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122.	An act authorizing the payment from the county general fund of certain salaries and expenses in the county high schools of Humboldt County, and matters properly connected therewith. Carpenter .....	198, 200, 202, 215.
125.	An act to define and regulate the business of banking, creating a State Banking Board and defining its powers and duties, and providing for a Bank Examiner and the examination and supervision of banking corporations, providing a guaranty fund for the protection of depositors, and for the appointment of receivers in certain cases, fixing penalties for the violation thereof, and other matters relating thereto. Tallman.....	247, 248, 249, 250, 255, 256, 260, 261, 262, 264, 265.
126.	An act concerning the granting of franchises by Boards of County Commissioners, prescribing the terms under which said franchises shall be granted, and repealing certain acts pertaining thereto, and allowing corporations, associations, and persons having franchises obtained under other laws of this State to obtain the benefits of this act, and providing for other matters properly connected therewith. Pyne .....	202, 204.
128.	An act to facilitate the giving of bonds and undertakings in certain cases and prescribing conditions upon which surety companies may become liable thereon in this State, fixing penalties for the violation thereof, repealing conflicting acts, and other matters relating thereto. Tallman .....	239, 240, 244, 253.
129.	An act requiring the State Engineer to make a survey of the State Capitol building to ascertain the necessity and extent of decorating, painting, or other repairs, required to be done, inside and outside, on the State Capitol building, and to make specifications for the doing of said repairs, and to supervise the same, and requiring the State Board of Capitol Commissioners to cause said work to be done pursuant to said specifications by the lowest and best bidder therefor, appropriating certain moneys for carrying out the provisions of this act, and other matters relating thereto. Tallman .....	239, 240, 249, 264, 265.

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131.	An act to amend Section 4 of an act entitled "An act to create Judicial Districts in the State of Nevada, provide for the election of District Judges therein, and to fix their residence and salary, and to repeal all other acts in relation thereto," approved March 17, 1905. Bell.....	247, 248, 252.
132.	An act to provide for submitting certain acts of the Legislature for approval of the people of the State of Nevada in accordance with the referendum law. Judiciary Committee.....	218, 219, 238, 253.
133.	An act to grant a franchise, privilege, and right of way to Charles F. Ayer, Arthur Smith, Thomas L. Mitchell, Henry F. J. Knobloch, and Samuel W. Belford, their associates, successors in interest and assigns, to construct, operate, and maintain a railroad in the Counties of Nye, Esmeralda, and White Pine, in the State of Nevada, from a point at or near the City of Ely or the Town of East Ely, in White Pine County, to a point at or near Tonopah, in the County of Nye, State of Nevada, along a line to be located and defined by said grantees, and matters properly relating thereto. Tallman.....	211, 214, 216, 255.
134.	An act providing for the transfer of county and township funds for the support of public schools. Easton.....	211, 214, 216, 218, 239.
136.	An act to amend an act entitled "An act to incorporate the Town of Reno, and to establish a city government therefor," approved March 16, 1903, approved March 13, 1905, approved March 28, 1907. Holmes.....	218, 239.
137.	An act to provide for the formation of corporations sole, for the administration of the temporalities of religious denominations, societies and churches, for the management of the estate and property thereof, and for the continuation of the corporate existence in case of vacancy. Holmes.....	251, 262, 266.
138.	An act amendatory to an act entitled "An act to amend an act entitled 'An act pertaining to compensation of county officers in Esmeralda County, in the State of Nevada, and repealing all acts or parts of acts in conflict therewith,'" approved March 11, 1907, approved March .., 1909, and requiring the said officers to make reports to the Board of County Commissioners of Esmeralda County, and repealing all acts in conflict therewith. Pyne .....	239, 240, 241, 252.
139.	An act making appropriations for the support of the Civil Government of the State of Nevada for the fiscal years 1909 and 1910. Coryell.....	247, 248, 249, 253, 254, 263, 264, 265, 266, 267.
140.	An act for the relief of W. L. Cox, for services rendered the State of Nevada under instructions from the Governor. Coryell.....	254, 264, 265.
141.	An act to fix the state tax levy and to distribute the same in the proper funds. Coryell.....	239, 249.
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143.	An act to amend an act entitled "An act to amend an act entitled 'An act to restrict gaming, and to repeal all other acts in relation thereto,' approved March 8, 1879, approved February 23, 1893, approved March 13, 1903," approved March 13, 1905. Coryell..	254.
144.	An act to instruct the Senators and Representatives of the Legislative Assembly of the State of Nevada as to the election of Senators in Congress. Boyd.....	251, 262, 266.
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**JOURNAL OF THE  
PROCEEDINGS OF THE ASSEMBLY**

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# NEVADA ASSEMBLY, 1907.

## TWENTY-FOURTH SESSION.

### MEMBERS.

HON. J. B. GIFFEN, *Speaker*; HON. R. LESLIE SMAILL, *Speaker pro tem.*

Name.	County.	Address.
Allen, Lemuel	Churchill	Fallon
Ferguson, J. W.	Churchill	Fallon
Todd, H. A. N.	Douglas	Gardnerville
Riddell, E. C.	Elko	Elko
McIntosh, Geo.	Elko	Carlin
Schoer, J. J.	Elko	Wells
Winter, F. H.	Elko	Oldham Station
Aylesworth, A. J.	Esmeralda	Goldfield
Brooks, J. W.	Esmeralda	Goldfield
Curtin, W. H.	Esmeralda	Goldfield
Ellis, L. A.	Esmeralda	Mina
Gallagher, John	Esmeralda	Rawhide
Hunter, W. G.	Esmeralda	Goldfield
Duborg, C. H.	Eureka	Beowawe
Reynolds, Spencer	Eureka	Eureka
Brandon, T. A.	Humboldt	Winnemucca
Bradshaw, J. D.	Humboldt	Paradise Valley
McCafferty, F. E.	Humboldt	Mazuma
O'Brien, W. J.	Lander	Austin
Woolcock, F. E.	Lander	Battle Mountain
Bergman, George	Lincoln	Nelson
Church, H. H.	Lincoln	Logan
Conaway, Joseph	Lincoln	Pioche
Pollard, A. K.	Lyon	Silver City
Ross, E. J.	Lyon	Yerington
Berry, Fred L.	Nye	Tonopah
Kane, Chas. A.	Nye	Rhyolite
Giffen, J. B.	Nye	Manhattan
Kane, Matt.	Nye	Manhattan
McNamara, J. E.	Nye	Tonopah
Merten, Wm. G.	Nye	Manhattan
Smith, B. H.	Nye	Tonopah
Leary, Thomas	Ormsby	Carson City
Raycraft, James A.	Ormsby	Carson City
Smaill, R. Leslie	Ormsby	Carson City
Farnsworth, Joe	Storey	Virginia City
Blake, E. D.	Storey	Virginia City
Woolley, H. F.	Storey	Virginia City
Bulmer, H. B.	Storey	Virginia City
Burke, Peter J.	Washoe	Reno
Clark, James	Washoe	Reno
Dodge, E. R.	Washoe	Reno
Fitzgerald, T. W.	Washoe	Sparks
Folsom, F. G.	Washoe	Reno
Luke, W. J.	Washoe	Reno
Lunsford, W. S.	Washoe	Reno
Brogan, T. J.	White Pine	Ely
Neill, Robt.	White Pine	Ely

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# JOURNAL

OF THE

## ASSEMBLY OF THE STATE OF NEVADA

### TWENTY-FOURTH SESSION.

#### THE FIRST DAY.

CARSON CITY (Monday), January 18, 1909.

Pursuant to the provisions of the Constitution and the statute, the Assembly was called to order by Hon. W. G. Douglass, Secretary of State, at 12 o'clock, noon.

Rev. W. H. Hornaday of Carson City, upon invitation, opened the House with prayer.

Upon motion of Mr. Curtin, Edgar Ryan of Esmeralda County was chosen temporary Sergeant-at-Arms.

Upon motion of Mr. Brooks, Harry Coogan of Esmeralda County was chosen temporary Chief Clerk.

Roll was called, and none were noted absent.

Mr. McNamara nominated Mr. Giffen for temporary Speaker.

Mr. Duborg nominated Mr. Dodge of Washoe County for temporary Speaker.

Upon motion the temporary Chief Clerk was instructed to call the roll, and Mr. Giffen was duly elected temporary Speaker by the following vote:

Voting for Mr. Giffen—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, and Woolley—37.

Voting for Mr. Dodge—Messrs. Bulmer, Church, Duborg, Ferguson, Fitzgerald, Luke, Lunsford, Pollard, Reynolds, and Woolcock—10.

Not voting—Mr. Giffen.

Upon motion of Mr. Allen, the election of Mr. Giffen as Speaker was made unanimous.

Messrs. Winter, Berry, and Raycraft were appointed a special committee to escort Mr. Giffen to the chair.

On motion of Mr. Dodge, duly seconded, the Speaker appointed Messrs. Merten, Schoer, and Dodge to call upon the Supreme Justices and invite one of their number to administer the oath of office to the Assemblymen.

Justice Talbot appeared within the bar of the Assembly and administered the following oath of office to the Assemblymen present:



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

Lemuel Allen	Churchill County
A. G. Aylesworth	Esmeralda County
Geo. Bergman	Lincoln County
F. L. Berry	Nye County
E. D. Blake	Storey County
J. D. Bradshaw	Humboldt County
T. A. Brandon	Humboldt County
T. J. Brogan	White Pine County
J. W. Brooks	Esmeralda County
H. H. Bulmer	Storey County
P. J. Burke	Washoe County
H. H. Church	Lincoln County
Jas. Clark	Washoe County
Jas. Conaway	Lincoln County
W. H. Curtin	Esmeralda County
E. R. Dodge	Washoe County
C. H. Duborg	Eureka County
L. A. Ellis	Esmeralda County
Jos. Farnsworth	Storey County
J. W. Ferguson	Churchill County
T. W. Fitzgerald	Washoe County
F. G. Folsom	Washoe County
John Gallagher	Esmeralda County
W. G. Hunter	Esmeralda County
Chas. A. Kane	Nye County
Matt. Kane	Nye County
Thos. Leary	Ormsby County
W. J. Luke	Washoe County
W. S. Lunsford	Washoe County
F. E. McCafferty	Humboldt County
G. McIntosh	Elko County
J. E. McNamara	Nye County
Wm. Merten	Nye County
Robt. Neill	White Pine County
W. J. O'Brien	Lander County
A. K. Pollard	Lyon County
J. A. Raycraft	Ormsby County
Spencer Reynolds	Eureka County
E. C. Riddell	Elko County
E. J. Ross	Lyon County
J. S. Schoer	Elko County
R. L. Smaill	Ormsby County
B. H. Smith	Nye County
H. A. N. Todd	Douglas County
F. H. Winter	Elko County
F. E. Woolcock	Lander County
H. P. Woolley	Storey County
J. B. Giffen	Nye County



The Speaker called the Speaker pro tem. to the chair.

The Speaker pro tem. called for the nomination for permanent officers of the Assembly.

Mr. McNamara nominated Mr. Griffen of Nye County for Speaker.

Mr. Duborg nominated Mr. Dodge of Washoe County for Speaker.

The roll was called, with the following result:

Voting for Mr. Giffen—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Folsom, Gallagher, Hunter, Chas. Kane, Matt. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, and Woolley—37.

Voting for Mr. Dodge—Messrs. Bulmer, Church, Duborg, Ferguson, Fitzgerald, Luke, Lunsford, Pollard, Reynolds, and Woolcock—10.

Not voting—Mr. Giffen.

Mr. Giffen was declared Speaker of the Assembly, and addressed the members.

Upon motion of Mr. Folsom, Mr. Smaill of Ormsby County was nominated for Speaker pro tem.

There being no further nominations, he was declared elected by acclamation.

Upon motion of Mr. Curtin, duly seconded, the following were duly elected permanent attachés of the Assembly:

Chief Clerk, Harry Coogan of Esmeralda; Assistant Clerk, Frank L. Reber of Elko; Sergeant-at-Arms, Ed. Ryan of Esmeralda; Assistant Sergeant-at-Arms, Forrest Sawyer of Washoe; Minute Clerk, G. J. Guinan of Ormsby; Assistant Minute Clerk, W. M. Macnichol of White Pine; Journal Clerk, Mattie McMullen of Elko; Assistant Journal Clerk, Miss Francis Sullivan of Storey; Enrolling Clerk, Miss Brown of Humboldt (excused); Assistant Enrolling Clerk, Miss Georgia Mapes of Churchill; Engrossing Clerk, Mrs. Devney of Storey; Assistant Engrossing Clerk, F. A. McCafferty of Humboldt (excused); Copying Clerk, Miss McNamara of Nye; Assistant Copying Clerk, M. F. Jordan of Washoe (not yet created); Committee Clerk, Miss Jack of Elko; Committee Clerk, C. C. Corkhill of Lincoln; Committee Clerk, Miss Smithlin of Lander; Committee Clerk, Miss Merrick of Douglas; Page, J. L. Hunter of Esmeralda; Page, W. H. Carter of Ormsby; Porter, M. Farrell of Ormsby; Assistant Porter, Jas. Sullivan of Ormsby; Messenger, A. W. Smith of Nye; Copying Journal, Miss McCarthy (excused; not yet created); Committee Clerk, J. W. Connella of Lyon (not yet created).

Mr. Winter suggested that this addenda be added to the regular minutes.

Senators Boyd, Kendall, and Brossemer, appeared within the bar of the House as a committee from the Senate and announced that the Senate had organized and was ready for business.

Upon motion of Mr. Folsom, duly seconded, the Speaker appointed Messrs. Curtin, Winter, and Berry a special committee to invite the Justice of the Supreme Court to administer the oath of office to the permanent attachés of the Assembly. Justice Sweeney appeared and duly administered the oath to the attachés.

Upon motion of Mr. Smaill, the Speaker appointed Messrs. McIntosh, Woolley, and Smaill a special committee to notify the Senate that the Assembly had organized and was ready for business.

The committee reported and were discharged.

On motion of Mr. Winters, duly seconded, the Speaker appointed Messrs. Ellis, Neill, and Winter a special committee to notify the Governor that the Assembly had organized and was ready for business.

The committee reported and were discharged.

Motion was made by Mr. Dodge that a Standing Committee of five be appointed by the Speaker to act as a Committee on Irrigation.

The motion was withdrawn, and a resolution covering the same subject was offered by Mr. Ferguson.

The resolution was read by the Clerk, and adopted unanimously.

Resolution offered by Mr. Brooks providing that a Standing Committee of five be appointed by the Speaker to be known as a Committee on Labor.

Resolution was read by the Clerk, and adopted unanimously.

Mr. Folsom offered a resolution creating a Standing Committee of five members to be known as the Fish and Game Committee.

Resolution read by the Clerk, and adopted unanimously.

Mr. Bergman offered a resolution creating the office of Bill Clerk, and providing that Norman B. Harris be elected to the position.

On motion of Mr. Bergman, duly seconded, the resolution was unanimously adopted.

Upon the motion of Mr. Dodge, duly seconded, the rules of the Twenty-third Session of the Assembly of the State Legislature were adopted as the rules of the Twenty-fourth Session.

#### INTRODUCTION AND FIRST READING.

By Mr. Dodge:

Assembly Bill No. 1—An Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada and repeal certain Acts relating thereto," approved March 23, 1891.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

On motion of Mr. Folsom, duly seconded, the Ormsby Delegation were appointed a special committee to wait upon the clergymen of Carson City and request them to act alternately as Chaplains of the Assembly.

On motion of Mr. Allen, seconded by Mr. Neill, adjournment was taken until 11 a. m., January 19, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



**THE SECOND DAY.**

CARSON CITY (Tuesday), January 19, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

Roll called.

All present except Mr. Dodge, who was excused for the day.

The Sergeant-at-Arms reported the Governor's Private Secretary at the bar of the House who presented the written message from the Governor.

Journal of the first day was read and approved.

Mr. Smaill reported that the select committee composed of the Ormsby Delegation had interviewed the clergy as directed.

The report was accepted and the committee was discharged.

The message from the Governor was taken up.

Mr. Allen moved that the further reading of the Governor's message be deferred, the message be placed on file, and referred to the Committee on Ways and Means.

The motion was lost by a vote of 19 in the affirmative and 23 in the negative.

The Clerk proceeded with the reading of message from the Governor.

Mr. Smaill moved that further reading of the Governor's message be dispensed with, and the House proceed to the next order of business.

Motion carried.

Mr. Curtin gave notice of the introduction of a bill creating a State Inspector of Mines.

**INTRODUCTION AND FIRST READING.**

By Mr. Smaill:

Assembly Bill No. 2—An Act authorizing the appointment of a Deputy Sheriff for Ormsby County, and fixing and regulating the salary thereof.

On motion of Mr. Smaill, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Ormsby Delegation.

By Mr. Leary:

Assembly Bill No. 3—An Act fixing and regulating the salary of the District Attorney of Ormsby County.

The Clerk read the bill the first time.

By Mr. Folsom, by leave:

Assembly Bill No. 4—An Act to provide for the copying of the Journal of the Assembly for the Twenty-fourth Session.

On motion of Mr. Folsom, duly seconded, the rules were suspended,



reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

By Mr. Smith (by leave):

Assembly Bill No. 5—An Act creating the office of Inspector of Mines, fixing his duties and powers, providing for the appointment of deputies, and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said Inspector, and defining the duties of the Attorney-General in relation to suits instituted by the Inspector of Mines.

On motion of Mr. Curtin, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

By Mr. Gallagher (by leave):

Assembly Bill No. 6—An Act to regulate the operations of stock exchanges and sale of stock thereon, and to require statements from mining companies.

On motion of Mr. Curtin, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Mr. Folsom moved that the House take a recess until 2 p. m.

Mr. Smail offered an amendment to the motion that the Assembly adjourn, which was accepted.

