itself into Committee of the Whole, Mr. James in the chair, for consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 225, an Act for the relief of J. F. Hatch, had gone through therewith, and directed their chairman to report the bill to the House, and recommend its passage.

Agreed to.

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

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Grey, Haskell, Hayden, Hudson, James, Lane, Linn, Mayhugh, Munckton, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—24.

NAYS—Mr. Julien—1.

Consideration of Assembly Bill No. 188 resumed.

Bill amended, rules suspended, bill considered engrossed, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Hayden, Hudson, Ingham, James, Lane, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, and Mr. Speaker—21.

NAYS—Messrs. Canfield, Julien, Mayhugh, McDougall, and Taylor—5.

Rules suspended, and Mr. Lane introduced Assembly Bill No. 226, an Act to provide for the better security of life and property in and about any works using steam as a motive power.

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

Rules suspended to take up Senate message.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
February 28, 1866. }

To the Honorable the Assembly :

I am directed to transmit, for the consideration of your honorable body, Senate Bill No. 217, an Act to appropriate money for the purpose of paying counsel fees in case entitled "*Ex parte Crandall*," involving

the validity of the capitation tax, the same having passed the Senate this day. Yeas, 11; nays, none.

Also, Senate Bill No. 218, an Act to provide for the transfer of certain moneys from the General Fund to the State Library Fund, the same having passed the Senate this day. Yeas, 12; nays, 3.

I am also directed to return to you Assembly Bill No. 170, an Act to consolidate and pay certain indebtedness of the county of Ormsby, the same having passed this day without amendment.

Also, Assembly Bill No. 199, an Act for the disposal of the moneys in the county building fund in the county of Storey, the same having passed the Senate this day without amendment.

Also, Assembly Concurrent Resolution No. 41, relative to repealing Joint Rule No. 15, the same having been adopted unanimously.

Also, Assembly Bill No. 159, an Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865, the same having been passed this day without amendment.

Also, Assembly Bill No. 62, an Act to amend an Act concerning officers, approved November 29th, 1861, the same having passed this day with the following amendments: In section one, line seven, between the words "papers" and "issued," insert the words, "except those in tax suits and criminal cases."

Also, Assembly Bill No. 144, an Act concerning the boundaries of the counties of Nye and Lander, the same having passed without amendment.

Also, Assembly Bill No. 162, an Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22d, 1865, the same having passed the Senate this day, without amendment.

Also, Assembly Bill No. 34, an Act to revise an Act 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 in the Territory of Nevada,'" approved November 29th, 1861, approved March 6th, 1865, and to amend section two hundred and forty-three of an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice of the Territory of Nevada," approved November 29th, 1861, the same having passed the Senate this day with the following amendments: In section one, the last two lines, after the word "tenth," strike out to the end of the section, and insert in lieu thereof, the following: "The earnings of the debtor for his personal services at any time within thirty days next preceding the levy of the execution or attachment, as the case may be, when it shall be made to appear by the debtor's affidavit or otherwise, that such earnings are necessary for the use of a family supported wholly, or in part by his labor."

Also, Assembly Bill No. 44, an Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861, the same having passed the Senate this day, without amendment.

Also, Assembly Bill No. 208, an Act in relation to the distribution of the reports of the Supreme Court of the State of Nevada, the same having passed the Senate this day, without amendment.

Also, Assembly Bill No. 209, an Act to provide for the payment of the outstanding indebtedness of the town of Gold Hill, the same having passed the Senate this day without amendment.

Also, Assembly Bill No. 49, an Act to amend an Act entitled "An Act to exempt the homestead and other property from forced sale, in certain

cases," approved March 6th, 1865, the same having been indefinitely postponed.

Also, Assembly Concurrent Resolution No. 42, relative to furnishing the elective officers of the two Houses a copy of the Senate and Assembly journals, when printed, the same having passed unanimously.

Also, Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming, the same having passed the Senate this day, without amendment.

Also, Assembly Bill No. 57, an Act relating to elections, the manner of conducting and contesting the same; election returns and canvassing the same; fraud upon the ballot-box; destroying or attempting to destroy the ballot-box; illegal or attempted illegal voting, and misconduct at elections, the same having passed the Senate without amendment.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

On motion of Mr. Elliott, consideration of message postponed until the regular order to-morrow.

Rules suspended, and Mr. McDougall introduced Assembly Bill No. 227, an Act for the relief of the Chief of Police of Virginia City.

Rules suspended, read first and second time by title; rules further suspended, bill considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Elliott, Fisher, Haskell, Hudson, Ingham, James, Julien, Lane, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—22.

NAYS—None.

On motion of Mr. Munckton, at ten o'clock and ten minutes, p. m., House adjourned until nine o'clock, to-morrow morning.

JAS. A. BANKS, Speaker.

U. E. ALLEN, Clerk.

SIXTIETH DAY.

THURSDAY, March 1, 1866.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called.

No quorum present.

Mr. Wood moved a call of the House.

Carried.

Absent without leave, Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Gaige, Glover, Haskell, Hayden, Hinckley, Prince, Taylor, Vandewater, Walton and O'Neil.

Messrs. Beck, O'Neil, Walton and Glover were announced and excused.

Mr. Speaker *pro tem.* in the chair.

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

Prayer by the Chaplain.

Journal of yesterday read and approved.

Special orders for ten o'clock postponed fifteen minutes.

Rules suspended to take up Senate Bill No. 121, an Act to amend an Act entitled "An Act to provide for the disposition of the sixteenth and thirty-sixth sections of public lands, donated by the United States Government to the State of Nevada," approved February 27th, 1865.

Committee amendments adopted; bill read third time.

Pending which, special order again postponed for disposal of the bill, which passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Fisher, Gaige, Grey, Haskell, Hinckley, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Work, and Mr. Speaker—27.

NAYS—Mr. Wood—1.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 186, an Act concerning the salary of Deputy Secretary of State, has been carefully compared with the engrossed bill as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor for his approval.

Special order, the announcement of the vote upon concurring in Senate amendment to section one of Assembly Bill No. 67, was taken up.

Mr. Elliott moved a call of the House.

Carried.

Messrs. Glover, Julien and Williams absent without leave.

Messrs. Williams and Julien were announced and excused.

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

Mr. Cutter moved a new count.

Carried.

House concurred in Senate amendments to section one of Assembly Bill No. 67, and bill passed by the following vote:

YEAS—Messrs. Bearss, Clemens, Crawford, Elliott, Fisher, Grey, Haskell, Hayden, Ingham, Julien, Lane, Linn, Mason, Munckton, O'Neil, Vandewater, Williams, Wood, Work, and Mr. Speaker—20.

NAYS—Messrs. Beck, Canfield, Cutter, Edwards, Gaige, Hinckley, Hudson, James, Mayhugh, McDougall, Prince, Taylor, and Walton—13.

Special order, Senate Bill No. 142, an Act to regulate rafting and running timber and wood in the rivers in the State of Nevada, was taken up, bill recommitted to special committee of one, with instructions to amend by inserting in section two, after the word "expense," as follows:

"*Provided*, any damage to ranches, bridges, dams, or other property, on any river or stream, by the parties owning the same, in floating logs or timber, or otherwise, shall be appraised by three appraisers; one to be chosen by the party injured, one by the superintendent of the incorporation, or other party complained of, the other by the two so chosen; the decision of the said appraisers shall be final and binding on both parties, and the damage so determined shall be promptly paid; and if the damages so appraised are not paid within one month after the same

are appraised, then the party liable shall be liable in double the amount of damages so appraised, and the court shall give judgment, in case of suit, for such double damages," who reported bill amended, as per instructions.

Amendment adopted.

Bill recommitted to special committee of one, with instructions to amend by inserting in section two, subdivision five, after the word "timber," the words "and provided further, that the rights of those owning lands upon such streams or rivers, shall not be interfered with, or infringed upon," who reported bill amended, as per instructions.

Amendment adopted.

Bill read third time.

Previous question called and sustained.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Clemens, Crawford, Cutter, Elliott, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Linn, Mason, Mayhugh, Munckton, Taylor, Vandewater, Walton, Williams, Wood, and Mr. Speaker—23.

NAYS—Messrs. Beck, Fisher, Gaige, James, Julien, and O'Neil—6.

REPORTS OF STANDING COMMITTEES.

MINORITY REPORT.

Mr. Vandewater, from Committee on Trades and Manufactures, to which was referred Assembly Bill No. 226, an Act to provide for the better security of life and property in and about any works using steam for a motive power, begs leave to report that they have had the same under consideration, and report the same back to the House, and recommend that it do not pass.

MAJORITY REPORT.

By Mr. Lane :

Mr. Speaker :

Your majority of Standing Committee on Trades and Manufactures, to whom was referred Assembly Bill No. 226, an Act to provide for the better security of life and property in and about any works using steam as a motive power, beg leave to report that they have had the same under consideration, and recommend that the bill do pass.

THOMAS LANE,
H. C. McDOUGALL,
T. B. PRINCE,
J. G. CANFIELD.

Reports placed on file, with bill.

By Mr. Fisher :

Mr. Speaker :

Your Committee on Contingent Expenses, begs leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant on the Contingent Fund of the Assembly, in favor of

J. F. Hatch, for the sum of twenty-five dollars, for extra copying and comparing laws with copying clerk, for the use of the Printer.

Adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 1, 1866. }

To the Honorable the Assembly of Nevada :

I have this day approved the following Assembly Bills, viz:

No. 155, an Act to provide a fund for the payment of the salaries of the District Judges of this State, and to regulate the disposition of the same.

No. 92, an Act to amend an Act relating to wild game and fish, approved November 21st, 1861, approved February 20th, 1864.

Also, No. 186, an Act concerning the salary of Deputy Secretary of State.

H. G. BLASDEL,
Governor.

MOTIONS AND RESOLUTIONS.

By Mr. James :

Resolved, That the Sergeant-at-Arms be, and is hereby, authorized and required to draw his scrip on the Contingent Fund of the Assembly, in favor of A. Whitford, for the sum of forty-five dollars, for assisting the Chief Clerk, at the desk, for five days.

Adopted.

By Mr. Hayden :

WHEREAS, The publication of the volume of the statutes of Nevada for last year was delayed many months, and much inconvenience and trouble arose therefrom. Now, therefore,

Resolved, That the attention of the Secretary of State and State Printer be called to this matter, and that they be requested to use all possible diligence and dispatch in preparing for publication, and having published, the forthcoming volume of the laws of the present session.

Adopted.

By Mr. Fisher :

Resolved, That as early as practicable, after 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 desks, chairs, and all other furniture belonging to the State, now in use in the Assembly hall and offices; also, the amount of stationery that may be on hand in his office; and the said Sergeant-at-Arms shall not be held responsible for any deficiency that may unavoidably occur in said articles.

Adopted.

Assembly Concurrent Resolution relative to change of route for Central Pacific Railroad, was read first time, rules suspended, read second time by title, and referred to Committee on Federal Relations.

Senate message of yesterday, then postponed, was taken up.

Senate Bill No. 217, as per message, read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Grey, Glover, Hayden, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Work, and Mr. Speaker—26.

NAYS—Mr. Canfield—1.

Senate Bill No. 218, as per message, read first time, rules suspended, read second time by title, and placed on file.

Assembly Bill No. 62, as per message, Senate amendments non-concurred in.

A committee of free conference, consisting of Messrs. Mayhugh, Hayden and Elliott, was appointed, to confer with like committee from the Senate relative to said disagreements.

Assembly Bill No. 34, as per message, Senate amendment concurred in, and bill finally passed by the following vote :

YEAS—Messrs. Clemens, Crawford, Edwards, Elliott, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Walton, Work, and Mr. Speaker—22.

NAYS—Messrs. Canfield and Julien—2.

Mr. Speaker *pro tem.* in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
March 1, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body, Assembly Bill No. 60, an Act to provide for establishing and maintaining a mining school, and create the office of State Mineralogist, the same having passed the Senate this day. Yeas, 14; nays, none.

Also, Assembly Bill No. 87, an Act to authorize the official publication of the general laws passed at the second session of the State Legislature, and to provide compensation therefor, the same having passed the Senate this day with the following amendments: In section one, line one, strike out "Daily Territorial Enterprise," and insert "Carson Daily Appeal;" line two, strike out the words "Virginia, Storey," and insert "Carson, Ormsby." In section two, line three, strike out "six," and insert "three."

Also, Assembly Bill No. 78, an Act concerning the powers of corporations.

Also, Assembly Bill No. 41, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865, the same having passed the Senate this day, without amendment.

All of which is respectfully submitted,

JOHN R. EARDLEY, Ass't Secretary.