Adjournment was taken until 11 a. m., Wednesday, January 20, 1909.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

**THE THIRD DAY.**

CARSON CITY (Wednesday), January 20, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Sergeant-at-Arms announced a message from the Senate.

The Speaker announced the following Standing Committees, the first named on each committee to be its chairman:

STANDING COMMITTEES OF THE ASSEMBLY.

ELECTIONS.

Messrs. Raycraft, Burke, McNamara, Bulmer, Pollard.

CORPORATIONS AND RAILROADS.

Messrs. Winter, Bradshaw, Curtin, Schoer, Matt. Kane.

PRINTING.

Messrs. Blake, Farnsworth, Lunsford.

WAYS AND MEANS.

Messrs. Bradshaw, Merten, Farnsworth, Folsom, Brooks, Riddell, Duborg.

CLAIMS.

Messrs. Folsom, Brogan, Ellis, Reynolds, Woolcock.

JUDICIARY.

Messrs. Brandon, Brooks, Conaway, O'Brien, McIntosh, Berry, Lunsford.

MILITARY AND INDIAN AFFAIRS.

Messrs. Hunter, Smaill, McNamara, Pollard, Dodge.

COUNTIES AND COUNTY BOUNDARIES.

Messrs. Chas. A. Kane, Ellis, Allen, Neill, Pollard.

TRADES AND MANUFACTURES.

Messrs. Hunter, Woolley, Raycraft, Dodge, Matt. Kane.

EDUCATION.

Messrs. Brandon, Bergman, Smith, Neill, Aylesworth.

AGRICULTURE.

Messrs. Allen, McIntosh, Todd, Ferguson, Church.

INTERNAL IMPROVEMENTS.

Messrs. Riddell, Todd, Luke.

STATE INSTITUTIONS.

Messrs. O'Brien, Woolley, Bradshaw, Fitzgerald, Duborg.

CONTINGENT EXPENSES.

Messrs. Burke, Gallagher, Hunter, Berry, Woolcock.

MINES AND MINING.

Messrs. Smith, McIntosh, Bradshaw, Matt. Kane, Gallagher.

FEDERAL RELATIONS.

Messrs. McNamara, Ross, Lunsford.



## ENGRASSMENT.

Messrs. Fitzgerald, Chas. A. Kane, Leary, Clark, Aylesworth.

## ENROLLMENT.

Messrs. Curtin, Leary, Blake, Woolcock, Reynolds.

## PUBLIC MORALS.

Messrs. Todd, Merten, Blake, Berry, Ferguson.

## STATE LIBRARY.

Messrs. Berry, Brandon, Winter, Raycraft, Burke.

## PUBLIC LANDS.

Messrs. Todd, Allen, Conaway, Bulmer, Church.

## STATE PRISON AND INSANE ASYLUM.

Messrs. Bergman, Brogan, Fitzgerald.

## MILEAGE.

Messrs. Bergman, Schoer, Duborg.

## IRRIGATION.

Messrs. Ferguson, Schoer, McCafferty, Folsom, Riddell.

## FISH AND GAME.

Messrs. Woolley, Clark, McNamara, McCafferty, Leary.

## LABOR.

Messrs. Allen, Brogan, Curtin, Neill, Lunsford.

The Committee on Mileage reported as follows:

## REPORT OF COMMITTEE ON MILEAGE.

*Mr. Speaker:*

Your Committee on Mileage finds the several members of the Assembly entitled to mileage in the following amounts:

	<i>Churchill County.</i>		
Mr. Allen .....	200 miles		\$30.00
Mr. Ferguson .....	200 miles		30.00
	<i>Douglas County.</i>		
Mr. Todd .....	42 miles		6.30
	<i>Elko County.</i>		
Mr. Winter .....	856 miles		128.40
Mr. McIntosh .....	644 miles		96.60
Mr. Schoer .....	820 miles		123.00
Mr. Riddell .....	770 miles		115.50
	<i>Esmeralda County.</i>		
Mr. Brooks .....	475 miles		71.25
Mr. Hunter .....	475 miles		71.25
Mr. Curtin .....	475 miles		71.25
Mr. Aylesworth .....	475 miles		71.25
Mr. Gallagher .....	380 miles		57.00
Mr. Ellis .....	300 miles		45.00
	<i>Eureka County.</i>		
Mr. Reynolds .....	816 miles		122.40
Mr. Duborg .....	612 miles		91.80
	<i>Humboldt County.</i>		
Mr. Bradshaw .....	510 miles		76.50
Mr. McCafferty .....	332 miles		49.80
Mr. Brandon .....	412 miles		61.80
	<i>Lander County.</i>		
Mr. O'Brien .....	720 miles		108.00
Mr. Woolcock .....	540 miles		81.00
	<i>Lincoln County.</i>		
Mr. Conaway .....	1,186 miles		177.90
Mr. Church .....	1,134 miles		170.10
Mr. Bergman .....	1,156 miles		173.40

	<i>Lyon County.</i>	
Mr. Ross .....	166 miles	\$24.90
Mr. Pollard .....	36 miles	5.40

	<i>Nye County.</i>	
Mr. Berry .....	414 miles	62.10
Mr. McNamara .....	414 miles	62.10
Mr. Giffen .....	514 miles	77.10
Mr. Merten .....	514 miles	77.10
Mr. Chas. A. Kane .....	624 miles	93.60
Mr. Smith .....	414 miles	62.10
Mr. Matt. Kane .....	514 miles	77.10

	<i>Ormsby County.</i>	
Mr. Leary .....	2 miles	.30
Mr. Smail .....	2 miles	.30
Mr. Raycraft .....	2 miles	.30

	<i>Storey County.</i>	
Mr. Farnsworth .....	44 miles	6.60
Mr. Blake .....	44 miles	6.60
Mr. Woolley .....	44 miles	6.60
Mr. Bulmer .....	44 miles	6.60

	<i>Washoe County.</i>	
Mr. Burke .....	62 miles	9.30
Mr. Fitzgerald .....	70 miles	10.50
Mr. Clark .....	62 miles	9.30
Mr. Lunsford .....	62 miles	9.30
Mr. Folsom .....	62 miles	9.30
Mr. Dodge .....	62 miles	9.30
Mr. Luke .....	62 miles	9.30

	<i>White Pine County.</i>	
Mr. Brogan .....	1,204 miles	180.60
Mr. Neill .....	1,204 miles	180.60

GEO. BERGMAN,  
*Chairman.*

On motion of Mr. Duborg, duly seconded, the report was adopted.

On motion of Mr. Smail the report of the Ormsby Delegation on Assembly Bill No. 2 was adopted, with amendments.

The Clerk read Senate Bill No. 1.

Senate Bill No. 1—An Act fixing the number of officers and attachés of the Legislature of the State of Nevada, and to define their duties and specify their pay and repealing all Acts in conflict therewith.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading thus far was considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

On motion of Mr. Folsom the House went into Committee of the Whole to consider Senate Bill No. 1.

Mr. Allen was called to the chair by the Speaker to act as Chairman of the Committee of the Whole.

On motion of Mr. Folsom the Committee of the Whole arose and reported back to the House Senate Bill No. 1, and recommended that it pass as amended.

Motion carried.

Mr. Speaker in the chair.

Hon. W. G. Douglass, Secretary of State, appeared at the bar of the House and delivered the following communication:



## COMMUNICATION FROM SECRETARY OF STATE.

*To the Honorable the Assembly:*

I have the honor herewith to present to you, for your consideration and action, Assembly Bills Nos. 118, 152, and 183, finally passed by both branches of the Legislature, which, having been duly submitted to His Excellency, the Governor of the State of Nevada, he, upon the 30th day of March, 1907, duly returned said bills, together with his message of disapproval to this office, and, in accordance with law, I now submit the same to you.

Respectfully,

W. G. DOUGLASS,  
*Secretary of State.*

On motion of Mr. Allen, duly seconded, consideration of the vetoed Assembly Bills Nos. 118, 152, and 183 was made a special order of business for Monday, at 2 p. m.

## MOTIONS AND RESOLUTIONS.

Mr. Duborg offered the following resolution:

*Resolved*, That the sum allowed to each member of the Assembly at the present session for periodicals, stamps and stationery, as provided by law, be the sum of twenty dollars, and that the same be certified by the Sergeant-at-Arms to the State Controller.

On motion of Mr. Duborg, seconded by Mr. Folsom, the resolution was adopted.

Mr. Smail offered the following resolution on behalf of the Ormsby Delegation:

*Resolved*, That the services of the Chaplains of the Assembly of this, the Twenty-fourth Session of the Nevada Legislature, be paid for at the rate of five dollars per diem, each, and the State Controller is hereby directed to draw his warrant on that basis.

On motion of Mr. Winter, duly seconded, the resolution was adopted.

On motion of Mr. Ferguson, duly seconded, the message from the Governor was placed on file and referred to the Committee on Ways and Means.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole to reconsider Senate Bill No. 1, Mr. Speaker in the chair.

Senate Bill No. 1 was reported from Committee of the Whole with the recommendation that it pass as amended.

On motion of Mr. Folsom, Senate Bill No. 1 was taken up, out of order, and passed with amendments.

On motion of Mr. Duborg, Senate Bill No. 1 was ordered engrossed.

## INTRODUCTION AND FIRST READING.

By Mr. Woolley (by leave):

Assembly Bill No. 7—An Act to license the hunting of game birds and animals and the taking or catching of fish, and to provide revenue therefrom for game and fish preservation and restoration, and to prescribe a penalty for the violation thereof, and other matters relating thereto, and to make an appropriation for the purpose of carrying out the objects of this Act.

On motion of Mr. Woolley, rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to the Committee on Fish and Game.

By Mr. Curtin (by leave):

Assembly Bill No. 8—An Act to amend an Act entitled "An Act to amend an Act relating to officers, their qualifications, times of election,

terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty," approved March 9, 1866.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Winter (by leave):

Assembly Bill No. 9—An Act providing for the copying of the Journal for the Assembly for the Twenty-fourth Session.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Winter (by leave):

Assembly Bill No. 10—An Act to establish an Agricultural Experiment Farm in the northeastern part of this State, and making an appropriation therefor.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

On motion of Mr. Folsom, duly seconded, the House then adjourned until 11 a. m., Thursday, January 21, 1909.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*



## THE FOURTH DAY.

CARSON CITY (Thursday), January 21, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All members present.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Sergeant-at-Arms announced a message from the Senate.

Journal of the previous day read and approved with corrections.

On motion of Mr. Folsom, duly seconded, a committee of three was appointed for the purpose of selecting committee rooms, and to confer with a like committee from the Senate.

Messrs. Folsom, Brooks, and McIntosh were the committee appointed.

Mr. Folsom was granted leave to withdraw Assembly Bill No. 4—An Act to provide for the copying of the Journal of the Assembly for the Twenty-fourth Session.

### INTRODUCTION AND FIRST READING.

By Mr. Brandon (by leave):

Assembly Bill No. 11—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Neill (by leave):

Assembly Bill No. 12—An Act to amend Section 376 of an Act entitled "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Nevada," approved November 26, 1861.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Neill (by leave):

Assembly Bill No. 13—An Act providing that bonds or undertakings on appeal be not required of the State, or of any county, city, town or village of the State, in any action or proceeding in any court in the State.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Neill (by leave):

Assembly Bill No. 14—An Act to provide a typewriter operator for the County Clerk of White Pine County, Nevada, and fixing the salary of said operator.

Under suspension of rules, reading so far had considered first reading,

rules further suspended, bill read second time by title, and referred to White Pine Delegation.

Senate Bill No. 5.

On motion of Mr. Allen, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole for the consideration of Senate Bill No. 5.

HOUSE IN SESSION.

Mr. Speaker in the chair.

Senate Bill No. 5 was reported from the Committee of the Whole with the recommendation that it do pass.

On motion of Mr. Folsom, Senate Bill No. 5 was taken up out of regular order and passed on third reading by a unanimous vote.

Second reading of Assembly Bill No. 3.

On motion of Mr. Allen, the rules were suspended, reading so far had been considered second reading, rules further suspended, bill read third time by title, and referred to Ormsby Delegation.

Senate Bill No. 1 was placed on third reading.

On motion of Mr. Folsom, the words "out of the Legislative Fund" were added to section two as an amendment.

Senate Bill No. 1 was passed, as amended, by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Curtin, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—42.

NAYS—Messrs. Church, Dodge, Duborg, Ellis, Reynolds, and Woolcock—6.

On motion of Mr. Smail, Assembly Bill No. 2 was placed on third reading.

Mr. Smail moved to amend Assembly Bill No 2 by inserting the enacting clause, to read as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:"

The amendment was adopted, and bill passed as amended.

On motion of Mr. Smail, Assembly Bill No. 2 was ordered engrossed.

On motion of Mr. Folsom, duly seconded, it was agreed that the Committee on Ways and Means should have the choice of one of the six Committee Clerks who have been named.

On motion of Mr. Smail, the House adjourned until Friday, January 22, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*



## THE FIFTH DAY.

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CARSON CITY (Friday), January 22, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All members present except Mr. Farnsworth, who was absent by leave.  
Prayer by the Chaplain, Rev. W. H. D. Hornaday.

Journal of the previous day read and approved, with corrections.

### REPORTS OF COMMITTEES.

The White Pine Delegation reported Assembly Bill No. 14 favorably, with the recommendation that it pass.

The Ormsby Delegation reported Assembly Bill No. 3 favorably, with the recommendation that it pass.

The Committee on Committee Rooms reported; the report was adopted and the committee discharged.

Mr. Winter introduced the following resolution:

*Resolved*, That the State Printer is hereby authorized and directed to print five hundred copies of all bills and resolutions introduced at the Twenty-fourth Session of the State Legislature.

The resolution was lost.

### NOTICES OF BILLS.

Mr. Hunter gave notice that, at some future day, he would introduce a bill to provide free text-books for the public schools of Nevada.

Mr. Gallagher gave notice that, at some future day, he would introduce a bill to provide for the regulation of embalming and disposal of dead bodies, for a system of examination, registration, and licensing of embalmers, and imposing penalties for the violation of any of its provisions.

Mr. Gallagher gave notice that, at some future day, he would introduce a bill to fix the salary of the Justice of the Peace of Rawhide Township, Esmeralda County, State of Nevada.

Mr. Gallagher gave notice that, at some future day, he would introduce a bill to fix the salary of Constable of Rawhide Township, Esmeralda County, State of Nevada.

Mr. Lunsford gave notice that, at some future day, he would introduce a bill to establish a juvenile court system for the State of Nevada.

Mr. Dodge gave notice that, at some future day, he would introduce a bill providing for a bond issue for the purpose of improving the public

highways of Washoe County, Nevada, and particularly the highway between the Cities of Reno and Carson.

Mr. Smaill gave notice that, at some future day, he would introduce a bill to provide free text-books, and for district ownership of the same; also, a bill making residence in Nevada a qualification for appointment to office, either as principal or deputy, under state, city, or county government; also, a bill appropriating a certain sum to defray the expenses of a commission of three, to be appointed by the Governor, incurred in going to and returning from the National Capital at Washington, District of Columbia, to interview President Taft concerning the opening of the Carson Mint, at Carson City, Nevada.

#### INTRODUCTION AND FIRST READING.

By Mr. McCafferty (by leave):

Assembly Bill No. 15—An Act to create a Bureau of Mines; to define the duties of Inspector of Mines, and provide for the government thereof, and providing the appropriation thereof; to divide the State of Nevada into three mining districts, and appointing an Inspector of Mines; to provide for the health and safety of persons about the mines, mills, and smelters of the State of Nevada, and for the protection and preservation of property connected therewith.

On motion of Mr. McCafferty, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to the Committee on Mines and Mining.

By Mr. Church (by leave):

Assembly Bill No. 16—An Act to provide for the maintenance, operation, and necessary equipments for the State Agricultural Experiment Farm, situated at Logan, Lincoln County, Nevada, for the years 1909 and 1910, and making an appropriation therefor.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Allen, Assembly Bill No. 3 was considered engrossed and placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent by leave—Mr. Farnsworth.

Not voting—Mr. Curtin.

On motion of Mr. Neill, Assembly Bill No. 14 was amended by striking out the word "other" in section two, line two.

Mr. Neill, by unanimous consent, offered as an amendment to Assembly Bill No. 14, to strike out the word "other" in line two of section two.

Amendment carried and, on motion of Mr. Allen, Assembly Bill No. 14 was ordered engrossed.



On motion of Mr. Woolley, the House then adjourned until 11 a. m., Monday, January 25, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE EIGHTH DAY.

CARSON CITY (Monday), January 25, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. O'Brien and Mr. Ross, who were excused.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of Friday, January 22d, was read and approved with corrections.

### INVITATIONS.

On motion of Mr. Allen, duly seconded, the following invitations were accepted, with thanks, and the Clerk was instructed to write, accepting same:

RENO, NEVADA, January 23, 1909.

HON. J. B. GIFFEN, *Speaker of the Assembly, Carson City, Nevada.*

DEAR SIR: At a meeting of the Board of Directors of the Reno Commercial Club the President and Secretary were requested to extend, through the President of the Senate and the Speaker of the Assembly, the privileges of the club to all the members of the Legislature.

In compliance with the above we herewith extend to all the members of the Assembly a hearty invitation to our club rooms and to make themselves at home while in Reno.

W. H. SIMMONS,  
*President.*

C. T. STEVENSON,  
*Secretary.*

RENO, NEVADA, January 23, 1909.

HON. J. B. GIFFEN, *Speaker of the House, Carson City, Nevada.*

MY DEAR SIR: I have the honor, through the honorable Speaker, to invite the members and attachés of the Assembly to be present at the University of Nevada on Friday, February 12th, to celebrate the birthday of the immortal Abraham Lincoln. The State of Nevada was admitted to the Union under his presidency, and under circumstances that should make every citizen of the State reverently remember and honor his name and deeds.

The members of the House will take luncheon that day at the University.

Trusting that you may be able to advise me of the acceptance of this invitation, I am,

Very truly, your obedient servant,

J. E. STUBBS,  
*President.*

### REPORTS OF COMMITTEES.

The Committee on Ways and Means reported Assembly Bill No. 9 favorably, with the recommendation that it do pass.

The Committee on Engrossment reported Assembly Bill No. 2 and Assembly Bill No. 14 as compared and found correctly engrossed.

### MESSAGES FROM THE SENATE.

*To the Honorable the Assembly:*

I hereby inform your honorable body that the Senate concurs in the amendment you propose to Section 2 of Senate Bill No. 1, but refuses to concur in the amendments proposed by you to Sections 3 and 4.

W. M. GRIMES,  
*Secretary of the Senate.*



On motion of Mr. Folsom, the House refused to accede to the action of the Senate on Senate Bill No. 1.

A committee consisting of Messrs. Folsom, Winter, and Brooks were appointed from the Assembly to meet with a like committee from the Senate and confer on Senate Bill No. 1.

The Senate was notified of the action of the Assembly on Senate Bill No. 1.

#### MOTIONS AND RESOLUTIONS.

On motion of Mr. Allen, duly seconded, the election of United States Senator was made a special order of business for Tuesday, January 26, 1909, at 12 m.

#### NOTICES OF BILLS.

Mr. Smith gave notice that he would, at some future day, introduce a bill creating an emergency fund for unorganized school districts.

Mr. Bulmer gave notice that he would at some future day introduce a bill to provide against the adulteration of food and drugs.

#### INTRODUCTION AND FIRST READING.

By Mr. Gallagher:

Assembly Bill No. 17—An Act to fix the salary of the Justice of the Peace of Rawhide Township, Esmeralda County, State of Nevada.

On motion of Mr. Gallagher, duly seconded, the rules were suspended; reading so far had was considered first reading, the rules further suspended, bill was read second time by title, and referred to the Esmeralda Delegation.

By Mr. Curtin (by leave):

Assembly Bill No. 18—An Act to amend an Act entitled "An Act relating to elections and to more fully secure the secrecy of the ballot," approved March 13, 1891.

On motion of Mr. Curtin, duly seconded, the rules were suspended, reading so far had was considered the first reading, rules further suspended, the bill was read second time by title, and referred to the Committee on Elections.

By Mr. Clark (by leave):

Assembly Bill No. 19—An Act to regulate and license the hunting of game birds and animals, and the catching of fish, and to provide revenue therefrom for game and fish preservation and protection, and to prescribe a penalty for the violation thereof, and to make an appropriation for the purpose of carrying out the objects of this Act.

On motion of Mr. Clark, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to the Committee on Fish and Game.

By Mr. Gallagher:

Assembly Bill No. 20—An Act to fix the salary of the Constable of Rawhide Township, Esmeralda County, State of Nevada.

On motion of Mr. Gallagher, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to the Esmeralda Delegation.

By Mr. Brandon (by leave):

Assembly Bill No. 21—An Act to amend section six of an Act entitled "An Act to provide for the appointment of official reporters for the District Courts, their duties, qualifications, and compensation, and to repeal all former Acts in relation thereto," approved March 12, 1907.

On motion of Mr. Brandon, duly seconded, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the bill was read second time by title, and referred to the Committee on Judiciary.

The Clerk was instructed to read Senate Bill No. 2—An Act to provide for the copying of the Journal of the Senate for the Twenty-fourth Session.

Rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

GENERAL FILE AND THIRD READING.

Assembly Bill No. 9 was taken up for third reading and final passage, and, on motion of Mr. Folsom, was referred to Committee of the Whole.

Assembly Bill No. 2 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. O'Brien, and Ross—2.

Assembly Bill No. 14 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. O'Brien, and Ross—2.

On motion of Mr. Duborg, the House resolved itself into Committee of the Whole for the consideration of such business as might come before it.

Mr. Raycraft was called to the chair.

HOUSE IN SESSION.

Mr. Speaker in the chair.

Assembly Bill No. 9 was reported from Committee of the Whole, with the recommendation that it do pass.

Senate Bill No. 2 was reported from Committee of the Whole, with the recommendation that it do pass.

On motion of Mr. Duborg, the House took a recess until 1:50 p. m.

## HOUSE IN SESSION

At 1:50 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. O'Brien and Ross, who were excused.

On motion of Mr. Folsom, the House received reports from special committees.

The report of Committee on Conference with Senate in regard to Senate Bill No. 1 was received and committee discharged.

By Mr. Folsom (by leave):

Assembly Substitute for Senate Bill No. 1.

Rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

A message from the Senate was received.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole for the consideration of Assembly Substitute for Senate Bill No. 1.

Mr. Gallagher was called to the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

Assembly Substitute for Senate Bill No. 1 was reported favorably from the Committee of the Whole, with the recommendation that it pass.

The special order of business for 2 p. m. was taken up, and the Clerk was instructed to read the veto message on Assembly Bill No. 118.

## GOVERNOR'S MESSAGE.

CARSON CITY, March 30, 1907.

*To the Honorable Secretary of State:*

I have the honor to deposit, without my approval, Assembly Bill No. 118—An Act entitled "An Act to provide for the establishment of title to real property and the determination of adverse claims of known and unknown claimants thereto, and regulating the proceedings in action brought for that purpose."

It is my opinion that the Act submitted is not an improvement on the present law.

Respectfully,

JOHN SPARKS,  
*Governor.*

On motion of Mr. Dodge, the Assembly adjourned until Tuesday, at 11 a. m., January 26, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



## THE NINTH DAY.

CARSON CITY (Tuesday), January 26, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Journal of the previous day was read and approved, with corrections.

### UNFINISHED BUSINESS.

The Governor's veto on Assembly Bill No. 118 was sustained by the following vote:

YEAS—None.

NAYS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neil, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—48.

Assembly Bill No. 183 was next taken up, and the Governor's veto message was read by the Clerk:

EXECUTIVE CHAMBER,  
CARSON CITY, NEVADA, March 30, 1907.

*To the Honorable Secretary of State:*

I have the honor to deposit, without my approval, Assembly Bill No. 183—An Act to amend an Act entitled "An Act concerning conveyances," approved November 5, 1861—for the following reasons:

The old law has been in force since November 5, 1861, and has given satisfaction. The provisions of the above Act will have a tendency to multiply difficulties and to complicate titles for a period of ninety-nine years, instead of ten and twenty years as is provided under the present law. For these reasons, it is deemed advisable, and for the best interests of the State to enforce the old law and withhold my approval of this one.

Respectfully,

JOHN SPARKS,  
*Governor.*

The Governor's veto on Assembly Bill No. 183 was sustained by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Curtin, Dodge, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McCafferty, O'Brien, Reynolds, Riddell, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—20.

NAYS—Messrs. Allen, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Leary, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Ross, Smail, and Woolley—26.

Not voting—Messrs. Duborg and Smith—2.

Assembly Bill No. 152 was next taken up, and the Governor's veto message was read by the Clerk:

CARSON CITY, NEVADA, March 30, 1907.

*To the Honorable Secretary of State.*

I have the honor to deposit, without my approval, Assembly Bill No. 152—An Act supplemental to an Act entitled "An Act providing a general corporation law."

My objections to this measure are that it seems to open up the general corporation law, now existing, for the intrusion of by-laws, which authorize combinations foreign to

the purposes and intentions of corporate authority. If members wish to combine for any purpose, they can do so just as effectually as if by-laws were incorporated in the articles. The penalty which may be enforced is certainly extremely severe. The fact that a member of the association, failing to comply with the by-laws of the corporation, forfeits his membership, and that all fees or assessments paid by him shall be retained by the said association or corporation as liquidated damages, cannot be sustained by Article I, Section 8, of the Constitution, which says that no person shall be deprived of life, liberty, or property without due process of law. According to the conditions recited in this Act, the impression prevails in my mind that if this Act were enforced to its full extent, it would mean nothing less than confiscation.

Respectfully,

JOHN SPARKS,  
Governor.

The Governor's veto on Assembly Bill No. 152 was sustained by the following vote:

YEAS—None.

NAYS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Not voting—Mr. Aylesworth.

On motion of Mr. Folsom, duly seconded, the House took up, out of order, Assembly Substitute for Senate Bill No. 1.

On motion of Mr. Allen, duly seconded, the rules were suspended, the bill was considered engrossed and was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Berry, Bradshaw, Church, Duborg, Pollard, Reynolds, Ross, and Woolcock—8

#### REPORTS OF COMMITTEES.

The Committee on Ways and Means reported Assembly Bill No. 9 favorably, with recommendation that it do pass.

The Committee on Labor reported Assembly Bill No. 6 favorably, with recommendation that it do pass.

A minority report on same bill, with recommendation that it do not pass, was made by Mr. Neill, minority member.

#### MESSAGES FROM THE SENATE.

A message was received from the Senate transmitting Senate Bill No. 4—An Act to provide for the acquisition, construction, establishment, and maintenance of a State Fish Hatchery, and to appropriate money therefor.

A message was also received from the Senate transmitting Senate Bill No. 8.

#### NOTICES OF BILLS.

Mr. Brogan gave notice that he would, at some future day, introduce a bill to create the office of State Boiler Inspector, providing for his appointment, and duties of the office.

Mr. Brogan gave notice that he would, at some future day, introduce a bill making it unlawful for a person to receive, demand, or charge any



money for a promise to employ, retain, or threat to discharge from any employment any person.

Mr. Giffen gave notice that he would, at some future day, introduce a bill to prevent District Attorneys from defending criminals in other counties during their term of office.

Mr. Giffen gave notice that he would, at some future day, introduce a bill to extend the time for redemption of property sold for taxes.

Mr. Giffen gave notice that he would, at some future day, introduce a bill to suppress dance halls.

#### INTRODUCTION AND FIRST READING.

By Mr. Gallagher:

Assembly Bill No. 22—An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, regulation, and licensing of embalmers, and imposing penalties for the violation of any of its provisions.

On motion of Mr. Gallagher, duly seconded, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the bill was read second time by title, and referred to Committee on Judiciary.

By Mr. Dodge (by leave):

Assembly Bill No. 23—An Act to amend an Act entitled "An Act to provide for the appointment of a State License and Bullion Tax Agent of the State of Nevada, fixing his compensation and prescribing his duties," approved March 15, 1905.

On motion of Mr. Dodge, duly seconded, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Curtin:

Assembly Bill No. 24—An Act creating the office of State Inspector of Mines, providing for his salary, defining his duties, and providing penalties for the violation thereof.

On motion of Mr. Curtin, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill read second time by title, and referred to the Committee on Mines and Mining.

By Mr. Winter (by leave):

Assembly Bill No. 25—An Act to provide for the collection, arrangement, and display of the mineral, agricultural, and stock products of the State of Nevada at the Alaska-Yukon-Pacific Exposition, to be held at the City of Seattle, in the State of Washington, June 1, 1909, to October 16, 1909, and to make an appropriation therefor.

On motion of Mr. Winter, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill read second time by title, and referred to Joint Committee on Mines and Mining and Agriculture.



## SPECIAL ORDER.

The special order for 12 m.—the election of United States Senator—was then taken up.

Mr. Folsom placed in nomination the name of Hon. Francis G. Newlands.

The nomination of Mr. Newlands was seconded by Mr. Allen and Mr. Dodge.

There being no further nominations, the Speaker declared nominations closed, and the Clerk was instructed to call the roll. The roll was called, and Senator Newlands received the unanimous vote of the Assembly.

The Speaker announced the following vote:

Voting for Hon. Francis G. Newlands: Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—48.

NAYS—None.

On motion of Mr. Folsom the House took a recess until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Bradshaw, Matt. Kane, and Smith, who were excused.

Mr. McCafferty granted temporary leave of absence.

## INTRODUCTION AND FIRST READING.

By Mr. Berry (by leave):

Assembly Bill No. 26—An Act to amend an Act entitled "An Act fixing the salaries and compensation of certain attachés of the Government of the State of Nevada," approved March 5, 1907.

On motion of Mr. Berry, duly seconded, the rules were suspended, the reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Bergman (by leave):

Assembly Bill No. 27—An Act creating and organizing the County of Clark out of a portion of Lincoln County, and providing for its government, and to regulate the affairs of Lincoln County and Clark County.

On motion of Mr. Bergman, rules were suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

By Mr. Neill (by leave):

Assembly Bill No. 28—An Act to authorize the Board of School Trustees of East Ely School District to issue negotiable coupon bonds for the purpose of purchasing or erecting and furnishing school buildings, and purchasing grounds therefor, and to pay the floating indebtedness of such district, and providing for the payment of the principal and interest of such bonded indebtedness.

On motion of Mr. Neill, duly seconded, rules were suspended, the read-

ing so far had was considered first reading, rules further suspended, bill read second time by title, and referred to White Pine Delegation.

The Clerk read a message from the Senate, transmitting Senate Bill No. 4—An Act to provide for the acquisition, construction, establishment, and maintenance of a State Fish Hatchery, and to appropriate money therefor.

On motion of Mr. Winter, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Senate Bill No. 8—An Act fixing and regulating the salary of the District Attorney of Washoe County, Nevada, authorizing the appointment of an Assistant District Attorney, and fixing and regulating the salary of same, and providing for the allowance of certain expenses.

On motion of Mr. Folsom the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Washoe Delegation (by leave):

Assembly Bill No. 29—An Act to provide for the purchase of additional land at the University of Nevada, at Reno, Nevada.

On motion of Mr. Dodge, duly seconded, the rules were suspended, the reading so far had was considered first reading, rules were further suspended, bill was read second time by title, and referred to Committee on Ways and Means.

By Washoe Delegation (by leave):

Assembly Bill No. 30—An Act to provide for the building and equipment of an addition to Manzanita Hall, at the University of Nevada, at Reno, Nevada.

On motion of Mr. Dodge, duly seconded, the rules were suspended, the reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Washoe Delegation (by leave):

Assembly Bill No. 31—An Act to provide for the building and equipment of a biological building at the University of Nevada, at Reno, Nevada.

On motion of Mr. Dodge, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to the Committee on Ways and Means.

By Mr. Dodge (by leave):

Assembly Bill No. 32—An Act to authorize the County Commissioners of Washoe County, Nevada, to provide for the construction, macadamizing, or improving of public highways in the County of Washoe, State of Nevada, and to issue bonds to provide funds for payment of said improvement, macadamizing, and construction, and to provide for the creation and appointment of a Public Highway Commission, to define the duties and powers of such commission, and provide for the compensation and expenses of the members thereof.



On motion of Mr. Dodge, the rules were suspended, reading so had was considered first reading, rules further suspended, bill read second time by title, and referred to the Washoe Delegation.

By Mr. Folsom (by leave):

Assembly Bill No. 33—An Act providing a salary for the County Surveyor of Washoe County in lieu of all fees, and providing for the payment of the same.

On motion of Mr. Folsom, duly seconded, the rules were suspended, the reading so far had was considered the first reading, rules were further suspended, the bill was read second time by title, and referred to Washoe Delegation.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 9 was placed on third reading and final passage.

On motion of Mr. Allen, duly seconded, the rules were suspended, and the bill was considered engrossed. It was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Not voting—Messrs. Bradshaw, Gallagher, Matt. Kane, McCafferty, McIntosh, and Smith—6.

Senate Bill No. 2 was placed on its third reading and final passage, and passed by the following vote;

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Not voting—Messrs. Bradshaw, Dodge, Gallagher, Matt. Kane, McCafferty, McIntosh, and Smith—7.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Duborg, duly seconded, Assembly Bill No. 6, under suspension of the rules, was considered engrossed, and placed on its third reading and final passage.

The Washoe Delegation was given temporary leave of absence.

On motion of Mr. Winter, duly seconded, Assembly Bill No. 6 was made a special order for next Thursday, at 2 p. m.

Assembly Bill No. 17 was placed on its third reading and final passage.

On motion of Mr. Gallagher, the rules were suspended, and Assembly Bill No. 17 was considered engrossed, read third time, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent (by leave)—Messrs. Burke, Clark, Dodge, Fitzgerald, Folsom, Luke, and Lunsford—7.

Assembly Bill No. 20 was placed on its third reading and final passage.



On motion of Mr. Gallagher, duly seconded, the rules were suspended, the bill was considered engrossed, read the third time, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent (by leave)—Messrs. Burke, Clark, Dodge, Fitzgerald, Folsom, Luke, and Lunsford—7.

On motion of Mr. Allen, duly seconded, the House adjourned until 11 a. m., Wednesday, January 27, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE TENTH DAY.

CARSON CITY (Wednesday), January 27, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Dodge, who was granted leave of absence for one day.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Fish and Game have had Assembly Bill No. 19 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

HARRY F. WOOLLEY,  
*Chairman.*

*Mr. Speaker:*

The White Pine Delegation have had Assembly Bill No. 28 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

T. J. BROGAN,  
*Chairman.*

### MESSAGES FROM THE SENATE.

A message was received from the Senate transmitting Senate Bill No. 6—An Act to provide for a portrait of Governor John Sparks.

Also, Senate Bill No. 10—An Act authorizing the Supreme Court to employ two stenographers, and fixing their compensation.

### NOTICES OF BILLS.

Mr. Brogan gave notice that, at some future day, he would introduce a bill for an Act concerning franchises for furnishing electric light, heat, and power.

The Nye Delegation, in accordance with the requirements of the platform of the Nye County Democratic Convention, gave notice that they would at some future day introduce a bill to reduce the salary of the District Attorney and to substantially reduce the expense of maintaining the county offices.

### INTRODUCTION AND FIRST READING.

By Mr. Smith:

Assembly Bill No. 34—An Act to provide an emergency school fund for new school districts, prescribing its use and manner of disbursement, and other matters properly connected therewith.