Mr. Elliott moved a call of the House.

Carried.

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

Assembly Bill No. 87, as per message, Senate amendments non-concurred in.

Committee of free conference of three, consisting of Messrs. Vandewater, Ingham, and Edwards was appointed to confer with like committee from the Senate, relative to said disagreements.

Senate Bill No. 216, as per message, read first time, rules suspended, read second time by title, previous question called and sustained, rules further suspended, bill read third time, and passed by the following vote :

YEAS—Messrs. Canfield, Crawford, Cutter, Edwards, Glover, Haskell, Hudson, Ingham, James, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Vandewater, Walton, Williams, Wood, and Work—20.

NAYS—Messrs. Beck, Clemens, Elliott, Fisher, Grey, Hayden, Hinckley, Julien, and Mr. Speaker—9.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 1, 1866. }

To the President of the Senate :

I am directed to return to your honorable body, Assembly Bill No. 200, an Act for the relief of Frank Eastman, the same having passed without amendment.

Also, Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act, or any other railroad or telegraph Act which may be hereafter enacted by Congress, and other matters relating thereto, the same having passed with the following amendments: Strike out, in the title of the bill, after the word "Congress," the words "or any other railroad or telegraph Act which may be hereafter enacted."

In section one, line ten, after the word "California," and before the word "is" insert the words "or any other railroad company formed or hereafter to be formed;" also, line twelve, after "company" insert "or companies;" line sixteen, after "company" insert "or companies;" line twenty-three, after "company" insert "or companies;" line thirty-one, after "company" insert "or companies;" line forty-four, after "company" insert "or companies;" line forty-six, after "company" insert "or companies;" line forty-nine, after "company" insert "or companies;" line fifty-one, after "company" insert "or companies;" line twenty-five, after the word "thereof" insert the words "not to exceed one hundred feet on each side of said road;" line fifty-one, strike out all after the word "Congress" to the end of the section.

I am also directed to transmit, for the consideration of your honorable body, Senate Bill No. 216, an Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation," approved March 9th, 1865, the same having passed the Senate this day. Yeas, 10; nays, 4.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Assembly Bill No. 174, as per message, Senate amendments concurred in, and bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Cutter, Edwards, Grey, Glover, Haskell, Hayden, Hudson, Ingham, James, Julien, Lane, Munckton, McDougall, O'Neil, Prince, Walton, Williams, Wood, and Mr. Speaker—23.

NAYS—None.

Mr. Clemens moved to reconsider the vote just taken.

Lost.

On motion of Mr. Elliott, at twelve o'clock and fifty minutes, House took a recess until one o'clock and thirty minutes P. M.

AFTERNOON SESSION.

House re-assembled at one o'clock and thirty minutes P. M.

Mr. Speaker in the chair.

No quorum present.

Mr. Hayden moved a call of the House.

Carried.

Messrs. Beck, Crawford, Cutter, Edwards, Gaige, Grey, Hineckley, Ingham, Julien, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Walton, Williams, and Work were absent without leave.

Messrs. O'Neil, Walton, Williams, Mason, Ingham, and Work were announced and excused.

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

By leave, Mr. Hayden offered the following report :

Mr. Speaker :

The Judiciary Committee, to whom was referred Assembly Bill No. 12, an Act concerning crimes and punishments, report the same back and recommend that it do not pass, as its provisions are substantially covered by those of another bill which has passed the Assembly.

Also, Assembly Bill No. 112, an Act to provide for the payment of the outstanding warrants of Washoe county, which they recommend be laid on the table.

Also, Assembly Bill No. 98, an Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," which they recommend be laid on the table.

Also, Assembly Bills Nos. 96 and 136, an Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in the Courts of Justice in this Territory,'" approved February 26th, 1864, which bills the committee recommend be indefinitely postponed.

Also, Senate Bill No. 99, an Act defining the duties of the Attorney-General of the State of Nevada, which the committee report back without recommendation.

Also, Senate Bill No. 153, an Act to amend section fifty of an Act of the Legislature of this State entitled "An Act concerning the Courts of Justice of this State, and judicial officers," which bill the committee report without recommendation.

Rules suspended, to take up Senate Bill No. 218, an Act to provide for the transfer of certain moneys from the General Fund to the State Library Fund.

Read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Clemens, Crawford, Elliott, Fisher, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, Lane, Mason, Mayhugh, Munckton, McDougall, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—23.

NAYS—Mr. Julien—1.

Rules suspended, and Mr. McDougall introduced Assembly Bill No. 231, an Act to provide for the payment of the outstanding indebtedness of Virginia, Storey county.

Rules suspended, read first and second time by title, and laid on the table.

Mr. Speaker *pro tem.* in the chair.

Rules suspended to take up Assembly Bill No. 216, an Act in regard to currency.

Amended, rules suspended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Cutter, Edwards, Elliott, Glover, Hayden, Hinckley, Hudson, Ingham, James, Lane, Mason, Mayhugh, Munckton, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—25.

NAYS—Mr. Canfield—1.

Rules suspended to take up Assembly Bill No. 167, an Act to regulate fees and compensation for official and other services in the State of Nevada.

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

Lost.

Mr. Hayden moved to indefinitely postpone.

Lost by the following vote :

YEAS—Messrs. Beck, Clemens, Crawford, Elliott, Grey, Hayden, Linn, McDougall, Prince, and Vandewater—10.

NAYS—Messrs. Bearss, Canfield, Cutter, Edwards, Fisher, Gaige, Glover, Ingham, James, Mayhugh, Munckton, O'Neil, Williams, and Wood—14.

Previous question called and sustained.

Mr. Cutter moved a call of the House.

Carried.

Messrs. Elliott, Haskell, Julien and Mr. Speaker absent without leave.

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

Bill ordered engrossed by the following vote :

YEAS—Messrs. Beck, Canfield, Cutter, Edwards, Gaige, Grey, Glover, Hudson, James, Lane, Mason, Mayhugh, McDougall, O'Neil, Prince, Walton, Williams, and Wood—18.

NAYS—Messrs. Clemens, Crawford, Elliott, Fisher, Haskell, Hayden, Hinckley, Julien, Linn, Munckton, and Work—11.

Mr. Cutter moved to suspend the rules and consider the bill engrossed.

Lost.

Senate Bill No. 147, an Act to amend an Act entitled "An Act to provide for organizing and disciplining the militia of this State," approved March 4th, 1865, read third time, and passed by the following vote :

YEAS—Messrs. Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Hayden, Hudson, James, Julien, Lane, Linn, Mason, Mayhugh, McDougall, O'Neil, Walton, Williams, Wood, and Work—22.

NAYS—None.

Senate Substitute Bill No. 146, an Act to amend an Act entitled "An Act to provide for organizing and disciplining the militia of this State," approved March 4th, 1865, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Crawford, Edwards, Gaige, Grey, Glover, Haskell, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, Prince, Walton, and Wood—19.

NAYS—None.

Senate Bill No. 134, an Act for the relief of John F. Stone, read third time, and passed by the following vote :

YEAS—Messrs. Beck, Canfield, Clemens, Cutter, Edwards, Gaige, Glover, Hinckley, Hudson, Ingham, James, Julien, Linn, Munckton, McDougall, Prince, Walton, Vandewater, Williams, and Wood—20.

NAYS—Mr. Crawford—1.

Senate Bill No. 144, an Act to provide for the reduction of the number of District Judges in the First Judicial District of the State of Nevada, and for other purposes ; bill amended, read third time, and passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Edwards, Elliott, Fisher, Gaige, Grey, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mayhugh, Munckton, McDougall, Prince, Vandewater, Walton, and Wood—25.

NAYS—None.

REPORT FROM COMMITTEE ON FREE CONFERENCE.

By Mr. Vandewater :

Mr. Speaker :

Your committee on free conference, appointed to meet a like committee on the part of the Senate, respectfully report that they have agreed to disagree as to the subject matter of difference between the two Houses, on Assembly Bill, an Act to authorize the efficient publication of the general laws, passed at the second session of the State Legislature, and to provide compensation therefor, and recommend that the bill be laid on the table, and that Senate Bill No. 75, entitled "An Act to provide for the publication of laws and resolutions passed during the second session of the Legislature of Nevada," be taken up and passed.

Adopted.

On motion of Mr. Vandewater, Senate Bill No. 75, as per report, was taken up.

Mr. Ingham moved the bill be indefinitely postponed.
Lost.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 227, an Act for the relief of the Chief of Police, of Virginia City, has been carefully compared with the engrossed bill, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Governor, for his approval.

Consideration of Senate Bill No. 75, resumed.

Mr. Mayhugh moved the bill be laid on the table temporarily.

Carried.

Mr. Speaker in the chair.

On motion of Mr. Ingham, Assembly Bill No. 87, an Act to authorize the official publication of the general laws passed at the second session of the State Legislature, and to provide compensation therefor, was taken up.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 162, an Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22d, 1865;

Also, Assembly Bill No. 91, an Act to prevent unlicensed gaming, and to provide for the issuance of licenses for gaming;

Also, Assembly Bill No. 44, an Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861;

Also, Assembly Bill No. 144, an Act concerning the boundaries of the counties of Nye and Lander;

Also, Assembly Bill No. 209, an Act in relation to the distribution of the reports of the Supreme Court of the State of Nevada;

Also, Assembly Bill No. 159, an Act to amend an Act entitled "An Act concerning the office of Secretary of State," approved February 14th, 1865;

Also, Assembly Bill No. 199, an Act for the disposal of the moneys in county building fund in the county of Storey;

Also, Assembly Bill No. 170, an Act to consolidate and pay certain indebtedness of the county of Ormsby;

Also, Assembly Bill No 57, an Act relating to elections, the manner of conducting and contesting the same; election returns and canvassing the same; frauds upon the ballot-box; destroying or attempting to destroy the ballot-box; illegal or attempted illegal voting, and misconduct at elections; have been carefully compared with the engrossed bills, as passed by the two Houses, found correctly enrolled, and that the same have this day been delivered to the Governor for his approval.

Consideration of Assembly Bill No. 87 resumed.

On motion of Mr. Haskell, a committee of free conference was appointed, consisting of Messrs. Haskell, Glover and Hinckley, to confer with like committee from the Senate relative to disagreement on said bill.

REPORT OF COMMITTEE OF FREE CONFERENCE.

By Mr. Hayden :

Mr. Speaker :

The committee of free conference, to whom was referred Assembly Bill No. 62, an Act to amend an Act concerning officers," report that they have met the Senate committee, appointed on the matters of disagreement between the two Houses on said bill, and agreed upon the Senate amendments, and also the following amendment to the same, which they recommend be made to said bill, and that the bill be passed with said amendments.

Committee amendments, as per report, adopted, and bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Crawford, Elliott, Fisher, Grey, Glover, Hayden, Hinckley, Hudson, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, Walton, and Mr. Speaker—21.

NAYS—None.

Rules suspended to take up Assembly Bill No. 190, an Act to amend an Act entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee River," passed March 2d, 1865.

Rules suspended, bill considered engrossed, read third time, previous question called and sustained, and bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Clemens, Cutter, Edwards, Grey, Haskell, Ingham, James, Lane, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Work, and Mr. Speaker—19.

NAYS—Messrs. Canfield, Crawford, Elliott, Fisher, Glover, Hayden, Hinckley, Julien, and Mr. Mason—9.

Rules suspended to take up Senate message.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
March 1, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 63, an Act in relation to public highways, the same having passed the Senate with the following amendments :

In section two, line three, after the word "shall" insert "when the probable cost of such contemplated work shall exceed one hundred dollars;" lines four to six, strike out all after the word "and" up to the word "public."

In section three, lines five to nine, strike out all after the word "paid" up to the word "in."

In section four, line two, strike out "have a" after the word "shall," and strike out "for" after the word "regard;" lines three and four, strike out the words "in their respective counties;" also, strike out in third and fifth lines, the word "neighborhood" and insert "road district."

In section five, after the words "section five" and before the word "before" insert the following: "if twenty-four freeholders of any county containing one hundred or more legal voters, or twelve freeholders of any county containing less than one hundred legal voters, shall petition the Board of County Commissioners of such county for the location, opening to public use, re-establishment, change or vacation of any road or highway, to connect with any highway heretofore established, or any street or alley in any unincorporated town in such county, setting forth in such petition the beginning, course and termination of such road, highway, street or alley proposed to be located, opened to public use, re-established, changed, or vacated, together with the names of the owners of the land through which the same may pass, the Auditor of such county shall lay said petition before the Board of County Commissioners at their next session thereafter, and thereupon such Board of County Commissioners shall, within twenty days thereafter, proceed to locate, open to public use, re-establish, change or vacate such road, highway, street or alley."