On motion of Mr. Smith, duly seconded, rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Smail (by leave):

Assembly Bill No. 35—An Act to provide for the purchase of the



astronomical and meteorological instruments and appliances, and the original astronomical and meteorological records of the late Charles W. Friend.

On motion of Mr. Smaill, duly seconded, rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Neill:

Assembly Bill No. 36—An Act to amend Section 44 of an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861, as amended and approved March 4, 1873, approved March 6, 1889, approved March 4, 1905.

On motion of Mr. Neill, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Curtin (by leave):

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to amend an Act relating to marriage and divorce," approved November 28, 1861.

On motion of Mr. Curtin, duly seconded, rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Senate Bill No. 6.

On motion of Mr. Duborg, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 7.

On motion of Mr. Allen, duly seconded, the rules were suspended, reading so far had was considered the first reading, rules further suspended, bill read second time by title, and referred to Lyon Delegation.

Senate Bill No. 10.

On motion of Mr. Curtin, duly seconded, rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 19 was placed on its third reading.

On motion of Mr. Folsom, duly seconded, the bill was ordered engrossed, after amendments were adopted.

Assembly Bill No. 28, on motion of Mr. Neill, was read to the Assembly, and ordered engrossed.

The Sergeant-at-Arms announced the Senate present.

#### IN JOINT SESSION.

##### ELECTION OF UNITED STATES SENATOR.

The joint session of the Senate and Assembly for the purpose of electing the United States Senator was called to order, the President of the Senate in the chair.

Roll call of the House showed all present except Mr. Dodge, who was excused.

Roll call of the Senate showed all members present.

The Journals of the Assembly and the Senate for the previous day were read by the Clerk and Secretary of the respective houses.

The reading of the Journals of the Senate and Assembly showing that the Hon. Francis G. Newlands received the majority vote of both houses, he was declared elected United States Senator.

Senator Boyd offered the following resolution, which was adopted:

The Democracy of the State of Nevada, in Legislature represented, hereby presents the name of Hon. Francis G. Newlands as the party candidate for the presidency of the United States in 1912.

Known throughout the country as a constructive statesman, whose name has been connected with the regulation of transportation, the development of our waterways, the promotion of irrigation, the businesslike administration of public works, his name is a household word in the fourteen States whose territory is part of the arid and semi-arid regions, and will secure a favorable vote from the States hitherto regarded as Republican.

As evidence of this, we proudly invite attention to the fact that he has just been reelected United States Senator without a dissenting vote in a Legislature which contains many Republicans, this extraordinary honor being responsive to the wishes of the people of the State, who, at the last election, by popular vote, gave him an overwhelming majority at the polls.

Recognizing him as a broad-gaged, progressive statesman, thoroughly national in his ideas upon questions of public policy, and fully appreciative of the needs of our country as a whole, we give him our unqualified endorsement as an ideal candidate for the presidency.

Senator Boyd read a telegram from the Hon. Francis G. Newlands thanking the people of the State of Nevada and the members of the Legislature for the high honor conferred in electing him United States Senator from the State of Nevada.

On motion of Mr. Allen, the joint session adjourned *sine die*.

#### HOUSE IN SESSION.

On motion of Mr. Duborg, the House adjourned until 11 a. m., Thursday, January 28, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE ELEVENTH DAY.

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CARSON CITY (Thursday), January 28, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Berry, Clark, Dodge, and Duborg, who were excused.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Journal of the previous day was read and approved; with correction.

The Sergeant-at-Arms announced a message from the Senate.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Engrossment beg leave to report that they have carefully compared Assembly Bills Nos. 19 and 28, and find the same correctly engrossed.

T. W. FITZGERALD,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Education have had Assembly Bills Nos. 1 and 36 under consideration, and beg leave to report favorably on the same, with the recommendation that they do pass.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries have had Assembly Bill No. 27 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass, with the following amendments, to wit:

That in line two, section seventeen of the bill as printed, there be inserted after the word "territory" and before the word "shall," the words "after July 1, 1909," and your committee further recommends that the Chief Clerk be instructed to insert said amendment.

CHAS. A. KANE,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Elections have had Assembly Bill No. 18 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass, as amended.

JAMES A. RAYCRAFT,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary have had Senate Bill No. 10 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass,

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Agriculture have had Assembly Bill No. 10 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass with the following amendments: That the word "dry" be inserted after the word "experiment" in the title and wherever it occurs in the bill.

LEM ALLEN,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Education have had Assembly Bill No. 34 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

T. A. BRANDON,  
*Chairman.*



*Mr. Speaker:*

Your Committee on Ways and Means have had Senate Bill No. 6 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

J. D. BRADSHAW,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Elections have examined the certificate of election of each and every member of the Assembly and find all entitled to seats in the Assembly of the Twenty-fourth Session of the Nevada Legislature.

J. A. RAYCRAFT,  
*Chairman.*

*Mr. Speaker:*

The Lyon County Delegation have had Senate Bill No. 7 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

E. J. ROSS,  
*Chairman.*

#### MESSAGE FROM THE SENATE.

CARSON CITY, NEVADA, January 27, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 14—An Act to provide a typewriter operator for the County Clerk of White Pine County, Nevada, and fixing the salary of said operator—which passed by the following vote: Yeas, 18; nays, none; absent, 1.

W. M. GRIMES,  
*Secretary of the Senate.*

#### MOTIONS AND RESOLUTIONS.

By Mr. Winter:

WHEREAS, An insufficient amount of copies of certain bills exist, the Sergeant-at-Arms is hereby authorized to inform the State Printer, who is requested to print three hundred additional copies of such bills as designated by the Sergeant-at-Arms.

Resolution adopted with the amendment that three hundred additional copies of Assembly Bill No. 15 be printed.

Mr. Gallagher asked unanimous leave to withdraw Assembly Bill No. 6.

On motion of Mr. Allen, duly seconded, the special order for 2 p. m., Thursday, January 28, 1909, was vacated, and Mr. Gallagher was given leave to withdraw Assembly Bill No. 6.

On motion of Mr. McCafferty, duly seconded, the report of the Committee on Elections, relating to credentials of members of the Assembly, was adopted.

On motion of Mr. Folsom, the list of attachés was read, and a committee appointed to wait on a Justice of the Supreme Court, with a request that they be sworn.

Justice Sweeney appeared, and administered the oath to the following attachés:

Assistant Copying Clerk, M. F. Jordan of Washoe.  
Committee Clerk, J. Connella of Lyon.  
Committee Clerk, Jessie F. Smithline of Lander.  
Committee Clerk, John Burke of Washoe.  
Stenographer, Thos. Salter of Esmeralda.  
Bill Clerk, Normand Harris of Lincoln.  
Assistant Porter, James Sullivan of Ormsby.

On motion of Mr. Winter, a vote of thanks was tendered Justice Sweeney by the House.

On motion of Mr. Smail, seconded by Mr. Allen, the House took a recess until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present.

## INTRODUCTION AND FIRST READING.

By Mr. Brogan (by leave):

Assembly Bill No. 38—An Act making it unlawful for any person or persons, firm, company, association, or corporation, either as principal or agent, to charge or demand or receive, or attempt to charge or demand or receive, any money or any other thing of value, from any person or persons whomsoever, upon the promise of hiring or retaining such person or persons in any employment whatsoever, or by threatening to discharge such person or persons from any such employment, and providing for a punishment for the violation thereof.

On motion of Mr. Brogan, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

By Mr. Brogan (by request):

Assembly Bill No. 39—An Act concerning franchises for furnishing electric light, heat, and power.

On motion of Mr. Brogan, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations.

By Mr. Neill (by leave):

Assembly Bill No. 40—An Act providing for an additional Judge for the Fourth Judicial District of the State of Nevada, fixing his salary and place of residence.

On motion of Mr. Neill, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Neill (by leave):

Assembly Bill No. 41—An Act to amend section one of an Act entitled "An Act permitting the establishment of county high schools in the various counties of this State, and providing for the construction, maintenance, and management of the same," approved March 4, 1893, approved March 15, 1907.

On motion of Mr. Neill, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Farnsworth (by leave):

Assembly Bill No. 42—An Act to regulate the hours of labor of persons engaged or employed in mills and other institutions where plaster and cement is manufactured, so as to better protect the health and safety of those engaged in such work or occupation, and providing penalties for a violation thereof.

On motion of Mr. Farnsworth, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further



suspended, bill read second time by title, and referred to Committee on Labor.

By Mr. Farnsworth (by leave):

Assembly Bill No. 43—An Act to regulate the hours of employment of workmen in open-pit and open-cut mines, so as to better protect the health and safety of those engaged in such work or occupation, and providing penalties for the violation thereof.

On motion of Mr. Smail, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

By Mr. Winter (by leave):

Assembly Bill No. 44—An Act prescribing the method for entrance of insurance companies engaged in the business of mutual life, health, and accident insurance of live stock on the assessment plan, into the State of Nevada.

On motion of Mr. Winter, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations.

Mr. Curtin was given unanimous leave to introduce the following resolution, out of order:

*Resolved*, That the Committee on Mines and Mining be increased by two members, by the addition of the names of Mr. McCafferty of Humboldt, and Mr. Woolley of Storey.

Speaker pro tem. in the chair.

Resolution lost.

Mr. Speaker in the chair.

By Mr. Luke (by leave):

Assembly Bill No. 45—An Act to provide for the attendance of children in high schools of other districts, and matters properly connected therewith.

On motion of Mr. Luke, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

The Sergeant-at-Arms announced a message from the Senate.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 1 was taken up.

On motion of Mr. Curtin, duly seconded, the rules were suspended, the bill was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Messrs. Allen, Brooks, Bulmer, Chas. A. Kane, Pollard, and Ross—6.

Assembly Bill No. 10 was taken up, and on motion of Mr. Duborg, duly seconded, it was referred to the Committee of the Whole.

Assembly Bill No. 18 was taken up, and on motion of Mr. Folsom, duly seconded, it was sent to engrossment.



Assembly Bill No. 27 was placed on its third reading.

On motion of Mr. Bergman, duly seconded, the rules were suspended, the bill was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Not voting—Mr. Curtin.

Before the roll was called, Mr. Smith arose and stated that he was opposed to county division, excepting in cases where the qualified electors sanctioned such a measure, whereupon Mr. Church of Lincoln replied that the measure before the House had the support of the majority of taxpayers of Lincoln County.

On motion of Mr. Folsom, duly seconded, the House adjourned until 10 a. m., Friday, January 29, 1909.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE TWELFTH DAY.

CARSON CITY (Friday), January 29, 1909.

House convened at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Clark, and Hunter, who were excused.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Judiciary have had Assembly Bill No. 11 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 26, and beg leave to report favorably on the same, with the recommendation that it do pass as amended.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Agriculture have had Assembly Bill No. 16 under consideration, and beg leave to report favorably on same, with the recommendation that it do pass as amended by striking out the sum of \$15,000 and inserting the sum of \$12,000.

LEM ALLEN,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Fish and Game have had Senate Bill No. 4 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

HARRY F. WOOLLEY,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary have had Assembly Bill No. 8 under consideration, and beg leave to report unfavorably on the same, with the recommendation that it do not pass.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means have had Assembly Bill No. 23 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass, with the following amendment:

That in line seven, section one, the word "five" be stricken out, and the word "four" inserted in lieu thereof.

J. D. BRADSHAW,  
*Chairman.*

Amendment lost.

*Mr. Speaker:*

Your Committee on Ways and Means, to which was referred the message of Governor Dickerson, have had the same under consideration, and beg leave to report that we heartily concur in the recommendations contained therein, and earnestly urge that bills be prepared at once providing for the enactment into law of the salient features of each and every recommendation. We wish to especially urge speedy action in the passage of a safe banking law, the amendment of the State Police law, the enactment of some law to protect the public against wildcat promoters, and the creation of the office of State Mine Inspector.

J. D. BRADSHAW,  
*Chairman.*

On motion of Mr. Bradshaw, the report was adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY NEVADA, January 28, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 9—An Act to provide for copying the Journal of the Assembly for the Twenty-fourth Session—which passed the Senate by the following vote: Yeas, 19; nays, none.

Also, to present for your consideration, Senate Bill No. 12—An Act fixing and regulating the salary of the District Attorney of Humboldt County—which passed the Senate by the following vote: Yeas, 17; nays, none; absent, 2.

W. M. GRIMES,  
*Secretary of the Senate.*

INTRODUCTION AND FIRST READING.

By Mr. Church (by leave):

Assembly Bill No. 46—An Act to provide for the measurement of water used on irrigated areas, the determination of the losses from irrigating ditches and the remedies therefor, and the study of the best methods of distributing and using water in growing crops in the State of Nevada, in cooperation with the United States Department of Agriculture.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

Senate Bill No. 12.

On motion of Mr. Curtin, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

GENERAL FILE AND THIRD READING.

On motion of Mr. Smaill, Senate Bill No. 10 was taken up out of order, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Messrs. Duborg and Pollard—2.

Absent—Messrs. Aylesworth, Clark, Ellis, and Hunter—4.

Speaker pro tem. in the chair.

Assembly Bill No. 19 was placed on its third reading and final passage, and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Raycraft, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, and Woolley—35.

NAYS—Messrs. Bradshaw, Church, Conaway, Duborg, Gallagher, Merten, O'Brien, Reynolds, Woolcock, and Mr. Speaker—10.

Absent—Messrs. Aylesworth, Clark, and Hunter—3.

Assembly Bill No. 28 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.



Absent—Messrs. Aylesworth, Clark, Curtin, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, and Riddell—9.  
Not voting—Mr. Winter.

Mr. Speaker in the chair.

On motion of Mr. Allen, Assembly Bill No. 23 was considered engrossed.

On motion of Mr. Dodge, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 23.

Mr. Brandon was called to the chair.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

Assembly Bill No. 23 was reported from Committee of the Whole favorably, with the recommendation that it do pass.

On motion of Mr. Lunsford, Assembly Bill No. 23 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Aylesworth, Clark, and Hunter—3.

On motion of Mr. Curtin, the House took a recess until 1:30 p. m.

### HOUSE IN SESSION

At 1.30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Clark, Fitzgerald, Brogan, and Hunter, who were excused.

### GENERAL FILE AND THIRD READING.

Assembly Bill No. 34 was taken up for third reading and final passage.

On motion of Mr. Winter, the bill was considered engrossed.

On motion of Mr. Winter, the bill was referred to the Committee of the Whole.

Assembly Bill No. 36 was taken up for third reading and final passage.

On motion of Mr. Folsom, the rules were suspended, and the bill considered engrossed.

On motion of Mr. Folsom, the rules were suspended, and the bill considered engrossed, with amendments.

Assembly Bill No. 36 read third time and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Brogan, Clark, Fitzgerald, Hunter, and Riddell—7.

On motion of Mr. Folsom, the House adjourned until 11 a. m., Monday, February 1, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE FIFTEENTH DAY.

CARSON CITY (Monday), February 1, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Brandon, Burke, Hunter, and Ross, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Public Morals beg leave to report that they have carefully considered Assembly Bill No. 37, and recommend the following amendments:

In the printed bill, Section 1, line 7, after the eleventh word, substitute the words "one year" for the words "two years."

In the printed bill, between the lines 18 and 19, insert the following as paragraph 5 of said bill: "5. Habitual drunkenness contracted since marriage of either party, which shall incapacitate such party from contributing his or her share to the support of the family."

Paragraph 5 of said printed bill, on line 19 thereof, to be numbered paragraph 6, and paragraph 6, on line 21 of the said printed bill, to be numbered paragraph 7.

With the insertion of the above amendments, your committee recommend that said bill do pass.

H. A. N. TODD,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary have had Assembly Bill No. 13 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass as amended.

Also, Assembly Bill No. 12, and beg leave to report unfavorably on the same, with the recommendation that it do not pass.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Engrossment beg leave to report that they have carefully compared Assembly Bill No. 18, and find the same correctly engrossed.

T. W. FITZGERALD,  
*Chairman.*

*Mr. Speaker:*

The Humboldt Delegation have had Senate Bill No. 12 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

F. E. MCCAFFERTY,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining have had Assembly Bill No. 42 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

B. H. SMITH,  
*Chairman.*

Mr. Curtin reported that the Committee on Enrollment had carefully compared Assembly Bills Nos. 14 and 9 and found the same to be correctly enrolled.



## MESSAGES FROM THE SENATE.

SENATE CHAMBERS,  
CARSON CITY, NEVADA, January 29, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body, Senate Bill No. 16, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 3.

W. M. GRIMES,  
*Secretary of the Senate.*

On motion of Mr. Smith, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 34 and such other business as might come before it.

Mr. Curtin was called to the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

Assembly Bill No. 34 was reported from Committee of the Whole favorably, with the recommendation that it pass.

Assembly Bill No. 10 was reported from Committee of the Whole favorably, with the recommendation that it pass as amended.

On motion of Mr. McNamara, the House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Brandon, Burke, Hunter, Luke, and Ross, who were excused.

## INTRODUCTION AND FIRST READING.

Speaker pro tem. in the chair.

By Mr. Smaill (by leave):

Assembly Bill No. 47—An Act fixing the salary of the Recorder, ex officio Auditor and Public Administrator, in and for Ormsby County, State of Nevada.

On motion of Mr. Raycraft, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Ormsby Delegation.

By Mr. Bulmer (by leave):

Assembly Bill No. 48—An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded foods and drugs, and providing for their inspection and analysis, and making an appropriation therefor.

On motion of Mr. Bulmer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trades and Manufactures.

By Mr. Bulmer (by leave):

Assembly Bill No. 49—An Act for preventing the manufacture or sale of adulterated or misbranded fungicides, Paris greens, lead arsenates, and other insecticides, for regulating traffic therein, providing for their inspection, and making an appropriation therefor.

On motion of Mr. Bulmer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trades and Manufactures.

By Mr. Raycraft (by leave):

Assembly Bill No. 50—An Act to authorize the Board of County Commissioners of Ormsby County to issue bonds for the purpose of creating a fund for redeeming all outstanding Agricultural Association bonds of Ormsby County as the same became due, also the amount of Ormsby County's indebtedness to the City of Carson, and for constructing, improving, and maintaining public roads and bridges in Ormsby County, State of Nevada.

On motion of Mr. Raycraft, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Ormsby Delegation.

By Mr. Winter (by leave):

Assembly Bill No. 51—An Act to amend section two of an Act entitled "An Act authorizing owners of land to lay out and plat such land into lots, streets, alleys and public places, and providing for the approval and filing of maps or plats thereof."

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Todd (by leave):

Assembly Bill No. 52—An Act to amend an Act entitled "An Act to provide for the registration of names of electors and to prevent fraud at elections," approved March 5, 1869.

On motion of Mr. Todd, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

By Mr. Giffen (by leave):

Assembly Bill No. 53—An Act to amend an Act entitled "An Act to authorize and empower aliens and non-resident persons and incorporations to take, hold, enjoy, and acquire real estate in the State of Nevada," approved February 27, 1879.

On motion of Mr. Giffen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Giffen (by leave):

Assembly Concurrent Resolution No. 1, relative to Japanese immigration.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee of the Whole.

Senate Bill No. 16 was placed on first reading.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.



## GENERAL FILE AND THIRD READING.

On motion of Mr. Allen, duly seconded, Senate Bill No. 6 was referred to the Committee of the Whole.

On motion of Mr. Winter, duly seconded, Senate Bill No. 7 was referred to the Lyon Delegation.

On motion of Mr. Folsom, duly seconded, Senate Bill No. 4 was referred to the Committee of the Whole.

On motion of Mr. Duborg, duly seconded, Assembly Bill No. 26 was referred to the Committee of the Whole.

The Sergeant-at-Arms announced a message from the Senate.

Mr. Curtin was given unanimous leave to withdraw Assembly Bill No. 8.

On motion of Mr. Allen, duly seconded, Assembly Bill No. 11 was placed at the bottom of the file.

On motion of Mr. Folsom, duly seconded, Assembly Bill No. 16 was referred to Committee of the Whole.

On motion of Mr. Folsom, duly seconded, the House resolved itself into Committee of the Whole for the purpose of considering Assembly Joint and Concurrent Resolution No. 1, and such other business as might come before it, with Mr. Brooks in the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

Assembly Joint and Concurrent Resolution No. 1, Senate Bill No. 6, and Senate Bill No. 4 were reported from the Committee of the Whole favorably, with the recommendation that they pass.

The Sergeant-at-Arms was instructed to have five hundred copies of Assembly Joint and Concurrent Resolution No. 1 printed, and the resolution was made a special order for Tuesday, at 2:30 p. m.

Assembly Bill No. 26 was rereferred to the Committee on Judiciary.

Assembly Bill No. 16 was reported back favorably, with amendments.

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Enrolled Bills Nos. 9 and 14 with the engrossed copies, find the same correctly enrolled, and have this day delivered the same to the Governor.

W. H. CURTIN,  
*Chairman.*

## MESSAGES FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 1, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 2, which passed the Senate by the following vote: Yeas, 17; nays, none; absent, 2.

Also, to present for the consideration of your honorable body Senate Bill No. 18, which passed the Senate by the following vote: Yeas, 17; nays, none; absent, 2.

Also, Senate Bill No. 19, which passed the Senate by the following vote: Yeas, 17; nays, none; absent, 2.

Also, to return to your honorable body Assembly Bill No. 27, which passed the Senate by the following vote: Yeas, 17; nays, none; absent, 2.

W. M. GRIMES,  
*Secretary of the Senate.*



## INTRODUCTION AND FIRST READING.

Senate Bill No. 18.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 19.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended. bill read second time by title, and referred to Eureka Delegation.

On motion of Mr. Allen, the House adjourned until 10:30 a. m. Tuesday, February 2, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE SIXTEENTH DAY.

CARSON CITY (Tuesday), February 2, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Brandon and Hunter, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 1, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 3, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 3.

W. M. GRIMES,  
*Secretary of the Senate.*

### MOTIONS AND RESOLUTIONS.

Mr. Dodge introduced the following resolution:

WHEREAS, The interests of the Nation in its Pacific possessions, commercially and otherwise, are constantly becoming more important to our whole people; and

WHEREAS, Citizens of various Asiatic countries, whom we cannot successfully assimilate, and with whom we cannot mingle and compete on terms conducive to our best interests and well-being, are rapidly becoming a serious menace to our continued peace and prosperity for want of proper and adequate naval protection in the waters of the Pacific; therefore, be it

*Resolved by the Assembly and Senate jointly,* That our Senators and Representative in Congress be requested and urged to forthwith exert all proper efforts to secure the immediate and permanent assignment to service in the waters bordering on our western coast, and around our Pacific possessions, a fleet of war vessels, equal in defensive and protective power to that now maintained on the Atlantic Coast; and, be it further

*Resolved,* That the Governor be, and he hereby is, requested to transmit a certified copy hereof to each of our Senators and to our Representative in Congress.

On motion of Mr. Dodge, the rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

### INTRODUCTION AND FIRST READING.

By Mr. Dodge (by leave):

Assembly Bill No. 54—An Act to amend an Act entitled "An Act fixing and regulating the salaries and fees of certain officers of Washoe County, Nevada, and providing for the payment of the same," approved March 28, 1907.

On motion of Mr. Dodge, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Winter:

Assembly Bill No. 55—An Act to promote the public safety by requir-

ing common carrier railroads to provide adequate train crews, and defining such crews, and prescribing a penalty for the violation thereof.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

By Mr. Folsom:

Assembly Bill No. 56—An Act for the relief of Miss Brown, Miss Georgia Mapes, Miss McNamara, M. F. Jordan, Miss Jack, C. C. Corkhill, Miss Reda Merrick, Miss Smithline, J. W. Connella, John Burke, A. W. Smith, Normand B. Harris, Thos. J. Salter, Jas. Sullivan, Miss V. Roberts, Miss Alice Langwith, Miss H. Clark, J. E. Falconer, Kathryn McCafferty, James Ritchie, Mrs. Rose Rogers, Miss M. Hatton, Geo. W. Keith, Alex. Wise, and Henry Bray.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Bergman:

Assembly Bill No. 57—An Act to regulate proceedings in civil cases in the Justice Courts of the State of Nevada wherein a claim is brought to recover judgment for wages due.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Smith, Assembly Bill No. 34 was considered engrossed and placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Berry, Brandon, and Hunter—3.

Assembly Bill No. 10 was placed on third reading and ordered engrossed, with amendments.

Assembly Bill No. 42.

On motion of Mr. Winter, rules suspended and bill considered engrossed,

Placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Bergman, Brandon, and Hunter—3.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Curtin, the House took a recess until 1:30 p. m.



HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Brandon and Hunter, who were excused.

GENERAL FILE AND THIRD READING.

Assembly Bill No. 12, on motion of Mr. Neill, was indefinitely postponed.

Assembly Bill No. 13.

On motion of Mr. Neill, the amendment of the Judiciary Committee was adopted, and, on motion of Mr. Allen, the bill was ordered engrossed.

Senate Bill No. 12 was taken up for third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Brandon and Hunter—2.

Assembly Bill No. 37.

On motion of Mr. Winter, the bill was ordered engrossed, as amended.

Assembly Bill No. 11, on motion of Mr. Bradshaw, was placed at the bottom of the file.

Assembly Bill No. 16.

On motion of Mr. Folsom, the report of the Committee on Agriculture was adopted, and, on motion of Mr. Allen, the bill was ordered engrossed.

Speaker pro tem. in the chair.

Senate Bill No. 6 was read third time, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Brandon, Folsom, and Hunter—3.

Mr. Speaker in the chair.

Senate Bill No. 4 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—Mr. Bradshaw.

Absent—Messrs. Brandon, Curtin, and Hunter—3.

SPECIAL ORDER.

Assembly Joint and Concurrent Resolution No. 1—the special order for 2:30 p. m.—was taken up.

On motion of Mr. Folsom and Mr. Curtin, the resolution was amended to read as follows:

ASSEMBLY JOINT AND CONCURRENT RESOLUTION NO. 1.

WHEREAS, The people of the State of Nevada view with alarming apprehension the gradual encroachments on and increase of population in the territory of the United States, particularly of the Western States, by the Japanese; and

WHEREAS, It seems to be the definite and settled policy of Japanese to acquire lands in this country, and particularly in the Western States; and

WHEREAS, Nevada is the fourth largest State, territorially, in the Union, with more vacant land for tilling and agricultural benefits than any State in the Union, and is so situated that its lands appeal to these classes; and

WHEREAS, Agents of the Japanese Government are acquiring wheat and grain lands with which Nevada is so bounteously supplied; and

WHEREAS, The people of our sister State of California, who are the most accessible to this Japanese peril, are attempting, through their Legislature, to exert the inherent State right of protecting themselves against any class or race which is detrimental to its happiness and prosperity; and

WHEREAS, There is certain legislation pending in the State of California attempting to exclude these parasites of the world from acquiring a foothold in this country; and

WHEREAS, We of Nevada are interested in seeing this Japanese invasion stopped, and believing California to be justified in its action in attempting to exclude these people, and believing it to be to the best interest of our Nation and State that immediate action should be taken to stop the encroachment of the Japanese; and

WHEREAS, We view with alarm an attempted encroachment of the Government on State's rights; therefore be it

*Resolved*, That we, the people of the State of Nevada, represented in Senate and Assembly, do hereby recommend to the State of California to enact such stringent measures as will absolutely stop forthwith the encroachment of the Japanese and the further acquiring of a foothold in this Nation; and

WHEREAS, We believe there is no danger of war with the Japanese, as is advanced by those who oppose our views, but we believe that if we must have war with the Japanese Empire sooner or later, now is a better time than ever to lay down terms to that empire and teach those arrogant people that American rights cannot be encroached on, and that they cannot, nor ever will, be allowed or given an opportunity to acquire a foothold in this country, or to assimilate with our race; therefore be it further

*Resolved*, That a copy of this resolution be forwarded to our representatives in Congress urging them to use their influence in enacting an Exclusion Act against the Japanese and Chinese which will perpetually exclude them from coming into this country.

The amendments were adopted.

Speaker pro tem. in the chair.

On motion of Mr. Folsom, duly seconded, Assembly Joint and Concurrent Resolution No. 1 was ordered engrossed.

Mr. Speaker in the chair.

On motion of Mr. Folsom, duly seconded, the House adjourned until 11 a. m., Wednesday, February 3, 1909.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

**THE SEVENTEENTH DAY.**

CARSON CITY (Wednesday), February 3, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Hunter and Smaill, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

The Journal of the previous day was read and approved.

The Speaker announced the receipt of a communication from the Board of Regents of the University of Nevada.

The communication was read by the Clerk, and on motion of Mr. Allen, was referred to the Committee on Ways and Means.

**REPORTS OF COMMITTEES.**

The Judiciary Committee reported Assembly Bill No. 26 favorably, with the recommendation that it pass, with amendments.

The Committee on Mines and Mining reported Assembly Bill No. 15 without recommendation.

The Washoe Delegation reported Assembly Bill No. 54 favorably, and recommended that it pass, with amendments.

The Committee on Elections reported Assembly Bill No. 52 favorably, with the recommendation that it do pass.

The Committee on Labor reported Assembly Bill No. 38 favorably, with the recommendation that it do pass.

The Committee on Railroads and Corporations reported Assembly Bill No. 39 favorably, and recommended that it do pass, as amended.

The Committee on Federal Relations reported Assembly Joint and Concurrent Resolution No. 2 favorably, with the recommendation that it do pass.

**MESSAGE FROM THE SENATE.**

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 2, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 17, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 3.

Also, Senate Bill No. 20, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 3.

W. M. GRIMES,  
*Secretary of the Senate.*

**MOTIONS AND RESOLUTIONS.**

Mr. Dodge and Mr. McCafferty were given unanimous consent to introduce substitutes for Assembly Bills Nos. 15 and 32.



The Committee on Mines and Mining was granted two weeks for further consideration of the measures before them.

#### INTRODUCTION AND FIRST READING.

By Mr. Dodge (by leave):

Assembly Bill No. 58—An Act for the relief of Burke Bros.

On motion of Mr. Dodge, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Ferguson (by leave):

Assembly Bill No. 59—An Act to prevent the running of stock at large upon certain territory within Churchill County, State of Nevada.

On motion of Mr. Ferguson, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Churchill Delegation.

By Mr. Brandon (by leave):

Assembly Bill No. 60—An Act in relation to the keeping and preservation of the State Museum of mineralogical, geological, and other specimens.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

By Mr. Neill (by leave):

Assembly Bill No. 61—An Act for the relief of the Nevada Historical Society in regard to the appropriation for the years 1907 and 1908.

On motion of Mr. Neill, duly seconded, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Brandon (by leave):

Assembly Bill No. 62—An Act to provide for the disposal of the funds and property of abolished school districts.

On motion of Mr. Brandon, duly seconded, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the bill was read second time by title, and referred to Committee on Education.

By Mr. Merten:

Assembly Joint and Concurrent Resolution No. 3, relative to amending Section 3, Article XV, of the Constitution of the State of Nevada.

*Resolved by the Assembly and the Senate conjointly,* That section three, article fifteen, of the Constitution of the State of Nevada, be amended so as to read as follows:

SECTION 3. No person shall be eligible to any office who is not a qualified elector under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent, or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit, or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this State one year, and in the county or district six months next preceding any election to fill either of said offices or the making of such appointment, shall be eligible to the offices of Superintendent of Public Schools and School Trustees, and for appointment to the office of Notary Public.

On motion of Mr. Merten, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 11 was placed on its third reading.

On motion of Mr. Duborg, duly seconded, the rules were suspended, the bill was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Hunter and Smaill—2.

Assembly Bill No. 18 was placed on its third reading.

On motion of Mr. Curtin, duly seconded, the rules were suspended, the bill was considered engrossed, placed on its third reading and final passage, and passed, with amendment, by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Hunter and Smaill—2.

Not voting—Messrs. McIntosh, Riddell, and Schoer—3.

On motion of Mr. Allen, the House took a recess until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Hunter, who was excused.

The Speaker announced the receipt of the following telegram:

WASHINGTON, D. C., February 3, 1909.

*The Speaker of the Assembly, Carson City, Nevada:*

The Japanese question, like the Chinese question, is non-partisan to all Nevada citizens. I take it that the object of the resolution now before the Nevada Legislature is a serious one, and was introduced for the purpose of securing beneficial results. Personally, I have no desire to inject my views, but, after a conversation with the President this morning, I feel it my duty as a representative of the people of Nevada to suggest to the Legislature through you gentlemen that the very object of the resolution may be injured by radical action at this time.

GEO. S. NIXON.

On motion of Mr. Dodge, duly seconded, the rules were suspended, and Assembly Joint and Concurrent Resolutions Nos. 1 and 2 were taken up out of order.

The Committee on Engrossment reported Assembly Joint and Concurrent Resolution No. 1 as being properly engrossed.

Assembly Joint and Concurrent Resolution No. 1 was read and adopted by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson,



Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—Mr. Church.

Absent—Mr. Hunter.

Not voting—Messrs. Aylesworth and Pollard—2.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 2, 3, and 27 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

On motion of Mr. Lunsford, Assembly Joint and Concurrent Resolution No. 2 was considered engrossed.

Assembly Joint and Concurrent Resolution No. 2 was read and adopted by the following vote:

YEAS—MESSRS. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Brandon and Hunter—2.

On motion of Mr. Lunsford, duly seconded, a copy of Assembly Joint and Concurrent Resolution No. 1 and the action of the Assembly on the same was ordered telegraphed to Senator Geo. S. Nixon.

Assembly Bill No. 38.

On motion of Mr. Neill, the bill was considered engrossed, and placed on third reading and final passage, and passed by the following vote.

YEAS—MESSRS. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Absent—Mr. Hunter.

Assembly Bill No. 26, on motion of Mr. Folsom, was referred to Committee of the Whole.

On motion of Mr. Lunsford, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 26.

Mr. Winter was called to the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 26 favorably, with the recommendation that it do pass as amended.

On motion of Mr. Duborg, the House adjourned until 11 a. m., Thursday, February 4, 1909.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*



**THE EIGHTEENTH DAY.**

CARSON CITY (Thursday), February 4, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Clark, Ferguson, and Hunter, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

**REPORTS OF COMMITTEES.**

The Committee on Ways and Means reported Assembly Bill No. 56 favorably, with the recommendation that it do pass.

The Committee on Engrossment reported Assembly Bills Nos. 10, 13, 16, and 37 as being correctly engrossed.

The Churchill Delegation reported Assembly Bill No. 59 favorably, with the recommendation that it do pass.

A message was received from the Senate transmitting Senate Bill No. 25, which passed the Senate by the following vote: Yeas, 18; nays, none; absent, 1.

Also, Assembly Bill No. 23, which passed the Senate: Yeas, 17; nays, 1; absent, 1.

Also, Assembly Bill No. 28, which passed the Senate: Yeas, 16; nays, none; absent, 2; not voting, 1.

**MOTIONS AND RESOLUTIONS.**

On motion of Mr. Allen, the House rescinded the action taken on the previous day on Assembly Bill No. 26, and the Journal was ordered to be corrected accordingly.

On motion of Mr. Folsom, a committee, consisting of Messrs. Folsom, Allen, and Curtin, was appointed by the Speaker to see that the records were properly expunged.

**INTRODUCTION AND FIRST READING.**

By Mr. Allen (by leave):

Assembly Bill No. 63—An Act fixing and regulating the salaries of certain officers of Churchill County, Nevada.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Churchill Delegation.