In section six, line three, after the word "thereon" insert the following: "or who shall obstruct, dam or divert any stream of water, so as to throw the same or cause the flowage thereof upon, across, or along the pathway of any road, highway, street or alley;" line six, after the word "had" strike out the words "may in addition," and insert the word "shall;" line nine, after the word "alley" insert "or any obstruction from such stream, so as to allow the same to flow in its natural bed."

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Assembly Bill No. 63, an Act in relation to public highways, as per message, Senate amendments concurred in, and bill passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Edwards, Fisher, Gaige, Grey, Haskell, Hayden, Hinckley, Hudson, Linn, Munckton, McDougall, O'Neil, Prince, Walton, and Mr. Speaker—20.

NAYS—Mr. Lane—1.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 174, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto.

Also, Concurrent Resolution relative to furnishing the elective officers of the two Houses, a copy of the Senate and Assembly Journals, when printed.

Also, Concurrent Resolution concerning the repeal of Joint Rule No. 15.

Also, an Act for the relief of Frank Eastman.

Also, an Act to provide for establishing and maintaining a Mining School, and create the office of State Mineralogist.

Also, Assembly Bill No. 78, an Act concerning the powers of corporations; have been carefully compared with the engrossed bills as passed by the two Houses, found correctly enrolled, and that the same have this day been delivered to the Governor, for his approval.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 March 1, 1866. }

To the Honorable the Assembly:

I am directed to inform you that the Senate has appointed, as a committee on free conference, to confer with a like committee appointed by your honorable body, on Assembly Bill No. 62, relating to officers, consisting of Messrs. Dorou, Winton and Proctor.

Also, that the Senate has appointed Messrs. Seely, Hutchins and Hastings as a committee of free conference, to confer with a like committee appointed by your honorable body, on Senate amendments to Assembly Bill No. 174, relating to printing laws.

I am also directed to return Assembly Bill No. 132, an Act to regulate the hours of service and labor within this State, the same having been lost this day.

Also, Assembly Bill No. 223, an Act to provide for paying for copying and preparing a duplicate assessment roll of property assessed by the city of Virginia, for the year 1865, the same having been indefinitely postponed this day.

Also, I am directed to return Assembly Bill No. 107, an Act to amend section eighty-three of an Act approved March 9th, 1865, entitled "An Act to provide revenue for the support of the government of the State of Nevada, the same having passed the Senate with the following amendments: In section one, line nine, strike out "two thousand," and insert "fourteen hundred;" line ten, strike out "six," and insert "five;" line eleven, strike out "nine hundred," and insert "one thousand;" also, strike out "twelve," and insert "fifteen;" line twelve, strike out "eighteen hundred," and insert "two thousand;" line thirteen, strike out "four," and insert "seven."

All of which is respectfully submitted.

JOHN R. EARDLEY,
 Assistant Secretary.

Assembly Bill No. 107, as per message, Senate amendments concurred in, and bill passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Edwards, Elliott, Fisher, Grey, Glover, Haskell, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Williams, Wood, and Mr. Speaker—26.

NAYS—None.

Mr. Beck reports that the Standing Committee on Engrossment have carefully compared the following entitled bill with the original, and found the same correctly engrossed, viz: Assembly Bill No. 163, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865.

On motion of Mr. Glover, at five o'clock and ten minutes, House took a recess until seven p. m.

EVENING SESSION.

House re-assembled at seven o'clock P. M.
Mr. Speaker in the chair.
Quorum present.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 1, 1866. }

To the Honorable the Assembly :

I am directed to return to your honorable body Assembly Bill No. 227, an Act for the relief of the Chief of Police of Virginia City, the same having been passed this day without amendment.

Respectfully,

JOHN R. EARDLEY, Ass't Secretary.

By leave, Assembly Bills Nos. 132 and 226 were withdrawn.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 1, 1866. }

To the Honorable the Assembly :

I am directed to inform you that the Senate has this day concurred in Assembly amendments to Senate Bill No. 121, relating to disposition of public lands.

Also, that the Senate refuses to appoint another committee of free conference on Assembly Bill No. 87, relative to printing laws, etc.

I am also directed to transmit, for the consideration of your honorable body, Senate Bill No. 232, an Act supplementary to, and amendatory of, an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January 27th, 1865.

Also, concurrent resolution relative to establishing a daily mail from Austin to Silver Peak—both having passed the Senate this day.

I am also directed to transmit concurrent resolution relative to the Nevada volunteers, the same having passed this day.

I am also directed to return Assembly Bill No. 216, an Act in regard to currency.

Also, Assembly Bill No. 201, an Act to amend an Act entitled "An Act in relation to common jails and the prisoners thereof," approved November 25th, 1861, the same having passed this day without amendment.

Also, Assembly Bill No. 188, an Act to amend sections seventeen and eighteen of an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers," approved March 8th, 1865, the same having been this day indefinitely postponed.

Also, Assembly Bill No. 185, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865, the same having passed the Senate this day with the following amendment: Add to the end of section one the following:

“Provided, that nothing in this section shall be so construed as to authorize the formation of banking corporations for the purpose of issuing or circulating money or currency within this State, except the Federal currency, and the notes of banks authorized under the laws of the Congress of the United States; nor shall bank notes, or paper of any kind, be permitted to circulate as money in this State, other than the Federal currency, and the notes of banks authorized by the laws of the Congress of the United States.”

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Senate Concurrent Resolution, as per message, read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote:

YEAS—Messrs. Canfield, Cutter, Edwards, Fisher, Gaige, Glover, Hayden, Hinckley, Hudson, Lane, Linn, Mason, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Wood, Work, and Mr. Speaker—21.

NAYS—None.

Senate Concurrent Resolution No. 230, relative to Nevada Volunteers, as per message, read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Crawford, Cutter, Elliott, Fisher, Gaige, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Wood, Work and Mr. Speaker—26.

NAYS—None.

Senate Bill No. 232, as per message, rules suspended, read first and second time by title, rules further suspended, bill amended, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Clemens, Crawford, Cutter, Elliott, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Wood, Work, and Mr. Speaker—23.

NAYS—None.

Assembly Bill No. 185, as per message, Senate amendment concurred in, and bill passed by the following vote:

YEAS—Messrs. Canfield, Clemens, Crawford, Cutter, Elliott, Hayden, Hinckley, Hudson, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Vandewater, Walton, Wood, Work, and Mr. Speaker—22.

NAYS—None.

Rules suspended, and Mr. Work introduced Assembly Concurrent Resolution No. 47, relative to sale of mineral lands.

Read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Cutter, Elliott,

Fisher, Hayden, Hudson, Ingham, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Taylor, Vandewater, Walton, Wood, Work, and Mr. Speaker—25.

NAYS—None.

Rules suspended, and Mr. Beck introduced Assembly Bill No. 233, an Act in relation to the salaries of Governor, and Lieutenant-Governor, as Warden of the State Prison

Read first time, rules suspended, read second time by title, House resolved into Committee of the Whole, Mr. James in the chair, for consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Assembly Bill No. 233, an Act in relation to the salaries of the Governor and Lieutenant-Governor, as Warden of the State Prison, had gone through therewith, and directed their chairman to report the bill to the House, and recommend its passage.

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

YEAS—Messrs. Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Hayden, Hinckley, Hudson, Ingham, James, Mason, Mayhugh, Munckton, O'Neil, Prince, Taylor, Vandewater, Walton, and Wood—22.

NAYS—Messrs. Julien, Lane, McDougall, and Mr. Speaker—4.

GENERAL FILE.

Assembly Bill No. 167, an Act to amend an Act entitled "An Act to regulate fees for official and other services in the State of Nevada," approved March 9th, 1865, read third time.

Roll called.

Mr. Cutter moved the announcement of the vote be postponed for thirty minutes.

Yeas and nays called by Messrs. Cutter, Ingham and McDougall.

Pending which, Mr. Work moved a call of the House.

Carried.

Messrs. Glover and Haskell absent without leave.

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

Mr. Cutter withdrew his motion to postpone.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Beck, Canfield, Cutter, Edwards, Gaige, Grey, Haskell, Hudson, Ingham, Mason, Mayhugh, McDougall, O'Neil, Prince, Taylor, Walton, Williams, and Wood—19.

NAYS—Messrs. Clemens, Crawford, Fisher, Hayden, Hinckley, Julien, Lane, Linn, Munckton, Vandewater, Work, and Mr. Speaker—12.

Rules suspended, and Mr. Mayhugh introduced the following :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his scrip in favor of John C. James, Speaker *pro tem.* of the Assembly, in the sum of one hundred and twenty dollars, payable out of the contingent fund of the Assembly.

Adopted.

Senate Bill No. 107, an Act supplementary to, and amendatory of, an Act to provide for the maintenance and supervision of public schools, approved March 20th, 1865, amended, and referred to committee of one for correction.

Rules suspended to take up Assembly Concurrent Resolution No. 34, relative to mail service between Ione and Crystal Springs.

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

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Elliott, Fisher, Gaige, Grey, Glover, Haskell, Hayden, Hinkley, Hudson, Ingham, James, Mason, Munckton, O'Neil, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—25.

NAYS—Messrs. Cutter, Julien, Lane, Linn—4.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bills 34 and 208, an Act to revise an Act entitled "An Act to amend section 219 of 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, approved March 6th, 1865, and to amend section 243 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, 1861;

Also, Assembly Bill No. 208, an Act to provide for the payment of the outstanding indebtedness of the town of Gold Hill;

Also, Assembly Bill No. 41, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865;

Also, Assembly Bill No. 67, an Act relating to officers, their qualifications, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty;

Also, Assembly Bill No. 185, an Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March 10th, 1865; have been carefully compared with the engrossed bills as passed by the two Houses, found correctly enrolled, and that the same have been delivered to the Governor for his approval.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
March 1st, 1866. }

To the Honorable the Assembly:

I am directed to transmit for the consideration of your honorable body Senate Bill No. 233, an Act to authorize the appointment of a commissioner to represent the State of Nevada in the World's Fair, to be held in the city of Paris in the year 1867, the same having passed the Senate this day.

All of which is respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 233, as per message; read first time, rules suspended, read second time by title, House resolved itself into Committee of the Whole, Mr. James in the chair, for the consideration of said bill.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Chairman reported that the Committee of the Whole had had under consideration Senate Bill No. 233, an Act to authorize the appointment of a commissioner to represent the State of Nevada at the World's Fair, to be held at Paris, in the year 1867, had gone through therewith, made some amendments thereto, and directed their chairman to report the bill to the House, and recommend its passage as amended; amendments adopted, bill read third time and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—24.

NAYS—Messrs. Crawford and Julien—2.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 201, an Act to amend an Act entitled "An Act in relation to common jails and the prisoners thereof," approved November 25th, 1861; Also, Assembly Bill No. 216, an Act in regard to currency, have been carefully compared with the engrossed bills as passed by the two Houses, found correctly enrolled, and that the same have this day been delivered to the Governor for his approval.

Senate Bill No. 107, was reported back corrected, and passed by the following vote:

YEAS—Messrs. Bearss, Beck, Canfield, Clemens, Crawford, Cutter, Elliott, Gaige, Grey, Glover, Hayden, Hinckley, Hudson, Ingham, James, Lane, Linn, Mason, Mayhugh, Munckton, O'Neil, Prince, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—28.

NAYS—Mr. Julien—1.

Rules suspended, and Mr. Mayhugh introduced Assembly Concurrent Resolution No. 48, relative to printing seven hundred and twenty copies of Assembly Bill No. 22.

Read first time, rules suspended, read second time by title, rules further suspended, read third time, and passed by the following vote:

YEAS—Messrs. Bearss, Canfield, Clemens, Elliott, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Lane, Linn, Mason, Mayhugh, Munckton, McDougall, O'Neil, Prince, Vandewater, Walton, Williams, Wood, and Mr. Speaker—25.

NAYS—None.

Rules suspended to take up

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY, }
March 1, 1866. }

To the Honorable the Assembly:

I am directed to return to your honorable body the following Assembly Bills, etc.:

Bill No. 190, an Act to amend an Act entitled "An Act authorizing

the construction of a railroad from Virginia City to the Truckee Meadows," passed March 2d, 1865.

Also, Bill No. 233, an Act in relation to the Governor, Lieutenant-Governor, etc.

Also, Concurrent Resolution No. 47, relative to the sale of mineral lands.

All of which passed the Senate this day without amendment.

I am also directed to return to your honorable body Assembly Bill No. 167, an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, the same having been indefinitely postponed.

Respectfully submitted.

JOHN R. BARDLEY, Ass't Secretary.

Rules suspended to take up Assembly Bill No. 87, an Act to authorize the official publication of the general laws passed at the second session of the State Legislature, and to provide compensation therefor.

Referred to the free conference committee previously appointed.

Rules suspended to take up Assembly Bill No. 202, an Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings for county purposes," approved March 10th, 1865.

Rules suspended, bill considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Beck, Clemens, Crawford, Elliott, Gaige, Glover, Hayden, Hudson, Ingham, James, Julien, Lane, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—24.

NAYS—Messrs. Fisher, Haskell, and Linn—3.

Mr. Haskell, from committee on free conference, reported that the Senate refused to concur in Assembly Bill No. 87.

Rules suspended, and Mr. Hayden introduced Assembly Concurrent Resolution No. 119, relative to printing Assembly Bill No. 88.

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

YEAS—Messrs. Bearss, Clemens, Crawford, Elliott, Gaige, Glover, Hayden, Hinckley, Hudson, Ingham, James, Julien, Linn, Mason, Mayhugh, Munckton, McDougall, Prince, Taylor, Vandewater, Walton, Williams, Wood, Work, and Mr. Speaker—25.

NAYS—None.

Rules suspended, and Mr. Mayhugh offered the following:

Resolved, That the thanks of this body are hereby tendered to the honorable James A. Banks, Speaker of the Assembly of the State of Nevada, for his efficient, honest, and impartial conduct, as the presiding officer of the same.

Unanimously adopted.

Also,

Resolved, That the thanks of the Assembly be, and they are hereby, tendered to the Chief Clerk, Sergeant-at-Arms, Assistant Sergeant-at-Arms, and all other clerks and attachés, for their strict attention to the various duties imposed upon them, and for the able manner in which such duties have been performed by them.

Unanimously adopted.

Also,

Resolved, That the thanks of this Assembly are hereby tendered to Wm. M. Gillespie, reporter of the "Territorial Enterprise," for his correct and faithful report of the proceedings of the House during the present session.

Unanimously adopted.

Also,

Resolved, That the thanks of the Assembly be tendered to the Speaker *pro tem.*, for the able manner in which he has discharged his duty.

Unanimously adopted.

Mr. Haskell moved to take up Senate Bill No. 75.

Mr. Ingham moved to indefinitely postpone.

Lost.

Mr. Haskell's motion carried, and Senate Bill No. 75, taken up.

Bill read third time.

Previous question called and sustained.

Bill passed by the following vote :

YEAS—Messrs. Bearss, Canfield, Clemens, Crawford, Cutter, Elliott, Fisher, Gaige, Haskell, Hayden, Hinckley, Hudson, Lane, Mason, Mayhugh, Munckton, McDougall, Taylor, Walton, Williams, and Work—21.

NAYS—Messrs. Glover, Ingham, Prince, Vandewater, Wood, and Mr. Speaker—6.

Rules suspended to take up

SENATE MESSAGE.

SENATE CHAMBER, CARSON CITY, }
March 1, 1866.

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate has indefinitely postponed Senate Bill No. 107, an Act supplementary to, and amendatory of, an Act to provide for the maintenance and supervision of Public Schools, approved March 20th, 1865, returned from your honorable body, with amendments.

I am also directed to return Assembly Concurrent Resolution, relative to mail facilities, the same having passed unanimously, this day.

I am also directed to return to your honorable body Assembly Concurrent Resolution No. 48, relative to printing certain Assembly bill ;

Also, Assembly Bill No. 100, an Act concerning juries ; the same having passed the Senate this day without amendment.

All of which is respectfully submitted.

JOHN R. EARDLEY, Ass't Secretary.

Rules suspended.

On motion, the engrossed copy of Assembly Bill No. 100, was considered enrolled.

Rules suspended to take up

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 1, 1866. }

To the Honorable the Assembly :

I am directed to inform your honorable body that the Senate desires the return of Assembly Concurrent Resolution, relative to printing four hundred and eighty copies of the Justices' Practice Act, for further consideration.

Respectfully,

GEO. R. AMMOND, Secretary.

Rules suspended, and Mr. Mayhugh offered the following :

Resolved, That the Speaker and Clerk be, and they are hereby authorized to revise, correct and approve the Journal of this day's proceedings when the same shall have been journalized.

Adopted.

On motion of Mr. Beck, at ten o'clock and forty-five minutes, House took a recess until eleven o'clock and fifteen minutes P. M.

House re-assembled at eleven o'clock and fifteen minutes P. M.

Mr. Speaker in the chair.

Quorum present.

Mr. Bearss, chairman Committee on Enrollment, reports that Assembly Bill No. 100, an Act concerning juries, has been transmitted to the Governor; also, Assembly Concurrent Resolution No. 49, relative to the sale of mineral lands, has been transmitted to the Secretary of State; also, Assembly Bill No. 63, an Act in relation to public highways; also, Assembly Bill No. 190, an Act to amend an Act entitled "An Act authorizing the construction of a railroad from Virginia City to the Truckee River," approved March 2d, 1865; also, No. 233, an Act in relation to the salaries of Governor and Lieutenant-Governor, etc., have been carefully compared with the engrossed bills, as passed by the two Houses, found correctly enrolled, and that the same have this day been delivered to the Governor for his approval.

On motion, Messrs. James, Crawford and Beck were appointed a select committee to wait on his Excellency, the Governor, and inquire if has any further messages to transmit to the Assembly.

Mr. Bearss, chairman Enrolling Committee, reports Assembly Concurrent Resolution No. 34, has been carefully compared with the engrossed resolution, as passed by the two Houses, found correctly enrolled, and that the same has this day been delivered to the Secretary of State.

Mr. James, chairman of select committee appointed to wait on his Excellency, the Governor, reported that the Governor had no further communication to make to the Assembly.

On motion of Mr. Ingham, at eleven o'clock and forty minutes, House took a recess, subject to the call of the Speaker.

House re-assembled at eleven o'clock and forty-five minutes.

Mr. Speaker in the chair.

Quorum present.

Mr. Bearss, Chairman Enrolling Committee, reports Assembly Bill No. 107, an Act to amend section eighty-three of an Act approved March 9th, 1865, entitled "An Act to provide revenue for the support of the Government of the State of Nevada," correctly enrolled, and delivered the same to the Governor this day.

On motion, the Clerk was directed to inquire of the Senate if it had any further communication to make to the Assembly.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, CARSON CITY,

To the Honorable the Assembly :

I am instructed by the Senate to inform your honorable body that the Senate has no further communication to make to your honorable body.

Respectfully,

GEO. R. AMMOND, Secretary.

Mr. Speaker delivered the following address :

Gentlemen of the Assembly :

We are about to terminate the relations which, during the past two months, we have sustained to each other and to the State of Nevada. As your presiding officer, permit me to express my grateful thanks for the kind deference with which you have acted towards me, and as a fellow-member, permit me to cherish the hope that the friendships we have here formed may continue uninterrupted in the future. I leave these halls without even the slightest feeling of unkindness toward any of those with whom I have been associated in the exciting business of legislation; and whatever may have been my shortcomings, I cherish the belief that in no case have I willfully given any one cause to refuse a reciprocity of this sentiment.

Time alone can determine the real character of our enactments; but I think we have reason to hope that they will, in the main, prove highly advantageous to our young State, and tend to show that we have, at least, been actuated by an honest purpose.

This may not be the most appropriate time to discuss national topics, but the present crisis in our national affairs seems to demand at least a passing notice. In our national councils two principles have been so clearly manifested that they cannot be ignored or disregarded. One of these—represented by President Johnson—if followed to its legitimate conclusion—will surely lead to the establishment of a system of human bondage but little better than that which, during the late rebellion, was overthrown amid the acclamations of the lovers of freedom throughout the world; and it may result in dangerous political combinations, through which the repudiation of the national debt, or the assumption of that of the late "Southern Confederacy," will become inevitable. To avoid calamities such as these, it is the duty of every lover of his country to study well the tendency of those maxims of political economy which concede to unrepentant traitors the rights they have clearly forfeited, and which, under no circumstances and upon no pretext, however plausible, should be restored to them until after the ordinary civil rights shall,

beyond question, have been secured to every man over whom waves the flag of our country—the emblem of universal freedom, which sable hands have aided in bearing forward through the smoke of battle to ultimate triumph. The other principle—represented by a large majority in Congress—though not altogether free from difficulties, is in accordance with the obvious teachings of experience as to the real character of those who were recently organized in armed hostility to the Government, but who now demand the right to control its destinies. That wise counsels may prevail—that the apparent breach in the party to which we owe the preservation of our existence as a nation may be healed, and that the blessings of God may attend the national authorities in their efforts to restore the Union on a safe and lasting basis, should be the devout prayer of every one who appreciates true liberty and desires the advancement of civilization.

Pursuant to the concurrent resolution of adjournment, I now declare this Assembly adjourned *sine die*.

U. E. ALLEN, Clerk.

JAS. A. BANKS, Speaker.

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APPENDIX.

ANNUAL MESSAGE

FROM

GOVERNOR H. G. BLASDEL.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January, 1866. }

Gentlemen of the Senate and Assembly :

You have convened, as the representatives of the people of this State, to consider and act upon many important subjects. We should, at all times—but more especially on occasions like the present—humbly acknowledge our dependence on Almighty God, and invoke His blessings on our labors, remembering that “He holds in His hand alike the destinies of nations and of men.” Again, it is made my duty, by the constitution, to communicate to you, by message, the condition of the State, and recommend such measures as I may deem proper.

FINANCES.

Owing to the fiscal year ending on the 31st of December, and the Treasurers of the counties being allowed until the 27th of that month to make their final settlements with the State Treasurer and Controller, the latter officers have been unable to lay before me their “Annual Reports.” I will transmit them to your honorable bodies as soon as received. They have, however, furnished enough to show that the total receipts, during the fiscal year, 1865, from all sources, were about \$465,000, and total disbursements about \$413,000. The total debt of the State, at this time, including that assumed for the Territory, is about \$436,500. Of that amount there is payable this year, on January 10th, \$60,000; February 1st, \$49,000; July 1st, \$5,775, and August 1st, \$11,250. Total, \$126,025. Appropriations to defray the civil expenses of the State Government during this year should be made, say, as follows: For the salaries of the Supreme Judges, their contingent expenses, and those of their clerk, \$24,000; for State Prison, to include outstanding warrants, \$25,000; for Legislative expenses, including about \$2,000 deficit of last year, \$32,000; for care of the Insane, \$2,000, and for all other current expenses, including State Printing, salaries of State officers, etc., \$85,000. This last named amount may include about \$10,000 outstanding warrants on the General Fund. It may become necessary to secure a temporary loan of, say, \$150,000, to meet our more immedi-

ate wants. This may be done by the issuance of bonds, bearing a rate of interest, payable semi-annually, sufficient to insure their disposal at par, to run not longer than one year. I further suggest that the negotiation of a loan be authorized for an amount sufficient to pay all indebtedness of the State not otherwise provided for at the time of obtaining such loan—the bonds to run, say, ten years; bear interest at not exceeding ten per cent. per annum, payable semi-annually—the payment of interest to be met by funds set apart from our annual revenues; and a sufficient sum, also, to be set apart each year to pay one tenth of the principal. If the holders will surrender bonds at not exceeding their par value, the Treasurer to pay them; if not, to invest the funds set apart for that purpose in United States securities—thus insuring the payment of the entire principal and interest within the prescribed period. By adopting this, or some similar plan, our finances can be placed and kept on a cash basis, and our entire indebtedness be paid within a reasonable time, without onerous taxation.

ECONOMY.

I consider it my duty to suggest to you the propriety of a short session, and the transaction of such business only as you may find actually indispensable. In our present financial condition it behooves us, as the faithful servants of the people, who have honored us with the positions we hold, to observe the strictest economy. The Constitution limits your sitting to sixty days; and if continued so long, taking as a basis the expenses of the last Legislature, would cost little less than sixty thousand dollars; but from your known habits of economy, and diligence in business, you can doubtless accomplish all that is necessary in less than half the time so contemplated, and make the large saving to the State of thirty thousand dollars or more. The Legislature will meet again so soon that much which might be convenient and advantageous, can be dispensed with until then, at which time I hope our finances and an extended knowledge of our necessities will justify more thorough legislation. Then, let us economise to the utmost of our ability.

ELECTIONS.