By Mr. McIntosh (by leave):

Assembly Bill No. 64—An Act fixing and regulating licenses on automobiles, and providing a penalty for a violation thereof.

On motion of Mr. McIntosh, duly seconded, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the bill was read second time by title, and referred to Committee on Judiciary.

By Mr. Folsom (by leave):

Assembly Bill No. 65—An Act for the aid and benefit of the State Agricultural Society.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Folsom (by leave):

Assembly Bill No. 66—An Act repealing an Act entitled "An Act concerning appropriations for the support of the State Agricultural Society, and also concerning the disposition of all money otherwise received by said society," approved March 16, 1903.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 17.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Churchill Delegation.

Senate Bill No. 20.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Dodge (by leave):

Assembly Bill No. 67—An Act to repeal an Act entitled "An Act regulating appeals to the Supreme Court," approved March 13, 1895, and other matters properly connected therewith.

On motion of Mr. Dodge, duly seconded, the rules were suspended, the reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING.

The Washoe Delegation was given unanimous leave to amend its report on Assembly Bill No. 54.

On motion of Mr. Dodge, duly seconded, the rules were suspended, and Assembly Bill No. 54 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Clark, Ferguson, Hunter, and Ross—4.



On motion of Mr. Bradshaw, Assembly Bill No. 39 was sent to the printer to be printed with the amendment as offered by the Committee on Corporations and Railroads, with further instructions that a copy of such printed bill be placed on the desk of each member of the Assembly.

On motion of Mr. Dodge, the rules were suspended, and Assembly Bill No. 52 was placed at the bottom of the file.

On motion of Mr. Dodge, the House took a recess until 2 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Brogan, Clark, Ferguson, Hunter, and Chas. A. Kane, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

GENERAL FILE AND THIRD READING.

Assembly Bill No. 52 was taken up for third reading, and, on motion of Mr. Winter, was made a special order of business for Monday, at 2 p. m.

Assembly Bill No. 10 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Brogan, Clark, Curtin, Ferguson, Hunter, and Chas. A. Kane—6.

Assembly Bill No. 56 was placed on third reading, and, on motion of Mr. Duborg, was referred to the Committee of the Whole.

Assembly Bill No. 13 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Brogan, Clark, Curtin, Ferguson, Hunter, Chas. A. Kane, and Lunsford—7.

Assembly Bill No. 37 was placed on third reading, and lost by the following vote:

YEAS—Messrs. Allen, Blake, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Farnsworth, Gallagher, Leary, McCafferty, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Todd, Winter, and Mr. Speaker—24.

NAYS—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Dodge, Ellis, Fitzgerald, Folsom, Matt. Kane, Lunsford, McNamara, Smith, and Woolcock—13.

Absent—Messrs. Brogan, Clark, Ferguson, Hunter, and Chas. A. Kane—5.

Not voting—Messrs. Bergman, Duborg, Luke, McIntosh, Ross, and Woolley—6.

Assembly Bill No. 16 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten,



Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Mr. Curtin.

Absent—Messrs. Brogan, Clark, Ferguson, Hunter, and Chas. A. Kane—5.

On motion of Mr. Gallagher, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 56 and such other business as might come before it.

Mr. McCafferty was called to the chair.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported back Assembly Bill No. 56 favorably, with the recommendation that it do pass.

On motion of Mr. Curtin, the report was adopted.

Assembly Bill No. 59, on motion of Mr. Dodge, was placed at the bottom of the file.

Assembly Bill No. 26.

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

On motion of Mr. Berry, the amendment as offered by the Committee on Judiciary was rejected.

On motion of Mr. Allen, the bill was considered engrossed, and placed on third reading and final passage, and lost by the following vote:

YEAS—Messrs. Allen, Aylesworth, Berry, Blake, Brandon, Bulmer, Church, Conaway, Dodge, Ellis, Fitzgerald, Folsom, Matt. Kane, Lunsford, McIntosh, Neill, O'Brien, Riddell, Schoer, Smith, Todd, and Mr. Speaker—22.

NAYS—Messrs. Bradshaw, Bergman, Brooks, Burke, Curtin, Duborg, Farnsworth, Gallagher, Chas. A. Kane, Leary, Luke, McCafferty, McNamara, Merten, Pollard, Raycraft, Reynolds, Ross, Smail, Winter, Woolcock, and Wooley—22.

Absent—Messrs. Brogan, Clark, Ferguson, and Hunter—4.

Mr. Allen changed his vote from yea to nay, and gave notice that he would to-morrow ask for a reconsideration of the vote on Assembly Bill No. 26.

On motion of Mr. Folsom, the House adjourned until 11 a. m., Friday, February 5, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE NINETEENTH DAY.

CARSON CITY (Friday), February 5, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Ferguson, Hunter, Luke, and Ross, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

The Journal of the previous day was read and approved, with correction.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Ways and Means have had a communication from the Board of Regents of the University of Nevada under consideration, and beg leave to report that inasmuch as the Senate has appointed a special committee of three to investigate the State University your committee recommends that the Assembly take the same action, and the Speaker appoint a like committee from the Assembly to act in conjunction with the Senate Committee.

J. D. BRADSHAW,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary have had Assembly Bill No. 22 under consideration, and beg leave to report a substitute therefor, with recommendation that it do pass.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means have had Senate Bill No. 16 and Assembly Bill No. 35 under consideration, and beg leave to report the same without recommendation.

Also, Assembly Bill No. 61, and beg leave to report favorably on the same, with the recommendation that it do pass.

J. D. BRADSHAW,  
*Chairman.*

The Committee on Judiciary reported Assembly Bill No. 53, without recommendation.

The Committee on Trades and Manufactures reported Assembly Bill No. 48, with the recommendation that it pass with amendments.

The Ormsby Delegation reported Assembly Bill No. 50 favorably, with the recommendation that it do pass.

### MESSAGES FROM THE SENATE.

Messages from the Senate conveying Senate Substitute for Senate Bill No. 13 and returning Assembly Bills Nos. 20 and 17 were read by the Clerk.

### MOTIONS AND RESOLUTIONS.

On motion of Mr. Allen, the House agreed to a reconsideration of the vote on Assembly Bill No. 26.

## INTRODUCTION AND FIRST READING.

By Mr. Bradshaw.

Assembly Joint and Concurrent Resolution No. 4:

WHEREAS, The great Government reserves and public lands of the State of Nevada are becoming valuable as range for cattle and sheep; and

WHEREAS, A large portion of the range in the State of Nevada is now used as grazing land for sheep by aliens and foreigners, to the great detriment and loss of the American citizens of this State; and

WHEREAS, The large flocks of these aliens are gradually crowding off the small stock and sheep raisers of the State; therefore be it

*Resolved by the Assembly and Senate jointly*, That our Senators and Representative in Congress be urged and requested to do all in their power to secure action by the Federal Government, looking to the exclusion from the public domain and Government reserves of all sheep and cattle not owned by citizens of the United States.

On motion of Mr. Bradshaw, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Public Lands.

By Mr. Giffen:

Assembly Bill No. 68—An Act to amend an Act entitled "An Act relating to District Attorneys and partners thereof."

On motion of Mr. Berry, duly seconded, the rules were suspended, reading so far had been considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Winter (by leave):

Assembly Bill No. 69—An Act to amend an Act entitled "An Act relating to life, health, accident and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 23, 1891.

On motion of Mr. Winter, duly seconded, the rules were suspended, reading so far had been considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

By Mr. Farnsworth (by leave):

Assembly Bill No. 70—An Act for the relief of Daniel Tierney.

On motion of Mr. Todd, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Assembly Bill No. 15, as amended.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Senate Bill No. 25 was read by the Clerk, and, on motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lander Delegation.

Substitute for Senate Bill No. 13 was read by the Clerk, and, on motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.



## GENERAL FILE AND THIRD READING.

On motion of Mr. Dodge, duly seconded, the special order for 2 p. m., Monday, February 8, 1909, was vacated, and Assembly Bill No. 52 was taken up out of order.

Mr. Speaker ruled that the Chair's decision of the previous day relative to Assembly Bill No. 52 would be set aside and that Assembly Bill No. 52 was now on the table, having been carried there by the tabling of the amendment offered by the Judiciary Committee on the previous day.

On motion of Mr. Duborg, Assembly Bill No. 52 was taken from the table and placed on its third reading.

On motion of Mr. Smith, the House took a recess until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Ellis, Hunter, Ferguson, Luke, and Ross, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 52 was placed on its third reading.

On motion of Mr. Dodge, duly seconded, the bill was placed at the bottom of the file for future consideration.

Mr. Folsom was given unanimous leave to introduce Assembly Joint and Concurrent Resolution No. 5 out of order.

Assembly Joint and Concurrent Resolution No. 5:

WHEREAS, It has come to the notice of the Legislature that citizens of this State, engaged in lawful occupations, using, in conformity with the provisions of the State Constitution and Statutes made thereunder, property and property rights owned by the State and by the people of the State have been interfered with in said use by persons who, declaring themselves to be officials of the United States, have asserted and by duress have exercised rights of regulation of use, and of taxation of use, of said properties of the State while being lawfully used by its citizens; and

WHEREAS, The provisions of the Constitution and Statutes of this State, under and by virtue of which its citizens make use of their common property aforesaid, are not inconsistent with the Act of admission of the State into the United States, or inconsistent with any other Act or Acts of Congress; therefore be it

*Resolved by the Senate and the Assembly concurring,* That the Attorney-General of this State be and is hereby authorized, empowered, and directed to appear in behalf of the State in any action or actions brought by the United States against citizens of this State, to collect taxes from them for their use, of property and property rights owned by the State or the people thereof, or to maintain any authority or right of regulation of use by citizens of this State of property and of property rights, owned by the State or by the people thereof; and that the Attorney-General is further directed, by proper legal proceedings, to assert and maintain the right and title of the State to its said properties, and to assert and maintain the right of citizens of the State to use said properties, free of interference from persons claiming to be officials of the United States, and thereby to be authorized and empowered to make such interference.

On motion of Mr. Folsom, the rules were suspended, the reading so far had was considered the first reading, the rules were further suspended, the resolution read second time by title, and referred to Committee on Federal Relations.

Assembly Bill No. 56 was placed on its third reading and final passage.

On motion of Mr. Folsom, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Duborg and Pollard—2.

Absent—Messrs. Bradshaw, Ferguson, Hunter, Luke, and Ross—5.

Assembly Bill No. 59, on motion of Mr. Allen, was placed at the bottom of the file.

On motion of Mr. Farnsworth, Assembly Bill No. 53 was considered engrossed, under suspension of the rules, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Bulmer, Church, and Fitzgerald—3.

Absent—Messrs. Ferguson, Hunter, Luke, Riddell, and Ross—5.

On motion of Mr. Smail, the rules were suspended, Assembly Bill No. 50 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Berry, Ferguson, Hunter, Luke, Riddell, and Ross—6.

On motion of Mr. Smail, Assembly Bill No. 35 was made a special order for Monday, February 8, 1909, at 2:30 p. m.

On motion of Mr. Folsom, the House adjourned until Monday, February 8, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE TWENTY-SECOND DAY.

CARSON CITY (Monday), February 8, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Berry, Bradshaw, Burke, and Hunter, who were absent by leave.

Prayer by the Chaplain, Rev. Chas. H. Powell.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Agriculture and Mines and Mining have had Assembly Bill No. 25 under consideration, and beg leave to report favorably on the same, with the recommendation that the following amendments be added:

Section 3, line 3, after the word "Lincoln," strike out the words "four hundred dollars," and insert "two hundred dollars."

On line 4, after the words "White Pine County, three hundred and fifty dollars," insert the following: "Clark County, when organized, shall be allowed two hundred dollars."

Section 9, lines 1 and 2, after the words "sum of," insert "fifteen thousand dollars."

LEM ALLEN,  
Chairman.

The Committee on Education reported Assembly Bills Nos. 45 and 62 favorably, with the recommendation that they do pass.

### MESSAGES FROM THE SENATE.

Messages from the Senate were read transmitting Assembly Bills Nos. 20, 18, and 17.

### INTRODUCTION AND FIRST READING.

By Mr. Lunsford (by leave):

Assembly Bill No. 71—An Act to amend an Act entitled "An Act providing for the manner of submitting Constitutional amendments to the voters of the State of Nevada."

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Smail (by leave):

Assembly Bill No. 72—An Act to appropriate the sum of two hundred and fifty dollars to be paid to an architect to be named by the State Board of Capitol Commissioners to estimate the amount necessary to improve and enlarge upon the State Capitol Building, at Carson City, Nevada.

On motion of Mr. Smail, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.



By Mr. Bulmer (by leave):

Assembly Bill No. 73—An Act to provide for union school districts, and matters properly connected therewith.

On motion of Mr. Bulmer, duly seconded, rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. McIntosh (by leave):

Assembly Bill No. 74—An Act prohibiting gambling, providing for the destruction of gambling property, and other matters relating thereto.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

By Mr. Todd (by leave):

Assembly Bill No. 75—An Act to fix and regulate the salary and compensation of the Constable of East Fork Township, Douglas County, State of Nevada.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Douglas Delegation.

By Mr. Brandon (by leave):

Assembly Bill No. 76—An Act to provide for the relief of W. C. Ruddell.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

By Mr. Gallagher (by leave):

Substitute for Assembly Bill No. 6—An Act to regulate the sale of stocks by stock exchanges, and by persons, corporations, partnership or associations engaged in buying or selling stocks, and providing for a violation thereof.

On motion of Mr. Gallagher, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to Committee on Mines and Mining.

By Mr. Chas. A. Kane (by leave):

Assembly Bill No. 77—An Act to create and establish the County of Bullfrog.

On motion of Mr. Kane, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

By Mr. Brandon (by leave):

Assembly Bill No. 78—An Act to abolish the office of Mining District Recorder in the State of Nevada, and regulating the duties of the County Recorder.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

By Mr. Bergman (by leave):

Assembly Bill No. 79—An Act to amend section one of an Act entitled "An Act requiring foreign corporations doing business in the State of Nevada to publish annual statements," approved March 28, 1901.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on corporations.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Winter, the report of the Committee on Ways and Means, concerning the University of Nevada, was adopted, and the Speaker appointed Messrs. Allen, Brandon, and Curtin as a Committee of three, in compliance with the report.

GENERAL FILE AND THIRD READING.

On motion of Mr. Neill, duly seconded, Assembly Bill No. 39 was placed at the bottom of the file.

On motion of Mr. Smith, duly seconded, Assembly Bill No. 26 was placed at the bottom of the file.

On motion of Mr. Ferguson, duly seconded, the rules were suspended, and Assembly Bill No. 59 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Berry, Bradshaw, Burke, and Hunter—4.

Not voting—Mr. Riddell.

Assembly Bill No. 52 was placed at the bottom of the file.

On motion of Mr. Bulmer, duly seconded, Assembly Bill No. 48 was referred to Committee of the Whole.

On motion of Mr. Duborg, duly seconded, Senate Bill No. 16 was referred to Committee of the Whole.

On motion of Mr. Folsom, duly seconded, Substitute for Assembly Bill No. 22 was placed at the bottom of the file until such time as it could be printed.

MOTIONS AND RESOLUTIONS.

The following resolution was offered by Mr. Folsom:

WHEREAS, A committee of investigation into the affairs of the State University having been appointed, and consisting of Messrs. Allen, Brandon, and Curtin; therefore be it

*Resolved*, That the said committee be and is hereby granted leave of absence from this Assembly at all times, while in the discharge of their duties, while acting as such committee.

Mr. Dodge offered the following amendment to the resolution, which was adopted:

"That they be given the power to employ such clerical assistance as they desire to enable them to perform their duties with celerity."

The resolution, as amended, was adopted.



On motion of Mr. Duborg, House took a recess until 2 p. m.

### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Berry, Bradshaw, Burke, Hunter, Neill, and Matt. Kane, who were absent by leave.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Gallagher, the rules were suspended, and Assembly Bills Nos. 17 and 20 were taken up, out of order.

Assembly Bill No. 17 was taken up, and on motion of Mr. Gallagher, duly seconded, the Senate amendments were concurred in, and the bill was ordered reengrossed.

#### REPORT OF COMMITTEE ON ENROLLMENT.

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Enrolled Bills Nos. 23 and 28 with the engrossed copies, find the same correctly enrolled, and have this day delivered the same to the Governor.

W. H. CURTIN,  
*Chairman.*

Mr. Farnsworth was granted temporary leave of absence.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Folsom, duly seconded, Assembly Bill No. 20 was sent back to the Senate for correction.

On motion of Mr. Duborg, duly seconded, Assembly Bill No. 61 was referred to Committee of the Whole.

On motion of Mr. Gallagher, the rules were suspended, Assembly Bill No. 62 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Berry, Bradshaw, Burke, Farnsworth, Hunter, and Matt. Kane—6.

#### SPECIAL ORDER.

On motion of Mr. Smaill, duly seconded, the House resolved itself into Committee of the Whole for the purpose of considering Assembly Bill No. 35, and such other business as might come before it.

Mr. Allen in the chair.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 35 back to the House favorably, with the recommendation that it do pass, as amended.



Also, Assembly Bill No. 61 and Senate Bill No. 16 were reported favorably, with the recommendation that they do pass.

The amendments to Assembly Bill No. 35, as suggested by the Committee of the Whole, were adopted, and on motion of Mr. Smaill, the bill was ordered engrossed.

On motion of Mr. Folsom, House adjourned until 11 a. m., Tuesday, February 9, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE TWENTY-THIRD DAY.

CARSON CITY (Tuesday), February 9, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Hunter, who was excused.

Prayer by the Chaplain, Rev. Chas H. Powell.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Railroads and Corporations have had Assembly Bill No. 55 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amend the title by inserting after the word "violation," "of the provisions."

Amend Section 2, line 10, by striking out the word "which," and inserting in lieu thereof the words "when it."