The Constitution requires that you provide, by law, for the election of all State, Legislative and County officers, and a Member of Congress. It also provides that County Recorders, elected under the provisions of a law to be passed, shall be ex officio County Auditors. I refer you to section thirty-two, of article four, of the Constitution, on this subject. I also suggest that you provide for our Congressman to be elected in 1866, and every two years thereafter; otherwise our State cannot have a voice in the organization of the House of Representatives, and many other important matters; and in cases of called or special sessions of Congress, we would be without a representative. If you provide thus, and for the election of Constables, at the general election in 1866, and biennially thereafter, and for the election of Justices of the Peace in 1868, and at like periods thereafter, there will be no necessity for any election in the alternate years, unless a vacancy occur in our Congressional representation, to supply which, you should provide for a special election. This would also result in great economy. To do this, however, the term of the Justices now in office must be extended one year. If you do this, there will be regularity and uniformity in the election of

all officers. You should also give efficiency to the provisions of section four, of article five, of the Constitution, by constituting the Justices of the Supreme Court a State Board of Canvassers, to canvass the election of all State officers and Congressman; and regulate, by law, the transmission of election returns to the Secretary of State. Provisions should also be made for the soldiers to participate in our elections, and for the returns and canvass of their votes, as contemplated by section three, of article two, and section fourteen of the "Election Ordinance," of the Constitution. Much inconvenience is experienced under existing regulations. I call your special attention to the last sentence of section three, article fifteen, of the Constitution. And, while upon this subject, I deem it my imperative duty to recommend the passage of an Act prohibiting the retailing and giving away of any kind of intoxicating drinks, to be used as a beverage, on the day of any election, within one mile, or less, of any place of voting. When it is considered that every voter is called upon, on those occasions, to exercise the most exalted privilege, and discharge the most important political duty of a freeman, the necessity of strict sobriety, sound judgment, peace and good will, is at once apparent. But the excesses of that day too frequently lead to various crimes, murder not excepted. Let us clear our skirts of all blame in the premises.

REGISTRY ACT.

The results sought by an Act of this character were well attained by the one passed last year. It provides for the legal ascertainment of those who should vote; it prevents all others from doing so, and the dishonest from voting where they ought not, and oftener than they should; it does away with the necessity of challengers at the polls; it prevents that undue excitement at voting places which frequently ends in breaches of the peace, riots, affrays and homicides; it is alike fair to all, and makes our elections what they should be—an orderly and honest expression of the people in the choice of their rulers. But I think it can be improved by providing for those qualified, to register before the County Clerks, and the Magistrates outside of county seats, thus superseding the necessity of their going before the County Commissioners, and that at stated periods, and with much expense and inconvenience; also, by providing that the Commissioners shall sit as Boards of Triers, say, commencing on the first Monday in October, to hear and decide upon all challenges made specifically, and filed for their action. I suggest, also, that the payment of a poll tax be no longer a condition precedent to registration. Every one who is able ought, of course, to pay such tax, to aid the government in protecting our lives, liberties and property; but the Revenue Law is ample and stringent upon that point—hence I think it unnecessary and unwise to keep this provision in the Registry Act, and thus throw into the arena of politics an illegitimate and unwholesome influence. With this law, thus amended, I think all good citizens will be well pleased, and continue grateful to the framers of our organic law for requiring it.

COUNTIES AND COUNTY BOUNDARIES.

Many of the dividing lines between the different counties are ill defined, which causes difficulties and confusion in many instances, such as in the service of legal process, the assessment and collection of taxes, the establishment of election precincts, etc., etc. I suggest that such

enactment be made as will secure well defined establishment of all county boundaries, and prevent these troubles in the future.

STATE BOARD OF PARDONS.

The Constitution, section fourteen of article five, provides that "the Governor, Justices of the Supreme Court and Attorney-General, or a major part of them, of whom the Governor shall be one, shall grant pardons," etc., etc., "subject to such regulations as may be provided by law relative to the manner of applying for pardons." I would respectfully call your attention to the fact that these "regulations" have not yet been made. You should also provide that a certified copy of a commutation of death penalty, to imprisonment, shall be a sufficient commitment, and that thereupon the proper officer shall immediately convey such person to the prison designated.

JUDICIAL DISTRICTS.

Each organized county, with one exception, is a Judicial District, and burdened with the support of a District Judge—Storey county with that of three. The aggregate salaries now being paid by the counties is fifty-four thousand two hundred dollars (\$54,200 00). The amount of business to be transacted will not justify this enormous outlay. No change in Judicial Districts, or in number of Judges, or their salaries, can take effect until the first of January, 1867; but unless you make such changes as are necessary, during the present session, to take effect then, none can be made to be operative sooner than January 1, 1871. If you make the necessary alterations now, you will greatly relieve the counties and indirectly aid the State.

PRACTICE ACTS.

Our Civil and Criminal Practice Acts are, in many important respects, deficient. I cannot, however, under existing circumstances, recommend you to attempt the cure of these defects [during] this session; but suggest that you provide for the appointment of a Commission to prepare a Civil and Criminal Practice Act, to be revised by some Judge or Judges, approved by him or them, and submitted to the action of the next Legislature. This, perhaps, is the best and most economical mode of obtaining these Acts in proper form.

GRAND AND TRIAL JURORS.

Different opinions seem to exist as to the qualifications of Grand and Trial Jurors. I think the matter should be made plain by your action, and that when all other qualifications now required are possessed, the fact that a party has not been registered as a legal voter during the current year should not operate as a disqualification. I refer you to the law, section 180, page 454, Statutes of Nevada Territory, 1861, upon the subject of "Challenges to individual Grand Jurors." The fifth and sixth clauses read as follows: "Fifth—That he is a witness on the part of the prosecution, and has been served with process or bound by an undertaking as such. Sixth—That he has formed or expressed a decided opinion that the defendant is guilty of the offense for which he is held to answer." These, I think, you should abolish. In almost every instance a party must be indicted in the county in which the

offense was committed. This being so, if the above provisions remain intact, cases are not unlikely to occur, in which, though guilty of most flagrant crime, the party could never be indicted, and, hence, would go unpunished. The oath administered to grand jurors seems to contemplate that witnesses or parties in possession of material facts relative to charges to be inquired into by grand juries, may act thereon; for they are sworn to "diligently inquire into, and true presentment make, of all public offenses committed, or triable in their county, of which they have, or can obtain, legal information." Again, public offenses have been committed in the State, which, had they been in some of the smaller counties, territorially speaking, would have caused so much feeling, and produced so decided an opinion, generally, of the guilt of the party as to have rendered it impossible to obtain a grand jury to examine into the charges—the sixth cause of challenge, above quoted, remaining as ruling law in such cases. An indictment is but a charge against a party of the commission of a public offense, and, after its finding, he has legal guarantees of a fair and impartial trial; and, if he cannot obtain it in one, can get a change to another county. Not so in the investigation of the case by a grand jury. Finally, these provisions in many instances entail upon counties enormous expenses, and that without any corresponding good attainable—frequently the reverse.

CRIMES AND PUNISHMENTS.

You should make the act of breaking out of any jail, or the State Prison, or attempting, or aiding so to do, a public offense, and fix the penalties thereof, and when they shall take effect. Also, pass an Act in relation to escapes and their punishment, especially providing that when parties who escape from any jail or the State Prison, are captured and returned, they shall serve out at least the remainder of their sentence. Illegal voting is an offense against the peace and dignity of the State, which should be severely punished. The only law providing therefor is in the seventeenth section of the "Registry Act," page 386 of the laws of 1864-5. By reference to the title of that Act, page 380, of same book, and to the provisions of section seventeen, of article four of the Constitution, you will readily see that there is danger of this provision, where it is, being null and void. And it does not cover all cases of illegal voting. I recommend, therefore, its embodiment, with more full and stringent details, in "An Act Concerning Crimes and Punishments," or one supplemental to the existing Act, on these subjects.

EMPLOYEES OF SENATE AND ASSEMBLY.

The number of employés of the Senate and Assembly, as now fixed, is twenty-eight—more than half the number of Legislators. Is not this a greater number than necessity demands? I call your attention to the provisions of section twenty-eight, of article four, of the Constitution, on this subject, and suggest that if any reduction can be made, in number or in compensation, it should be, during this session; if not, the evil must exist throughout another.

DUTIES OF STATE OFFICERS.

By examination of the statutes of 1864-5, you will see that the duties of but few of the State officers have been defined by law, save incident-

ally. This you should carefully do, without delay, for the satisfaction and guidance of those officers, as well as to fulfill the requirements of the Constitution.

AGRICULTURAL AND MECHANICAL COLLEGE.

Under this head, I refer you to the accompanying report of the Superintendent of Public Instruction. I hope the State will, at no far distant period, be able to look with pride upon this Institution, because of the great benefits it may confer.

EDUCATION.

For statistics and suggestions upon this subject, I refer you to the very full report of our worthy Superintendent of Public Instruction, accompanying this message. I congratulate all, especially parents, that this cause is receiving the attention and support its great importance demands, and is in so favorable condition. The uprising generation must soon take our places in managing the affairs of Church and State; and I am rejoiced to see that the preparation of the young men; for these great purposes, is so wisely considered and promptly attended to; may it ever continue and increase, and our people be thus blessed at home, and recommended abroad. In a governmental sense, education prepares alike to rule and to be ruled aright.

PUBLIC INSTITUTIONS.

Section one, of article thirteen, of the Constitution, requires the Legislature to provide institutions for the benefit of the insane, blind, deaf and dumb. No provisions for these unfortunates have yet been made, as required by the fundamental law; and though I cannot recommend you to make any appropriation for the erection of public buildings, of any kind, at this time, yet I think you should create a fund for the relief of such insane persons as cannot defray the expenses of their own proper care, and place it at the disposal of some State officer, or officers, to be drawn upon when necessity demands. I respectfully call your attention to section sixteen of an Act of the Legislature of California, upon this subject, Statutes 1863, page 464.

AGRICULTURAL LANDS.

Experiments have demonstrated that we have a much larger amount of agricultural land than was originally supposed. With proper care and tillage, thousands of acres formerly considered valueless for farming, will be made to yield abundantly, remunerating handsomely the toils of the husbandman. Many of our river and lake valleys contain rich, valuable lands, which will produce bountiful crops of all kinds of grain, garden vegetables, vines, etc. In some localities fruits of various kinds, of fine quality, and in great abundance, may be produced. If the proper protection and attention be given to our agricultural interest, it will soon supply the home demand, thus saving much that is now paid, annually, for importations necessarily made.

STATE GEOLOGIST.

An Act of last session provided for the appointment of a State Geologist, defined his duties, and fixed the amount to be paid, as his compen-

sation and the expense of his operations. The "Board of Regents" (authorized so to do) deemed it inexpedient to make the appointment, as there was no money in the fund to be drawn upon to pay even the small appropriation—too small, indeed, to insure any good result. Much as we need a thorough geological survey of our mineral districts, I think prudence dictates that it be not undertaken at present.

STATE LIBRARY

It affords me much pleasure to say that rapid progress has been made in the establishment of a State Library. Our government has been organized only fourteen months, and we now have 3,289 volumes—881 of them are law, and 2,408 miscellaneous works—all well selected. If care be observed in future, this institution will continue commendatory, and be exceedingly convenient and useful.

MINES AND MINING.

Some of our most prominent mines in Storey county have declined materially during the last few months. Several causes have brought about this result. In the first place, the prices set upon them were speculative. Again, the seemingly endless litigation and consequent costs thereof, the expensive manner in which some of them have been worked, much money having been expended to little advantage, and other causes, have had a tendency to impair confidence, and lead many to withdraw their capital. I do not believe, however, that those mines have, or are likely soon, to fail in rich ores, but think they will continue to yield largely in bullion, affording handsome dividends, for many years, if economically managed. Silver mining to us, five years ago, was entirely new, and it is not to be wondered at that we should make serious mistakes, both in mining and in the construction of works for the reduction of ores, and the economical management of everything connected therewith; but, with our experience, the future, in this respect, should be comparatively safe. Mining is, and long will be, our paramount interest. It is a well established fact that exceedingly rich veins of minerals exist in almost every portion of the State; and valuable discoveries are constantly being made. In many new localities ores are found which will pay \$40 and upward, per ton, but are not worked with much profit, owing to the lack of capital to erect machinery for their vigorous development and reduction; but this obstacle is being rapidly overcome. Many men, of extensive means, during the last few months, have been giving attention to the new districts, and are preparing for the opening of these mines, and the erection of extensive works, next summer. When the true value of our mines is more thoroughly known abroad, which must be during the next year or two, I have no hesitation in saying that abundance of capital will seek investment within our borders; and where now we contribute thousands to the metallic currency of the world, we will produce tens of thousands. And when the great Pacific Railroad is completed across our State many mines that are now considered of but little worth, will be worked with much profit. It is not only in the precious metals our State abounds, for copper, lead, iron, sulphur, alum, borax, salt and soda, are found in great abundance, but at present are considered comparatively valueless; but with the facilities for transportation, which we have good reason to

hope for within a few years, many of these baser minerals will be a source of great wealth.

INDIAN AFFAIRS.

In February last the Indians commenced a series of depredations in Humboldt county—burning houses, stealing stock, robbing, murdering, &c. Some of the leading citizens believing there were but few Indians engaged, wrote me for arms and ammunition, which were immediately forwarded to Hon. E. F. Dunne, at Star City, for distribution. But they soon learned that the number amounted to several hundred, and wrote me accordingly. I at once informed Gen. McDowell of the condition of affairs, and he promptly ordered the commander of this military district to send troops to their aid, which was done. The number sent—two companies—was soon found insufficient, and I again informed the General of the situation, whereupon he ordered two companies from the district of California, and one additional company from Nevada, to proceed as speedily as possible to the scene of action. About this time, two men—Stewart and Rabe—were murdered by the Indians at Walker Lake; and some stock was stolen on the Truckee river, and but for the wise management of Col. McDermit, and the judgment displayed by Capt. Wallace, at Walker Lake, there doubtless would have been bloody work; but they procured some friendly Indians to accompany them, and at early dawn of the 14th of March, surrounded the camp concealing the murderers. The Indians seeing their situation, gave them up, and they were conveyed to Fort Churchill. The day Capt. Wallace started to Walker Lake, Capt. Wells was ordered to the vicinity of Pyramid Lake, with a detachment of cavalry, where he encountered, about daylight of the 14th, some thirty odd Indians, including all classes; he killed all save two, perhaps, which made their escape. This caused a great excitement among the Piutes, and a general war seemed inevitable. I wrote to Col. McDermit, and he sent invitations to their principal chiefs and captains, to meet at the Fort. On the 22d day of March, accompanied by Gen. J. L. VanBokkelen, of the late Provost Guard, at Virginia, and a detachment of his men, I went to the Fort, where we found about one hundred Indians. The next day we had “a talk,” when they became reconciled, and promised that no more depredations should be committed. Col. McDermit then called together those who aided to capture the murderers, at Walker Lake, and after hearing the particulars of what they did, I thought it but just, as well as good policy, to reward them, which I did by giving them money, and afterward flour, blankets, etc. To the credit of the Piutes be it said, since then they have given us no trouble, nor do I think they will, if properly cared for. Indian troubles were feared in Lander county, in March, and early in April I sent the Lander Guard twenty stand of arms and ammunition. On the 5th day of May I received letters from Hon. W. W. Hobart, Gen. Welty, and other leading gentlemen of Austin, asking aid, and giving information about stock having been stolen, and other offenses committed by the Indians. I caused fifty more stand of arms, with ammunition, to be sent to Gen. Welty. On the 24th of May, the Lander Guard asked of me to be ordered out, to go to Humboldt; I declined for the same reason given to three other military companies, to wit: A sufficient number of Government troops in the State, to put down the Indians, without embarrassing our treasury. On the 30th day of May I started from Fort Churchill, accompanied by Col. McDer-

mit and a detachment of cavalry, for Lander, to ascertain the condition of Indian affairs there. Arrived on the 2d of June, and on the 3d saw about one hundred and fifty of them, and had "a talk;" but wishing to see more, I appointed the 6th to meet them again, when there were two hundred and sixty-six present. I told them we desired peace, but if they continued to steal, and commit other depredations, it would be necessary to make war upon them. I have heard no complaints against them since then. Lack of time forbids detailing the incidents of my visits among the various tribes; suffice it to say, some of their arguments were unanswerable; they said, through their interpreter, "the white men cut down our pine trees, their cattle eat our grass, we have no pine nuts, no grass seeds, and are very hungry." I found them, in several instances, with nothing to subsist upon but rabbits, mice, grasshoppers, ants and other insects. It is to be hoped the General Government will do something to relieve their wants, very soon; if not, before the winter closes, they will be compelled to steal or starve, in large numbers. They should not be left in this condition. Much praise is due to our brave soldiers, for their success in ending hostilities. I take this occasion, also, to return to General Irwin McDowell, the thanks of our people, for his promptness in their aid. Nor can I conclude without making mention of the fidelity and faithful services of Colonel Charles McDermit, late commander of this Military District, who fell in defense of our borders, on the 7th of last August, in Paradise Valley, by a shot from an Indian. He was a most worthy gentleman, a well-skilled, faithful officer, and a brave, unflinching, patriotic soldier. His untimely end will be an irreparable loss to his family, and deeply felt by the community at large, who will ever bear him in grateful remembrance.

PARDON AND COMMUTATION.

The Constitution, section thirteen, of article five, says: "The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon or reprieve."

In obedience to the above requirement, I respectfully report as follows:

L. L. Marble, was convicted of grand larceny, and sentenced by the First Judicial District Court, in and for Storey county, Nevada Territory, on the 14th day of March, 1864, to imprisonment in the Territorial Prison, for one year from that date. On the 8th day of March, 1865, the "State Board of Pardons" pardoned and restored him to citizenship, for the reasons following: Fair character before conviction; good behavior while in prison, and a sufficient vindication of the law, without serving out the remaining six days of his sentence.

H. Waltermeir was convicted of grand larceny, and sentenced by the Third Judicial District Court, Lander county, Nevada Territory, on the 25th day of March, 1864, to the Territorial Prison, for ten years from and after that date. On the 10th day of March, 1865, he was pardoned and restored to citizenship, by the Board, for the reasons following: A reasonable probability that he did not have a fair and impartial trial; severeness of sentence; good conduct in prison, and he had been punished sufficiently, if guilty.

Frank Ratty (colored), was convicted of the "unlawful exhibition of

a deadly weapon in the presence of two or more persons, not in necessary self defense," and was sentenced March 25th, 1865, by the Second Judicial District Court, Ormsby county, Nevada, to the State Prison, for two months, from and after that date. On the 24th day of May, 1865, he was pardoned by the Board, on the ground of good behavior while in prison.

H. Gutches, was convicted of petit larceny, and on the 31st day of March, 1865, was sentenced by a Justice's Court, in and for Lyon county, to the county jail of said county, for six months, from and after that date. On the 20th day of July, 1865, the Board pardoned him because he had behaved well while in prison, and had been punished long enough.

Dyas Shelton, was convicted of the crime of grand larceny, and on the 25th day of March, 1864, was sentenced by the Third Judicial District Court, Lander county, Nevada Territory, to the Territorial Prison, for ten years, from and after that date. On the 6th day of November, 1865, the Board pardoned and restored him to citizenship, for the reasons following: Being satisfied that injustice was done him on his trial; good behavior in prison; bad health, and sufficiency of punishment inflicted, if guilty.

Louis Siefeldt, was convicted of assault with intent to commit murder, and on the 9th day of April, 1864, was sentenced by the First Judicial District Court, Storey county, Nevada Territory, to the Territorial Prison, for three years, from and after that date. On the 29th day of November, 1865, the Board pardoned and restored him to citizenship, for the reasons following: Good conduct in prison, and sufficient punishment, if guilty.

Charles B. Harwood, was convicted of forgery, and on the 16th day of July, 1864, was sentenced by the Third Judicial District Court, Lander county, Nevada Territory, to the Territorial Prison, for eighteen months, from and after that date. On the 29th day of November, 1865, the Board pardoned and restored him to citizenship, for the reasons following: Strong doubts as to his guilt; good behavior, and sufficient punishment, if guilty.

Yesidre Gomez, was convicted of being accessory to an attempt to commit rape, and on the 15th day of January, 1865, was sentenced by the first Judicial District Court, Storey county, Nevada, to the State Prison, for two years, from and after that date. On the 29th day of November, 1865, he was pardoned by the Board, for the reasons following: His health being too bad to render it safe for him to remain in the prison, and good behavior while therein.

Edward Hall (colored), was convicted of grand larceny, and on the 5th day of January, 1865, was sentenced by the First Judicial District Court, Storey county, Nevada, to the State Prison, for one year, from and after that date. On the 29th day of November, 1865, he was pardoned by the Board, for the reasons following: Good conduct in the prison, and sufficient punishment.

Wm. Janes, was convicted of murder in the first degree, and was, on the — day of April, 1864, sentenced by the First Judicial District Court, Storey county, Nevada Territory, to be hung. Before the day of his appointed execution arrived, Governor Nye (of said Territory) commuted his sentence to imprisonment in the Territorial Prison, to which he was conveyed, and there remained until, in May last, when he applied to the Supreme Court of this State for final release, on writ of *habeas corpus*. That Court decided on the hearing, that the commutation, by

Governor Nye, was illegal, and remanded him to the First Judicial District Court, Storey County, for further proceedings, and on the second day of June, 1865, the Board of Pardons commuted his sentence to imprisonment for life, in the State Prison, on the ground that they did not think he ought to be hang. He was soon after finally discharged by the District Court of Storey county, on writ of *habeas corpus*.

RAILROADS.

The Pacific Railroad has been a most fruitful theme of discussion for many years; but it is a cause of unspeakable satisfaction that action—efficient action—has ensued, and that the work of construction is rapidly progressing. It is a matter of much pleasure to know the General Government has deliberately decided that this great national highway must and shall be pushed to early completion. I regret that any delay should occur in the construction of the "Placerville Railroad," and earnestly hope for such action and material aid in its behalf, on the part of Congress, as will soon place its speedy completion beyond doubt. No State, so much as this, needs the benefits arising from railroads, and none affords such opportunities for profitable investment of capital in their construction.

Every one should desire the speedy completion of the Central Pacific Railroad across this State, for that would lead to the development and profitable working of the mines in the northern districts; but that road only would not be sufficient for all parts of the State; would not even put an end to the hauling of freight over the mountains on wagons. We need two roads across the Sierras; and when the Placerville road shall have reached the southern portion of the State, it will be to the mines there what the Central Pacific will to the northern mines.

It would be vain to attempt computation of the wealth to flow from our mineral districts when these roads shall have been completed; much more fruitless the effort to fully comprehend their great benefits to the nation at large.

CONCLUSION.

In concluding, permit me to congratulate you and the people upon the more favorable condition of our common country. The year just past gave to our nation an era which will be memorable to the latest period of time. When it began, we were yet struggling amid the ever-shifting fortunes of war—the most sanguinary ever waged—for the preservation of our Government, good, beneficent and world-admired, from overthrow by the rebellion least justifiable of any ever undertaken. Long before it closed, that rebellion was crushed, that Government was vindicated, saved and perpetuated. War has given place to peace. The horrors and devastations of military strife have been succeeded by a happy return to the tranquility of genial pursuits. But these are not the greater blessings wafted to us on the wings of the war-storm. Our form of government passed through the severest ordeal and came out unscathed. The dross of "State Rights" has been purged away, and the pure, unalloyed metal of a strong Central Government—not possessed of constitutional power, or moral will, to impair the organic rights of any State, on the contrary, bound by solemn compact to preserve to each a Republican form of government—is our proudest boon, our most sacred heritage. For these profound results we are first indebted.

to the wisdom of the Fathers, who gave to it, Republican as it is, its inherent plans and powers of self-preservation; but lastly, to our brave, heroic soldiers and seamen, our Christian and Sanitary Commissions, our wise-headed and ever-faithful statesmen, who, in April last, gave to us the effulgence of full victorious day. Cherished be the memory of each fallen hero and martyr; honored to life's latest breath, each patriot who survives our country's perils! Thanks be unto our Heavenly Father for His protection and guidance, and that all our material interests are again so prosperous! One event, however, amid all these sources of joy, cast the nation into deepest grief. The assassination of our late beloved President, Abraham Lincoln, was a moral shock felt from center to circumference. But, though we continue to mourn the ill-fate, and untimely end of him we now place upon the Roll of Martyrs, we should rejoice that he saw, from Pisgah as it were, the *promised land of universal Freedom!* and dying, conquered all its opponents. We will cherish the memory of his useful, exemplary life, and testify to the untarnished character of his official record—all of which bear witness that he "was ready to be offered up." Again, it is a matter of inexpressible gratulation, that he was succeeded by one so able and well calculated to administer our government. Let us all aid him, and his co-workers, in the great labors upon their hands, until the Union is fully reconstructed and cemented—indissoluble to the end of time—"The land of the free, and the home of the brave!"—the world's asylum for all its oppressed! Let us uncompromisingly discharge our political duties—especially those of official character—in such manner that each may say, "I have done by my constituents as I would have had them do by me." Then, with clear conscience, unsullied reputation, and self-approval, may each return, and laying down, unabused, the "brief authority" given by them, hear the response—"Well done, thou good and faithful servant."