Amend Section 2, line 11, by striking out the word "every," and inserting in lieu thereof the words "on any."

FRANK WINTER,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries have had Assembly Bill No. 77 under consideration, and beg leave to report the same without recommendation.

CHAS. A. KANE,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining have had Assembly Bill No. 6 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

B. H. SMITH,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining have had Assembly Bill No. 78 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

B. H. SMITH,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining have had amended Assembly Bill No. 15 under consideration, and beg leave to report the same without recommendation.

B. H. SMITH,  
*Chairman.*

*Mr. Speaker:*

The Churchill Delegation have had Senate Bill No. 17 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 63 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

LEM ALLEN,  
J. W. FERGUSON.

### MESSAGES FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 8, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate bill No. 27, which passed the Senate by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 26, which passed the Senate by the following vote: Yeas, 19; nays, none.

Also, Assembly Bill No. 54, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 3.

W. M. GRIMES,  
*Secretary of the Senate.*

MOTIONS AND RESOLUTIONS.

On motion of Mr. McCafferty, Assembly Bill No. 15 was made a special order of business for Monday, February 15th, at 1:30 p. m.

On motion of Mr. McNamara, Assembly Bill No. 77 was made a special order of business for Thursday, at 11:30 a. m.

NOTICES OF BILLS.

Mr. Small gave notice that he would at some future date introduce a bill, upon the request of the State Surveyor-General, entitled "An Act to provide for the reclamation and occupancy of lands subject to acceptance by the State of Nevada under the provisions of the Acts of Congress approved August 14, 1894, June 11, 1896, and March 3, 1901, and to repeal all Acts in conflict therewith."

INTRODUCTION AND FIRST READING.

Senate Bill No. 27.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko Delegation.

Senate Bill No. 26.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lyon Delegation.

By Washoe Delegation (by leave):

Assembly Bill No. 80—An Act to provide for certain improvements to the State University.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Way and Means.

On motion of Mr. Winter, the rules were suspended, and a report received from the Select Committee of the Elko Delegation on Senate Bill No. 27.

The committee reported Senate Bill No. 27 favorably, with recommendation that it do pass.

On motion of Mr. Winter, Senate Bill No. 27 was taken up out of regular order, and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Curtin, Ellis, and Hunter—3.

By Washoe Delegation (by leave):

Assembly Bill No. 81—An Act authorizing and directing the Board of



County Commissioners of Washoe County to allow a certain claim in favor of the Office Specialty Manufacturing Company.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Conaway (by leave):

Assembly Bill No. 82—An Act to amend section four of an Act entitled "An Act defining and classifying transient stock, and providing for the assessment, collection, and distribution of taxes on the same, and providing penalties for violation of its provisions," approved March 9, 1903.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Neill (by leave):

Assembly Bill No. 83—An Act for the establishment of normal training schools, and for the maintenance and control of the same.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Allen (by leave):

Assembly Bill No. 84—An Act to amend section eighty-two of an Act providing for the incorporation of cities, their classification, establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all Acts and parts of Acts in conflict therewith, approved March 27, 1907.

On motion of Mr. Allen, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Ferguson (by leave):

Assembly Bill No. 85—An Act to require School Trustees to procure and hoist on public schoolhouses the United States flag.

On motion of Mr. Ferguson, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Ferguson (by leave):

Assembly Bill No. 86—An Act to amend section three of an Act entitled "An Act to provide for the appointment of Notaries Public, and defining their duties," approved February 9, 1864.

On motion of Mr. Ferguson, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Blake, (by leave):

Assembly Bill No. 87—An Act authorizing the Superintendent of State Printing to employ a bookkeeper and typist, and fixing compensation therefor.

On motion of Mr. Woolley, duly seconded, the rules were suspended, reading so far was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Brandon (by leave):

Assembly Bill No. 88—An Act to promote and encourage industrial training in the public schools of the State of Nevada and making appropriation therefor.

On motion of Mr. Brandon, duly seconded, the rules were suspended, reading so far had was considered the first reading, rules further suspended, the bill was read second time by title, and referred to the Committee on Education.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Folsom, duly seconded, Assembly Bill No. 39 was taken up.

On motion of Mr. Dodge, rules were suspended, Assembly Bill No. 39 was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—Messrs. Brooks and O'Brien—2.

Absent—Messrs. Hunter (by leave) and McIntosh—2.

On motion of Mr. Dodge, House took a recess until 1:30 p. m.

#### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Hunter, who was absent by leave.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 45 was placed on third reading.

On motion of Mr. Luke, rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Ellis, Hunter, O'Brien, and Winter—4.

On motion of Mr. Folsom, Assembly Bill No. 25 was referred to Committee of the Whole.

The Sergeant-at-Arms announced a message from the Senate.

Substitute for Assembly Bill No. 22 was considered engrossed, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Brogan, Brooks, Bulmer, Burke, Church, Clark, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Riddell, Schoer, Smail, Smith, Winter, and Mr. Speaker—33.

NAYS—Messrs. Allen, Aylesworth, Blake, Bradshaw, Brandon, Conaway, Duborg, Ellis, O'Brien, Reynolds, Ross, Todd, Woolcock, and Woolley—4.

Absent—Mr. Hunter.

Assembly Bill No. 52 was placed on third reading and, on motion of Mr. Dodge, was considered engrossed, with amendments.



Assembly Bill No. 52 was passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Allen and Hunter—2.

Assembly Bill No. 26 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Schoer, Smail, Smith, Todd, Winter, and Mr. Speaker—37.

NAYS—Messrs. Blake, Bradshaw, Duborg, Reynolds, Woolcock, and Woolley—6.

Absent—Messrs. Allen, Folsom, Hunter, Matt. Kane, and Ross—5.

On motion of Mr. Smith, the House resolved itself into Committee of the Whole for the purpose of considering Assembly Bill No. 25, and any other business that might come before it.

Mr. Brandon in the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bills Nos. 25 and 48 back to the House favorably, with the recommendation that they do pass, as amended.

On motion of Mr. Allen, House adjourned until 11 a. m., Wednesday.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*



**THE TWENTY-FOURTH DAY.**

CARSON CITY (Wednesday), February 10, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Bradshaw, Dodge, Ellis, Folsom, Hunter, and Ross, who were excused.

Prayer by the Chaplain, Chas. H. Powell.

Journal of the previous day read and approved.

The Sergeant-at-Arms announced a message from the Senate.

REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Labor have had Assembly Bill No. 43 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

LEM ALLEN,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Corporations and Railroads have had Assembly Bill No. 69 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

F. H. WINTER,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Corporations and Railroads have had Assembly Bill No. 44 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

F. H. WINTER,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Public Lands have Joint and Concurrent Resolution No. 3 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

H. A. N. TODD,  
*Chairman.*

*Mr. Speaker:*

The Douglas Delegation, to whom was referred Assembly Bill No. 75, has had the same under consideration, and beg leave to report favorably thereon, and recommend that it do pass.

H. A. N. TODD,  
*Chairman.*

*Mr. Speaker:*

The Lyon Delegation have had Senate Bill No. 26 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

A. K. POLLARD,  
*Chairman.*

*Mr. Speaker:*

The Humboldt Delegation have had Assembly Bill No. 76 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

F. E. McCAFFERTY,  
*Chairman.*

## MESSAGES FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY NEVADA, February 9, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 20, with correction.

W. M. GRIMES,  
*Secretary of the Senate.*

Message from the Senate transmitting Assembly Bill No. 34, which passed the Senate by the following vote: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bill No. 13, which passed the Senate by the following vote: Yeas, 19; nays, none.

Also, Assembly Bill No. 11, which passed the Senate by the following vote: Yeas, 18; nays, none; absent, 1.

Also, Assembly Bill No. 1, which passed the Senate by the following vote: Yeas, 12; nays, 6; absent, 1.

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 1, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 28, which passed the Senate by the following vote: Yeas, 17; nays, none; absent, 2.

W. M. GRIMES,  
*Secretary of the Senate.*

## INTRODUCTION AND FIRST READING.

By Mr. Ferguson (by leave):

Assembly Bill No. 89—An Act to prevent the interference with, or injury to, any dam, ditch, headgate, weir or other appliance for the diversion, storage, apportionment, measurement, conveyance, or delivery of water.

On motion of Mr. Ferguson, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

By Mr. Lunsford (by leave):

Assembly Bill No. 90—An Act to regulate contracts and to secure liens to attorneys.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

By Mr. Woolcock (by leave):

Assembly Bill No. 91—An Act fixing the salary and compensation for official services of the Justice of the Peace of Argenta Township, Lander County, Nevada.

On motion of Mr. Woolcock, duly seconded, the rules were suspended, reading so far had was considered first reading, the rules further suspended, bill was read second time by title, and referred to the Lander Delegation.

Senate Bill No. 28.

On motion of Mr. Winter, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to the Committee on Claims.



GENERAL FILE AND THIRD READING.

Senate Bill No. 16 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Bradshaw, Dodge, Duborg, Ellis, Folsom, Hunter, and Ross—7.

On motion of Mr. Allen, rules were suspended, Assembly Bill No. 61 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Bradshaw, Dodge, Duborg, Ellis, Folsom, Hunter, and Ross—7.

On motion of Mr. Neill, the title of Assembly Bill No. 61 was amended so as to read as follows: An Act for the relief of Arley B. Show and J. E. Wier for services rendered to, and money expended for, the Nevada Historical Society.

Assembly Bill No. 55 was placed on third reading, and on motion of Mr. Winter, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Aylesworth, Dodge, and Luke—3.

Absent—Messrs. Bradshaw, Ellis, Folsom, Hunter, and Ross—5.

On motion of Mr. Bergman, the House took a recess until 2 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Bradshaw, Hunter, and Ross, who were excused.

Mr. Smail was given unanimous consent to introduce Assembly Bill No. 92, out of order.

By Mr. Smail:

Assembly Bill No. 92—An Act to provide for the reclamation and occupancy of lands, subject to acceptance by the State of Nevada, under the provisions of the Acts of Congress approved August 14, 1894, June 11, 1896, March 3, 1901, and to repeal all Acts in conflict therewith.

On motion of Mr. Smail, duly seconded, rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Lands.

The Committee on State Institutions was excused for the afternoon by the Speaker.



Mr. McCafferty was given unanimous consent to introduce Assembly Bill No. 93 out of regular order.

By Mr. McCafferty:

Assembly Bill No. 93—An Act to prevent throwing, placing or depositing slop, empty bottles, dead animals or other refuse or garbage upon any sidewalk or street in any unincorporated town of this State.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Gallagher, the rules were suspended, and Substitute for Assembly Bill No. 6 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, McCafferty, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Berry, Bradshaw, Brandon, Duborg, Fitzgerald, Folsom, Hunter, Lunsford, McIntosh, O'Brien, Ross, and Woolley—12.

On motion of Mr. Allen, the rules were suspended, and Assembly Bill No. 63 was considered engrossed, and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Gallagher, Chas. A. Kane, Matt. Kane, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Bradshaw, Duborg, Fitzgerald, Folsom, Hunter, McIntosh, O'Brien, Ross, and Woolley—9.

On motion of Mr. Brandon, the rules were suspended, and Assembly Bill No. 78 was considered engrossed, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Ellis, Ferguson, Gallagher, Chas. A. Kane, Matt. Kane, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Reynolds, Riddell, Schoer, Smith, Todd, and Mr. Speaker—31.

NAYS—Messrs. Dodge, Farnsworth, Folsom, Leary, Luke, Merten, Raycraft, Smail, Winter, and Woolcock—10.

Absent—Messrs. Bradshaw, Duborg, Fitzgerald, Hunter, O'Brien, Ross, and Woolley—7.

Mr. Smail changed his vote from nay to yea, and gave notice that on the next legislative day, he would ask for a reconsideration of the vote on Assembly Bill No. 78.

Mr. Folsom was given leave to introduce the following resolution out of the regular order.

Assembly Joint and Concurrent Resolution No. 6—Joint and Concurrent Resolution memorializing Secretary of the Interior Department, and Senators Francis G. Newlands and George S. Nixon, and Congressman George Bartlett.

On motion of Mr. Folsom, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Fish and Game.

Senate Bill No. 17 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Bradshaw, Curtin, Duborg, Fitzgerald, Hunter, Chas. A. Kane, Merten, O'Brien, Ross, Smith, and Woolley—11.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Folsom, Senate messages were taken up out of order.

The Clerk read a message from the Senate, conveying Assembly Bill No. 22, which passed the Senate, with amendments, by the following vote: Yeas, 10; nays, 6; absent, 3.

On motion of Mr. Gallagher, the House concurred in the Senate amendments to Assembly Bill No. 22, by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Bradshaw, Curtin, Duborg, Fitzgerald, Hunter, Chas. A. Kane, Merten, O'Brien, Ross, and Woolley—10.

On motion of Mr. Bulmer, the report of the Committee of the Whole on Assembly Bills Nos. 25 and 48 was adopted.

On motion of Mr. Church, the rules were suspended, Assembly Bill No. 25 was considered engrossed, placed on its third reading, and, on motion of Mr. Winter, was made a special order for Thursday, at 2 p. m.

On motion of Mr. Neill, duly seconded, the House adjourned until Thursday, February 11, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE TWENTY-FIFTH DAY.

CARSON CITY (Thursday), February 11, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Bradshaw, Gallagher, and Ross, who were excused.

Prayer by the Chaplain, Rev. Chas. H. Powell.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

### PETITIONS.

Mr. Chas. A. Kane presented a petition relating to the proposed division of Nye County.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Judiciary have had Assembly Bill No. 67 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 68, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 82, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 64, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 84, and beg leave to report favorably on the same, with the recommendation that it do pass.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Agriculture have had Senate Bill No. 13 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

LEM ALLEN,  
*Chairman.*

*Mr. Speaker:*

Your Committee, the Washoe Delegation, have had Senate Bill No. 8 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

Also, Senate Bill No. 81, and beg leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, Assembly Bill No. 33, and beg leave to report the same back without recommendation.

Also, Senate Bill No. 20, and beg leave to report unfavorably on the same, with the recommendation that it do not pass.

E. R. DODGE,  
*Chairman.*

### MESSAGES FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 10, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Substitute for Senate Bill No. 9, which passed the Senate by the following vote: Yeas, 10; nays, 9.



Also, Senate Concurrent and Joint Resolution No. 1, which passed the Senate by the following vote: Yeas, 18; nays, none; absent, 1.

Also, Senate Bill No. 14, which passed the Senate by the following vote; Yeas, 18; nays, none; absent, 1.

Also, Senate Bill No. 15, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1; not voting, 2.

W. M. GRIMES,  
*Secretary of the Senate.*

SPECIAL ORDER.

Assembly Bill No. 77, referring to the division of Nye County, was taken up and placed on third reading.

On motion of Mr. Folsom, the House took a recess until 2 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Bradshaw, Gallagher, and Ross.

The Sergeant-at-Arms announced a message from the Senate.

Assembly Bill No. 77 was taken up.

Mr. Berry introduced an amendment, which was carried by roll call, by the following vote:

YEAS—Messrs. Allen, Aylesworth, Berry, Blake, Brooks, Bulmer, Clark, Dodge, Duborg, Ferguson, Fitzgerald, Hunter, Matt. Kane, Luke, McNamara, Merten, Reynolds, Riddell, Schoer, Smith, Winter, Woolcock, and Mr. Speaker—23.

NAYS—Messrs. Bergman, Brandon, Brogan, Burke, Church, Conaway, Curtin, Ellis, Folsom, Chas. A. Kane, Leary, Lunsford, McCafferty, McIntosh, Neill, O'Brien, Pollard, Raycraft, Small, Todd, and Woolley—21.

Absent—Messrs. Bradshaw, Farnsworth, Gallagher, and Ross—4.

On motion of Mr. Winter, rules were suspended, Assembly Bill No. 77 was considered engrossed, placed on third reading and final passage, and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Todd, Winter, Woolcock, and Woolley—36.

NAYS—Messrs. Berry, Duborg, Ellis, Matt. Kane, McNamara, Merten, Smith, and Mr. Speaker—8.

Absent—Messrs. Bradshaw, Farnsworth, Gallagher, and Ross—4.

On motion of Mr. Folsom, the House adjourned until Monday, February 15, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE TWENTY-NINTH DAY.

CARSON CITY (Monday), February 15, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Bergman, and Duborg, who were excused.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Journal of the previous day was read and approved.

The Sergeant-at-Arms announced a message from the Senate.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Education have had Assembly Bill No. 88 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass with the following amendment:

After the word "training," in line 4 of Section 2, add or insert words, "manual training, domestic science, or agriculture, or in any one, or all of these."

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Irrigation have had Assembly Bill No. 89 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

J. W. FERGUSON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Education have had Assembly Bill No. 73 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

T. A. BRANDON,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Enrolled Bills Nos. 1, 11, 13, 20, and 34 with the engrossed copies, find the same correctly enrolled, and have this day delivered the same to the Governor.

W. H. CURTIN,  
*Chairman.*

### MESSAGE FROM THE SENATE.

Messages from the Senate were read by the Clerk, conveying Assembly Bill No. 38, which passed the Senate by the following vote: Yeas, 13; nays, 6.

Also, Joint and Concurrent Resolution No. 3, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bill No. 5, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Also, Joint and Concurrent Resolution No. 2, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Also, Joint and Concurrent Resolution No. 4, which passed the Senate: Yeas, 12; nays, 6; absent, 1.

Also, Assembly Bill No. 61, which passed the Senate: Yeas, 13; nays, 3; absent, 3.

Also, Assembly Bill No. 16, which passed the Senate: Yeas, 15; nays, none; absent, 4.

## MOTIONS AND RESOLUTIONS.

On motion of Mr. Winter, Assembly Bill No. 25 was made a special order of business for 2:30 p. m.