H. G. BLASDEL.

STATEMENT
OF
STATE INDEBTEDNESS.

STATEMENT OF INDEBTEDNESS,

DECEMBER 31, 1865.

Territorial Bonds (known as the Parrott & Co. Bonds), due and payable in San Francisco, as follows:	
February 1, 1866.....	\$25,000 00
February 1, 1867.....	35,000 00
February 1, 1868.....	40,000 00
February 1, 1869.....	50,000 00
Interest on above to date, due (1866).....	11,250 00
Territorial Bonds (M. Reese), February 1, 1866.....	10,000 00
Interest due to date on same.....	416 67
State Bonds for Territorial debt (per Acts of February 14th and March 10th, 1865—10 per cent).....	116,042 00
State Bonds (Act of January 4th, 1865), due January 10th, 1866.....	60,000 00
Interest due on same.....	5,600 00
Uncalled for interest on same, due August 1st, 1865.....	1,200 00
Accrued interest on State Bonds for Territorial debt, due January 1st, 1866.....	5,313 58
General Fund Warrants unpaid.....	10,147 60
State Prison Fund Warrants and indebtedness.....	6,565 52
Estimated Territorial indebtedness, unaudited.....	3,000 00
Accrued indebtedness on account of extra pay and bounty to Nevada Volunteers to date.....	70,858 67
Total debt of State and Territory.....	\$450,394 04

Now, in answer to the following questions:

First—How much is the State in debt at the commencement of the second fiscal year?

Answer—\$450,394 04.

Second—How much of that amount is Territorial indebtedness?

Answer—\$296,032 25.

Third—How much will be necessary to pay bonds and interest due January 10th, 1866?

Answer—\$67,200.

Fourth—What amount will be required to pay the Territorial bonds due February 1st, 1866?

Answer—\$49,000.

Fifth—Exclusive of the Territorial debt, the bonds due January 10th, 1866, the bonds due February 1st, 1866, and the debt accruing under section three of article nine of our Constitution, how much will be the State debt, viz : extra pay and bounty to Nevada Volunteers?

Answer—\$16,713 12.

Sixth—How much has been paid out of the State moneys for the purpose of paying the debts of the Territory, interest and principal?

Answer—February 1st, 1865, bond, \$5,000. February 1, 1865, interest, \$14,250. August 1st, 1865, interest, \$14,000. Total, \$33,250.

R E P O R T

OF THE

SPECIAL COMMITTEE

CONCERNING THE

PUBLICATION OF DEBATES OF THE CONSTITUTIONAL CONVENTION

REPORT.

ASSEMBLY CHAMBER, CARSON CITY, }
February 23, 1866. }

To the Speaker of the Assembly :

Your special committee, appointed under resolutions to inquire into the condition and state of forwardness of the publication of debates of the Constitutional Convention, beg leave to report :

We have made diligent investigation in the premises, and submit the accompanying documents—from A to G, in full—statements of the facts connected with the publication. We recommend that these documents be ordered printed.

Your committee find that a contract was made for the printing of the debates, at the lowest cash terms, by J. Neely Johnson, late President of the Constitutional Convention ; and we further recommend the passage of the accompanying bill, appropriating five hundred dollars to Frank Eastman, the publisher of the work, as an extra compensation, upon the completion and delivery of the publication.

H. C. McDOUGALL,
Chairman, } Committee.
B. S. MASON,
GEO. A. HUDSON, }

EXHIBITS.

A

STATE OF NEVADA, CARSON CITY, }
January 15, 1866. }

I hereby certify the following to be a correct statement of all accounts approved by the Board of Examiners, in favor of A. J. Marsh and Frank Eastman, and Eastman & Co., for the services therein stated, viz:

1865. March 17.	A. J. Marsh, for reporting the debates and proceedings of the Constitutional Convention of July 4, 1864.....	\$ 427 50
	For preparing same for publication, 6,011 folios, at thirty cents per folio.....	1,803 30
	Stationery used.....	50 00
	Total, approved.....	\$2,280 80
April 24.	Eastman & Co., for composition of first 150 pages of proceedings and debates of Constitutional Convention of July 4, 1864.....	\$433 55
June 26.	Frank Eastman, for second 150 pages.....	460 99
	Total for composition.....	\$944 54

C. N. NOTEWARE,
Secretary of the Board of Examiners.

B

STATE CONTROLLER'S OFFICE, CARSON, NEVADA, }
January 13, 1866. }

This is to certify that warrants have been issued to A. J. Marsh, Eastman & Co., and Frank Eastman, as follows:

March 17th, A. J. Marsh.....	*\$1,047,	\$2,280 80
April 25th, Eastman & Co.....	† 1,150,	483 33
June 27th, Frank Eastman....	† 1,294,	460 99
	Total.....	\$3,225 12

And that the same was for services rendered in reporting and transcribing, etc., the debates of the Constitutional Convention, and reporting the same, as per Act approved February 21, 1865.

By MORG. MILLER, Deputy.

A. W. NIGHTINGILL,
State Controller.

*\$1,047 has been paid. †\$1,150 and \$1,294 are payable.

E. RHOADES, Treasurer.

C

The People of the State of Nevada:

To ANDREW J. MARSH, Dr.

July 4, 1864.	To reporting proceedings and debates of the Constitutional Convention, twenty-four days session	\$ 360 00
	From July 4th to July 27th, inclusive, to nine evening sessions.....	67 50
Feb. 27, 1865.	To folios transcribed to date, 6,011 folios, at 30 cents.....	1,803 30
	To stationery used and required.....	50 00
	Total.....	\$2,280 80

STATE OF CALIFORNIA,
City and County of San Francisco, } ss.

ANDREW J. MARSH, being duly sworn, deposes and says, that he is the Official Reporter, duly authorized by the Legislature of the State of Nevada to report and transcribe the proceedings and debates of the Constitutional Convention. That he has, to date, transcribed and prepared for publication six thousand and eleven folios of said proceedings and debates, and that the items set forth in his above bill are fair and correct.

AND. J. MARSH.

Subscribed and sworn to before me, this 27th day of February, A. D. 1865, by the said Andrew J. Marsh.

{ 50 cent Rev. }
Stamp. }

GEO. T. KNOX,
A Commissioner for the State of Nevada in California.

I hereby assert that the foregoing is a true copy of the original bill on file in my office.

A. W. NIGHTINGILL,
Controller of State.

Carson City, January 27, 1866.

[Endorsement.]

Warrant No. 1,047, approved March 15th, 1865, \$2,280 80.

C. N. NOTEWARE,
Secretary of State.
GEO. A. NOURSE,
Attorney-General.

Deliver the warrant for this claim to C. N. Noteware.

M. D. LARROWE.

Dated March 15, 1865.

 D

[Five Cent Internal Revenue Stamp.]

WHEREAS, The People of the State of Nevada, represented in Senate and Assembly, did enact: "An Act 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 4th, 1864, which Act was approved February 21st, 1865; and,

WHEREAS, By section three of said Act the Hon. J. Neely Johnson, President of said Convention, was authorized to contract with the lowest bidder for the publication, in book form, and the delivery at the Seat of Government of the State of Nevada, of six hundred (600) copies of the debates and proceedings of said Convention; now, therefore, be it remembered and these presents witness: That the People of the State of Nevada, by J. Neely Johnson, their agent thereunto duly authorized by said Act, the which Act is hereby referred to and made a portion of these presents, and by the Constitution of said State, have contracted, bargained and agreed, and by these presents do hereby contract, bargain and agree to and with Frank Eastman, of San Francisco city and county, State of California, in manner and form following, to wit:

The said Frank Eastman, for the consideration hereinafter mentioned, doth, for himself, his executors and administrators, promise and agree to and with the said people of the State of Nevada to publish, and deliver at Carson City, Nevada, aforesaid, to the Secretary of the State of Nevada, six hundred (600) copies of the debates and proceedings of said Convention. The work and materials of said six hundred copies to be according to the specifications hereinafter set forth and made a part of this contract; and the prices to be paid therefor to be as follows:

Composition, per 1,000 ems, ninety-five (95) cents.

Alterations, per hour, sixty (60) cents.

Paper, per ream, ten dollars and fifty (\$10 50) cents.

Press-work, per token, eighty-five (85) cents.

Binding, per copy, ninety-five (95) cents.

The transportation of the finished work, from San Francisco to said Carson City, to be by one of the Fast Freight Lines, at the rate and cost of ten (10) cents per pound; each and every item of cost and expense above set forth being in gold coin of the United States, of the standard value of A. D., 1861, or its equivalent. The revised proofs to be furnished to the reporter in said specification mentioned, at San Francisco, aforesaid.

In consideration whereof, the said people of the State of Nevada, by their agent aforesaid, J. Neely Johnson, thereunto duly authorized, as hereinbefore set forth, do for themselves, their successors and assigns, promise and agree to, and with, said Eastman, his executors, administrators and assigns, well and truly to pay, or cause to be paid, unto said Eastman, or his assigns, the value of the work and materials, with the expense of transportation, at the rates and prices as hereinbefore set forth, in gold coin of the United States of the standard of 1861, or its equivalent, and in manner following, that is to say, the cost of composition of each and every one hundred and fifty (150) pages of said work shall be paid when the printing of such one hundred and fifty (150) pages shall be completed, and on the delivery of the said six hundred copies at Carson City aforesaid, as in specifications and in said Act provided, the full balance of the contract price and expenses.

SPECIFICATIONS AFORESAID.

Specifications for printing six hundred copies of the debates and proceedings of the Nevada Constitutional Convention.

Paper to be a good article of forty pound book paper, clear and white, 24 by 38 inches; number of copies, six hundred (600); size of volume, one thousand pages, more or less.

Binding in good law style, full sheep; press work to be well done, at so much per token of 240 impressions, 16 pages each, and to include dry pressing; types to be used, brevier and nonpariel, solid—resolutions, extracts, &c., being in nonpariel—set in double columns, the page to be 43 brevier ems wide (including the central column rule,) and 72 brevier ems long; type to be new or as good as new.

Proofs to be first compared with copy and corrected. Revised proofs then to be furnished to the reporter, and when required by him, ten days allowed before putting the form to press, to enable him to transmit the same to members for revision of their speeches. The entire work to be done under the supervision of the Official Reporter of the Convention, Andrew J. Marsh.

Please answer the following according to above specifications, the bids to be on a cash basis, for gold coin, or its equivalent.

First—How much, per one thousand ems, for composition?

Second—How much, per hour, for making alterations or changes from copy?

Third—How much, per ream, for paper?

Fourth—How much, per token, of two hundred and forty impressions, for press work?

Fifth—How much, per volume, for binding?

Please return the proposals as soon as possible to Andrew J. Marsh, Phonographic Reporter, No. 607 Washington street, as it is desirable to have the work in hand immediately.

[Signed]

ANDREW J. MARSH,
Official Reporter Nevada Constitutional Convention.

And for the performance of all and every, the articles and agreements above mentioned, the said the People of the State of Nevada, by their agent, as aforesaid, and the said Frank Eastman, do hereby bind themselves, their successors, executors, administrators and assigns, each to the other.

In witness whereof, the said J. Neely Johnson, acting and contracting

under and by virtue of the authority hereinbefore set forth, in the name and stead of the People of the people aforesaid, and said Frank Eastman, have hereunto set their hands and seals, this twenty-eighth day of February, A. D. 1865.

FRANK EASTMAN, [Seal.]
J. NEELY JOHNSON, [Seal.]

As agent of and on behalf of the State of Nevada.
Witness to signature of Eastman, SAM'L. L. CUTTER, JR.

ADDENDA.—The paper to be used in the foregoing work is to be of the same weight specified, to wit: Forty pound paper; but more highly finished, and sized, and calendered, than as herein specified, and to be at the additional cost of, to the State, one dollar per ream, to wit: At \$11 50 per ream.

J. NEELY JOHNSON, [Seal.]
As agent aforesaid.

February 28th, 1865.

[ENDORSED.]

Filed in the office of Secretary of State of the State of Nevada, March 24th, 1865, and recorded same date. Recorded in Vol. 1, page 1, 2 and 3, Record of Contracts.

C. N. NOTEWARE,
Secretary of State.
By CHAS. MARTIN, Deputy.
C. N. NOTEWARE,
Secretary of State.

A true copy.

CARSON CITY, January 16th, 1866.

E

SACRAMENTO, California, Tuesday, January 23, 1866.

To Messrs. McDougall, Mason and Hudson, Committee, &c. :

GENTLEMEN—Arriving in this city, from San Francisco, I learn that you have been appointed as a Committee to make an investigation in regard to the reporting and publishing of the Debates and Proceedings of the late Constitutional Convention, and in anticipation of an official communication, which I suppose is probably on its way across the mountains, I hasten to give you all the information in my power, regretting that, as most of my papers are in San Francisco, I am not able to give you the exact dates in every instance. Any omission in that respect can be supplied, however, by reference to the books of the Controller and Treasurer at Carson. The Convention was held in July, 1864, and by the terms of the Constitution—the last section, I believe, in the schedule—it was provided that I should receive, as Official Reporter, fifteen dollars per day for taking the short-hand notes of the debates and proceedings, and (in case the Constitution should be ratified by the people,) thirty cents per folio for transcribing the same for the printer, and fifteen dollars per day for the time actually employed in supervising and indexing the volume or volumes of debates and proceedings, to be paid “in coin or its equivalent.” As soon as I became satisfied that the people would adopt the Constitution, I employed two men, Mr. H. H. Turn-

er and Mr. J. H. McLaughlan, both of whom had learned my own peculiar system of short-hand, to assist me in transcribing the debates, and pushed the work forward as vigorously as possible, until some time after the meeting of the first State Legislature, when I learned there were serious doubts, for what reason it is not necessary here to state, whether the Legislature would make the appropriation required by the Constitution, to pay for the reporting and publication. I then discharged my assistants, but still continued the work of transcription alone, at all times when not engaged in more immediately remunerative work. The bill providing for my compensation, and authorizing Hon. J. Neely Johnson, President of the Convention, to contract for the printing, was passed at a later period of the Legislative session, but so amended as to limit, unreasonably, and in violation of the Constitutional provision, the time allowed for revising and indexing; but I was nevertheless willing to go on with the work, trusting to the justice of a future Legislature to supply any deficiency. In order to have funds to pay the men who had assisted me, and to pay for future assistance, if necessary, I sent my account, for per diem in the Convention, and for the number of folios transcribed at that time, amounting in all to (\$2, 280 80) two thousand two hundred and eighty dollars and eighty cents, which was allowed by the Board of Examiners, and a warrant issued; but the warrant was returned to me indorsed, "not paid for want of funds." I was offered only seventy-five or eighty cents on the dollar for the warrant, which would have been a long way from "coin or its equivalent;" but I succeeded in borrowing enough money by depositing it as security, at two per cent. and for a portion of the time one and one half per cent. per month, to enable me to pay my assistants, and continue the work. The warrant was paid some time, I think, in August last, (the books of the Treasurer will, of course, show the exact date,) and that is all the money I have ever received for this work.

As to the amount of work done, I am able to give you definite information, having visited Mr. Eastman, the printer, at San Francisco, yesterday, and made inquiries for another object, not necessary here to specify. Mr. Eastman has printed and worked off the requisite number of copies, of 352 pages, of the debates proper, [double columns, brevier "solid,"] and I think Gov. Johnson has all the advance sheets as far as that. He (Mr. Eastman) has also in type on his "galleys" enough to make 20 pages more, ready to make up in book "forms." All this has been carefully revised by myself, both before and after being placed in type. The printer also has on hand, of my manuscript ready for the compositors, enough to make from 190 to 200 pages more, as closely as I can calculate. I am still at work upon the transcription, whenever I have leisure, but not when I have employment for which I receive cash, for the reasons that the printer has entirely suspended the work of printing, and that the prospect of compensation appears at present to be very remote.

The entire work will make one volume of from 1,000 to 1,200 pages, including index and everything else, and I suppose might be finished and delivered in about three months time, if the money to pay for it was forthcoming. As to the amount of money paid the printer, he informed me yesterday that he has never yet received a dollar, although his first warrant, for about \$480, was issued in April last, and the second, for \$460, I think last July. He has sent these warrants by Wells, Fargo & Co., for collection, and may possibly have obtained the money before it reaches you. The Treasurer's books, however, will give you full information on that subject. These warrants were for the "composition"

of the first 300 pages. The printer will, of course, give you information as to why the work has been suspended. He tells me that his contract (of which Gov. Johnson has a duplicate) provided that he should be paid the contract price for "composition" as soon as each 150 pages should be printed, in coin, and that not having been done he cannot afford to go on, being obliged to pay his printers in coin every week. It was supposed that the bill making the appropriation created a special fund, out of which the money would be paid as fast as earned, and, hence, Mr. Eastman made his bid very low, regarding it as a cash job. Your State officers have, however, construed the law differently, and consequently there is no certainty when the money will be paid. Mr. Eastman thinks the State has clearly violated its contract, and that consequently he is no longer bound by it. He says, also, that the work cannot be done now nearly as cheap as it might have been last year, in consequence of the enhanced prices of paper, printers' material of all kinds, &c. I think, if it is desired to resume the work, a new contract will have to be entered into with the printer, although for my own part I am ready to go on now, if I am assured that the State will compensate me as required in the Constitution; if not, I shall endeavor to preserve the manuscript and phonographic notes, and wait for better times. It has been alleged in debate, by a member of your present Legislature, that "ten thousand dollars had been voted Marsh for a Constitutional Convention report," and in this connection I desire to make a proposition: If the Legislature will, at its present session, vote me ten thousand dollars in coin—not scrip—I will agree to have the report completed, revised and indexed, printed and bound, and delivered at Carson City, on or before the 15th day of July next, my own work to be done faithfully and conscientiously, as I do all my work; and the printer's work to be done in accordance with the terms of the contract with Mr. Eastman, whom I shall employ to finish the work. I mean the \$10,000 to include all that has been paid to Mr. Eastman and myself; and I can, and will, give good and sufficient bonds for the faithful performance of the undertaking.

Should this proposition be seriously considered, I suppose it might be necessary to ask Governor Johnson's assent, he being appointed by a Constitutional provision to contract for the printing and supervise the work generally. I should, of course, desire him to continue his general supervision of the debates, arrangement, &c.

I am, respectfully, your most obedient servant,

ANDREW J. MARSH,
Official Reporter Constitutional Convention.

F

SAN FRANCISCO, Cal., January 23, 1866.

Hon. H. C. McDougall, Chairman of Committee on Proceedings of the Constitutional Convention:

SIR—Yours of the 18th inst., requesting me to furnish proofs of the proceedings of the Constitutional Convention of Nevada, and any information which I can give which will be likely to be of interest to your

Committee, has just been received, and I take pleasure in complying with your request, so far as I can do so conveniently. I send proofs of three hundred and fifty-two pages. I have in type, besides these, about twenty-one pages, which have been read by the authors, but not yet corrected or made up into pages. The three hundred and fifty-two pages are, of course, all printed, the sheets pressed, and ready for folding.

In answer to your request to inform your Committee in regard to all matters connected with the publication, which I think would be of interest, I can only say this: That Mr. Marsh, with whom I was not previously acquainted, requested me to give an estimate for the printing, he stating that it was a cash job, and that a special appropriation had been made by the Legislature for the purpose, at the same time showing me a copy of the law making the appropriation. I was afterwards informed by Gov. Johnson that my bid had been accepted, and was requested by him to send him a contract, drawn in accordance with my estimate, which I did. By the terms of the contract, which I suppose is in the possession of Gov. Johnson, you will see that on the completion of each one hundred and fifty pages I was to receive a certain portion of the cost of printing them, in gold coin. I expected, when I commenced the work, to have it completed inside of four months; but after having completed, say one hundred and twenty or one hundred and thirty pages, Mr. Marsh was not able to furnish copy so fast as I could print it, and consequently every few days I was obliged to stop work on it. On the completion of the first one hundred and fifty pages, instead of receiving cash, I received a warrant on the Treasury, and so on the completion of the second hundred and fifty pages. Soon after that, say in July, I was informed that there would be no money in the Treasury before December, and as I could get an offer of no more than sixty cents on the dollar for my warrants, I concluded to stop. I have not yet received a dollar for my work, though I have now sent my warrants to your city, in hopes they will be paid.

I think all the printers who estimated on the work understood, as I did, that a special appropriation was made to pay for the work; that the money was in the treasury, and, being a cash job, they put in their estimates accordingly. I consider that the State has violated its contract with me, and I could not go on and complete the work under that contract, even if the money were in the treasury to pay for it. The paper which was then worth \$11 per ream, I cannot now buy for less than \$16; and the printers here have had to advance their rates for all kinds of printing, in consequence of the advanced cost of everything required by them. I think I can confidently appeal to Gov. Johnson to bear me out in any statement I have made above; and Gov. Blasdel, I believe, understands the case, as I had a conversation with him some time since with reference to this matter.

It may be proper to state that the reason Mr. Marsh gave for not being able to furnish copy as fast as I wanted it, was that he had demands against the State which he could not realize on, and that consequently he was obliged to go into the courts as reporter, in order to obtain money to live on; but that afterwards he was enabled to go ahead, and I have now sufficient MS. to make nearly 200 printed pages.

Very respectfully,

FRANK EASTMAN.

P. S.—I find that I have not a full file of the signatures, which have

been printed, on hand, and it would be a great deal of trouble to overhaul all the sheets to get one of each signature; I therefore, send only a copy of the last signature printed, which I hope will answer your purpose. Gov. Johnson, I think, has a full file.

F. E.

G

SAN FRANCISCO, Cal., February 1, 1866.

Hon. H. C. McDougall, Carson City, Nevada:

DEAR SIR:—Yours of the 26th inst. is at hand, and I take the earliest opportunity to answer it.

To your first interrogatory:—"If all the copy of the proceedings of the Constitutional Convention had been promptly furnished by Mr. Marsh, how much would have been the difference in expense in completing the work, and what would have been the saving to the State of Nevada, from the present necessary cost?"—I cannot say how much, for the reason that I stopped work because the State did not comply with the contract, and not because the copy was not furnished fast enough. When I commenced the work, I went on at the rate of nine pages per day, which would have completed it in about 112 days, and I could have easily completed it in that time; but after completing about 130 pages, at that date I was delayed for want of copy, but continued on as fast as I could obtain it until July, when I learned that there was no probability of there being any money in the treasury before December, and I therefore stopped. In other words, if there had been no delay for want of copy, and none in the payments, the work would have been done in July; but at the rate I was going on in the last two months of the work, it would have taken until November, perhaps. It is my impression, however, that about the time I stopped work Mr. Marsh said that thereafter he would be able to furnish copy as fast as I would want it.

In answer to your second question, if I "intend to complete the work under the present contract," &c., I must say that I cannot. Under that contract I agreed to furnish the paper at \$11 50 per ream, and it cannot now be bought for less than \$16 00, which would make a difference of \$125 00 in that item for the balance of the work. The employing printers of this city have recently adopted a scale of prices for all kinds of work, which is about twenty-five per cent. in advance of the old prices. Composition has been fixed at \$1 25 per 1,000 ems, press-work at \$1 20 per token, and time work at \$1 00 per hour, while I was to have but ninety-five cents per 1,000, eighty-five cents per token, and sixty cents per hour. This scale has not yet been ratified by the printers, and even if it had been, it would not be binding on me, as I could go on and finish your work under a modification of the old contract. I would be willing to finish the work at \$1 10 per 1,000 ems; \$1 00 per token; eighty-five cents per hour, and \$16 00 per ream for the paper. It will also cost five cents more per copy, \$30 00 for the edition, for binding, than at the time the contract was made. My estimate would make the extra cost of the balance of the work \$475 00; *i. e.* more than it would amount to under the old contract.

According to Mr. Marsh's estimate the work will make 1,000 pages; there are consequently 648 pages now to be printed. I can easily print eight pages per day, and at that rate it would take about 80 days to complete it; but if there was no delay in waiting for proofs I could as well print 12 pages per day. I don't know as there is any way to avoid this waiting, as the law allows the authors ten days in which to return the proofs. Thus, if I should send in slips sufficient matter to make 16 pages, it has to go perhaps to twenty different members who participated in the debates. Generally in five or six days nearly all the proofs are returned; but some member, perhaps in a remote part of the State, finds nothing to correct, and does not take the trouble to return the proof, but the form cannot go to press until the ten days are up. This is annoying, but, as I have said, I don't know that there is any help for it.

I am happy to say that my warrants have been paid, and for the assurance that your Committee appreciates the difficulties under which I have labored, and that you will endeavor to see that justice is done me by the State, please receive my hearty thanks.

Very respectfully, yours,

FRANK EASTMAN.