By Mr. Brooks:

Assembly Joint and Concurrent Resolution No. 7, proposing to amend Section 1 of Article IV of the Constitution of Nevada, pertaining to the initiative and referendum, and other legislative authority, and power connected therewith.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

By Mr. Brooks:

Assembly Joint and Concurrent Resolution No. 8, proposing that Section 9 be added to Article II of the Constitution of the State of Nevada.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

## INTRODUCTION AND FIRST READING.

By Mr. Folsom:

Assembly Bill No. 94—An Act to protect the security of school bonds.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Folsom:

Assembly Bill No. 95—An Act creating Coroner Districts, and making the Public Administrators ex officio Coroners.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Folsom:

Assembly Bill No. 96—An Act providing for the date of election of School Trustees, and other matters properly connected therewith.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Folsom:

Assembly Bill No. 97—An Act to enable School Districts to issue negotiable coupon bonds for the purpose of erecting, furnishing, equipping, and maintaining buildings for industrial training, manual training, domestic science, and agriculture, or for any one or all of these purposes, and matters properly connected therewith.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Lunsford:

Assembly Bill No. 98—An Act for the protection of liverymen, to prevent the abuse of their property, and to provide a penalty for the violation thereof.



On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brandon:

Assembly Bill No. 99—An Act regulating and limiting the fees of Justices of the Peace and Constables in Humboldt County.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

By Mr. Smaill:

Assembly Bill No. 100—An Act appropriating three hundred dollars for the watering and care of the Grand Army Cemetery, at Carson City, Nevada.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Smaill:

Assembly Bill No. 101—An Act fixing and regulating the salaries of certain officials of Ormsby County, Nevada, and to repeal all other Acts and parts of Acts in conflict with the provisions of this Act.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Ormsby Delegation.

By Mr. Smaill:

Assembly Bill No. 102—An Act amendatory of and supplementary thereto of an Act entitled "An Act to amend an Act entitled 'An Act to create Judicial Districts in the State of Nevada.'"

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Lunsford:

Assembly Bill No. 103—An Act relating to children who are now or who may hereafter become dependent, neglected or delinquent, to define these terms and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the person of such child or children.

On motion of Mr. Lunsford, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Lunsford:

Assembly Bill No. 104—An Act providing for the employment of none but citizens of the United States in all institutions of the State of Nevada, and on all work done by or for the State of Nevada, and fixing a penalty for the violation thereof.

On motion of Mr. Lunsford, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

By Mr. Todd:

Assembly Bill No. 105—An Act to prevent the running of stock at

large within Douglas County, State of Nevada, and providing certain remedies therefor.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Douglas Delegation.

By Mr. Riddell:

Assembly Bill No. 106—An Act to amend sections eight and nine of an Act entitled "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada."

On motion of Mr. Riddell, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Lands.

By Mr. Reynolds:

Assembly Bill No. 107—An Act to provide for a more equitable distribution of school moneys among the various districts of the State by preventing the accumulation of an excessive fund in any school district, and matters properly connected therewith.

On motion of Mr. Reynolds, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to Committee on Education.

By Mr. Folsom:

Assembly Bill No. 108—An Act authorizing the City Council of the City of Reno, Washoe County, Nevada, to transfer surplus money in the several city and bonded funds of the city from one fund to any other fund or funds.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Schoer:

Assembly Bill No. 109—An Act to amend sections three and six of an Act entitled "An Act to segregate certain county offices in Elko County, State of Nevada, and fixing their salaries."

On motion of Mr. Schoer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko Delegation.

On motion of Mr. McCafferty, the House took a recess until 1:15 p. m.

### HOUSE IN SESSION

At 1:15 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Bergman, and Duborg, who were excused.

### GENERAL FILE AND THIRD READING.

On motion of Mr. Winter, the rules were suspended, and Assembly Joint and Concurrent Resolution No. 4 was considered engrossed, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke,



Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Berry, Duborg, Ellis, and Smaill—6.

#### INTRODUCTION AND FIRST READING.

Messrs. Dodge, Folsom, and Farnsworth were given unanimous leave to introduce bills out of order.

By Mr. Dodge:

Assembly Bill No. 110—An Act to amend an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891; as amended and approved February 25, 1893.

On motion of Mr. Dodge, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Folsom:

Assembly Bill No. 111—An Act relating to the liability of common carriers to their employees and the personal representatives of deceased employees.

On motion of Mr. Folsom, duly seconded, rules were suspended, reading so far had was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

By Mr. Farnsworth:

Assembly Bill No. 112—An Act to amend an Act entitled "An Act to amend an Act entitled Senate Substitute for Assembly Bill No. 99—An Act relating to the duties, salaries and compensation of county and township officers of Storey County, Nevada," approved March 11, 1899, approved February 21, 1901.

On motion of Mr. Farnsworth, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Storey Delegation.

#### SPECIAL ORDER.

Assembly Bill No. 15—the special order for 1:30 p. m.—was taken up, and, on motion of Mr. McCafferty, the House resolved itself into Committee of the Whole for the consideration of the bill, Mr. Folsom in the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 15 favorably, with the recommendation that it do pass as amended in the Committee of the Whole.

The report of the Committee of the Whole was adopted.

On motion of Mr. McCafferty, the rules were suspended, and Assembly Bill No. 15 was considered engrossed.



## CALL OF THE HOUSE.

On motion of Mr. Folsom, a call of the House was ordered, and the following absentees were noted: Messrs. Curtin, Hunter, Leary, O'Brien, Raycraft, Reynolds, and Woolcock—7.

The doors were closed, and the Sergeant-at-Arms was instructed to present the absent members at the bar of the House.

Messrs. Hunter and O'Brien appeared at the bar of the House, and were excused and allowed to take their seats.

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

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 15 was placed on its third reading and final passage.

On motion of Mr. Chas. A. Kane, rules were suspended, the bill as amended was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—Messrs. Blake, Bulmer, Church, Pollard, Ross, and Woolley—6.

Absent—Messrs. Aylesworth, Bergman, Duborg, and Raycraft—4.

On motion of Mr. Allen, Substitute for Senate Bill No. 13 was made a special order for Tuesday, February 16th, at 2 p. m.

On motion of Mr. Winter, the House adjourned till Tuesday, February 16, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE THIRTIETH DAY.

CARSON CITY (Tuesday), February 16, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Burke, who was excused.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Sergeant-at-Arms announced a message from the Senate.

Journal of the previous day was read and approved, with corrections.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Ways and Means have had Assembly Bill No. 100 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amend section one by striking out the word "three," and insert the word "two" in line one.

Amend section two by striking out the words "and fifty."

J. D. BRADSHAW,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means have had Assembly Bills Nos. 29, 30, and 70, and Senate Bills Nos. 14 and 75 under consideration, and beg leave to report favorably on the same, with the recommendation that they do pass.

J. D. BRADSHAW,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Agriculture have had Assembly Bill No. 46 under consideration, and beg leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, Assembly Bill No. 51, and report the same with the recommendation that it be referred to the Committee on Education.

LEM ALLEN,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Fish and Game have had Assembly Joint and Concurrent Resolution No. 6 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

HARRY F. WOOLLEY,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Federal Relations have had Assembly Joint and Concurrent Resolution No. 5 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass.

J. E. McNAMARA,  
*Chairman.*

### MESSAGES FROM THE SENATE.

SENATE CHAMBER,  
CARSON CITY, NEVADA, February 15, 1909.

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 4, which passed the Senate by the following vote: Yeas, 10; nays, 2; absent, 6; not voting 1.

Also, Senate Bill No. 11, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 3.

W. M. GRIMES,  
*Secretary of the Senate.*

## INTRODUCTION AND FIRST READING.

By Mr. Ferguson (by leave):

Assembly Bill No. 113—An Act to authorize the Board of School Trustees of School District No. 4, in the Town of Fallon, County of Churchill, State of Nevada, to issue bonds for the purpose of equipping schoolhouse, and fencing and improving the grounds surrounding schoolhouse in said district.

On motion of Mr. Ferguson, duly seconded, rules suspended reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Churchill Delegation.

By Mr. Curtin (by request):

Assembly Bill No. 114—An Act fixing and regulating the salary of the Warden of the State Prison.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Prison and Insane Asylum.

By Mr. Brooks:

Assembly Bill No. 115—An Act to provide surety bonds for state, county and precinct officers.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Blake:

Assembly Bill No. 116—An Act to amend an Act entitled "An Act to amend an Act concerning crimes and punishments," approved November 26, 1861, approved March 29, 1907.

On motion of Mr. Farnsworth, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Eureka Delegation:

Assembly Substitute for Senate Bill No. 19—An Act fixing the salaries and compensation of the officers of Eureka County, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Eureka Delegation.

Senate Joint and Concurrent Resolution No. 2.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Education.

Senate Joint and Concurrent Resolution No. 3.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Agriculture.

Senate Joint and Concurrent Resolution No. 4.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Fish and Game.



Senate Bill No. 11.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Bulmer, the rules were suspended, Assembly Bill No. 48 was considered engrossed, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merton, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Absent—Mr. Burke.

On motion of Mr. McNamara the House took a recess till 1:50 p. m.

#### HOUSE IN SESSION

At 1:50 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Smaill, who was excused.

The Sergeant-at-Arms announced a message from the Senate.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 26 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Clark, Ellis, McCafferty, O'Brien, and Smaill—5.

On motion of Mr. Dodge, the special order for 2 p. m. was vacated, and Assembly Bill No. 25 was taken up in its place, to be followed by Substitute for Senate Bill No. 13.

#### SPECIAL ORDER.

Assembly Bill No. 25 was taken up.

The Committee on Enrollment reported that it had compared Assembly Enrolled Bills Nos. 16, 22, and 61 with the engrossed copies, found the same correctly enrolled, and had delivered the bills to the Governor.

The Sergeant-at-Arms announced a message from the Governor returning Assembly Bill No. 13, and his veto message relating to the same.

Assembly Bill No. 13, with Governor's veto message, was taken up.

#### GOVERNOR'S VETO MESSAGE.

EXECUTIVE CHAMBER,  
CARSON CITY, NEVADA, February 13, 1909.

*To the Honorable the Assembly:*

I return herewith, without approval, Assembly Bill No. 13—An Act providing that bonds or undertakings on appeal be not required of the State, or of any county, city, town, or village of this State, in any action or proceeding in any court in the State.

The objection to this bill lies in the opportunity it affords private individuals to

bring certain actions in the name of the State, and escape paying the costs should the appellate court find against them. It is right and proper that no bond should be required of the State, or of any county, city, or town in the State, where the State, county, city, or town is the real party in interest. In *quo warranto* and *mandamus* proceedings, which are brought in the name of the State, it more often happens that the State is but a nominal, rather than a direct, party in interest. In cases where private individuals, who are the real parties in interest, bring actions in the name of the State, with themselves as relators, provisions should be made requiring the relators to furnish bonds.

California has a statute similar to the provisions of this bill, but the Legislature at the session following its enactment found it necessary to supplement the statute by requiring bonds where actions are brought upon information or application of private parties.

Respectfully submitted,

D. S. DICKERSON,  
*Lieutenant and Acting Governor:*

Mr. Speaker put the question: "Shall the bill pass, notwithstanding the Governor's veto?"

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

YEAS—Messrs. Allen, Hunter, and Neill—3.

NAYS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

Absent—Messrs. Clark, Ross, and Smaill—3.

On motion of Mr. Dodge, Messrs. Berry and Winter were appointed a committee to assist the Chief Clerk in inserting the amendments to Assembly Bill No. 25, as adopted by the House.

On motion of Mr. Folsom, Assembly Bill No. 25 was sent to engrossment.

On motion of Mr. Folsom, Substitute for Senate Bill No. 13 was referred back to the Senate for corrections in its history.

Substitute for Senate Bill No. 13 was returned to the House by the Secretary of the Senate with corrections in its history.

Assembly Bill No. 44 was placed on its third reading and final passage.

On motion of Mr. Winter, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Clark, Folsom, Ross, and Smaill—4.

On motion of Mr. Berry, rules were suspended, Assembly Bill No. 69 was considered engrossed, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Allen, Clark, Ross, and Smaill—4.

Assembly Bill No. 76, on motion of Mr. McCafferty, was considered engrossed and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Bradshaw, Brandon, Brogan,



Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Berry, Clark, Folsom, Chas. A. Kane, Ross, and Small—6.

Assembly Bill No. 75, on motion of Mr. Winter, was considered engrossed and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Clark, Ellis, Farnsworth, Chas. A. Kane, McCafferty, Ross, and Small—7.

Assembly Bill No. 43, on motion of Mr. Bulmer, was placed at the bottom of the file.

Assembly Bill No. 68, on motion of Mr. Curtin, was considered engrossed, and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Clark, Ellis, Farnsworth, Riddell, Ross, and Small—6.

On motion of Mr. Allen, Substitute for Senate Bill No. 13 was taken up, out of order, and on motion of Mr. Folsom, was referred to the Committee of the Whole.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole for the consideration of Substitute for Senate Bill No. 13, and such other business as might come before it.

Mr. Chas. A. Kane was called to the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

Substitute for Senate Bill No. 13 was reported from the Committee of the Whole, with the recommendation that it pass as amended.

On motion of Mr. Folsom, the House took a recess until 7:30 p. m.

#### HOUSE IN SESSION

At 7:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Ross, who was excused.

#### GENERAL FILE AND THIRD READING.

Senate Substitute for Senate Bill No. 13 was placed on its third reading and final passage, and passed with amendment by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis,



Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley and Mr. Speaker—47.

NAYS—None.

Absent—Mr. Ross.

On motion of Mr. Smail, the rules were suspended, and Assembly Bill No. 35 was taken up out of order, and placed on its third reading and final passage.

On motion of Mr. Allen, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—Messrs. Berry, Bradshaw, and Matt. Kane—3.

Absent—Mr. Ross.

On motion of Mr. Winter, Assembly Bill No. 25 was taken up, out of order, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Messrs. Bradshaw, Duborg, O'Brien, and Reynolds—4.

Absent—Messrs. Ross and Smail—2.

Assembly Bill No. 67, under suspension of the rules, was considered engrossed, and placed on third reading and final passage.

On motion of Mr. Berry, the bill was laid on the table.

On motion of Mr. Farnsworth, the House adjourned until Wednesday, February 17, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE THIRTY-FIRST DAY.

CARSON CITY (Wednesday), February 17, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Blake, Curtin, Ellis, and Lunsford, who were excused, and Mr. Ross.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

Mr. Farnsworth was given temporary leave of absence.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

Mr. Speaker announced that he had appointed Mr. McIntosh on the Committee on State Institutions, and Mr. Allen on the Committee on Mines and Mining, both to succeed Mr. Bradshaw, who had withdrawn from the said committees on account of ill health.

### REPORTS OF COMMITTEES.

The Committee on Judiciary reported Senate Bill No. 18 favorably, with the recommendation that it do pass as amended, after being referred to the Eureka Delegation for approval.

Also, Assembly Bill No. 98 favorably, with the recommendation that it do pass as amended.

Also, Assembly Bill No. 40 unfavorably, with the recommendation that it do not pass.

Also, Assembly Bill No. 93 favorably, with the recommendation that it do pass.

The Committee on Claims reported Senate Bill No. 28 favorably, with the recommendation that it do pass.

The report of the Committee on State Institutions was read by the Clerk and placed on file.

The Committee on Judiciary reported Substitute for Senate Bill No. 9 unfavorably, with the recommendation that it do not pass. A minority of the Committee on Judiciary reported Substitute for Senate Bill No. 9 favorably, with the recommendation that it do pass.

The Eureka Delegation reported Senate Bill No. 19 favorably, with the recommendation that it do pass.

The Churchill Delegation reported Assembly Bill No. 113 favorably, with the recommendation that it do pass.

The Douglas Delegation reported Assembly Bill No. 105 favorably, with the recommendation that it do pass.

The Humboldt Delegation reported Assembly Bill No. 99 favorably, with the recommendation that it do pass.

#### MESSAGES FROM THE SENATE.

The Clerk read a message from the Senate conveying Senate Bill No. 31, which passed the Senate: Yeas, 16; nays, none; absent, 3.

Also, Senate Substitute for Senate Bill No. 34, which passed the Senate: Yeas, 16; nays, none; absent, 3.

Also, Assembly Bill No. 19, which passed the Senate, with amendments: Yeas, 16; nays, none; absent, 3.

#### MOTIONS AND RESOLUTIONS.

The Elko Delegation was given leave to substitute a bill for Assembly Bill No. 109, to take the same number and history as the original bill.

On motion of Mr. Gallagher, three hundred copies of the report of the Committee on State Institutions were ordered printed.

Assembly Joint and Concurrent Resolution No. 9, relative to a proposed Act of Congress affording relief to settlers upon arid lands.

On motion of Mr. Ferguson, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Agriculture.

Assembly Joint and Concurrent Resolution No. 10, relative to amending section seven, article two, of the Constitution of Nevada, pertaining to the disbursement of the poll tax.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

#### INTRODUCTION AND FIRST READING.

Senate Bill No. 31.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Winter:

Assembly Bill No. 118—An Act to amend an Act entitled "An Act relating to county government, and the reduction of the rate of county taxation," approved March 13, 1903.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brooks:

Assembly Bill No. 119—An Act fixing the salary of the Private Secretary to the Governor, and making an appropriation therefor.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Smith (by request):

Assembly Bill No. 120—An Act to amend Sections 75 and 76 of an



Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

On motion of Mr. Smail, House took a recess until 1:30 p. m.

### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Burke, Farnsworth, and Ross, who were excused.

#### INTRODUCTION AND FIRST READING.

By Mr. Winter:

Assembly Bill No. 121—An Act providing for special elections in any precinct, township, town, city, or county for the purpose of regulating and licensing the sale, barter, or disposal of various spirituous or malt liquors therein.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

By Mr. Schoer (by leave):

Assembly Bill No. 122—An Act to amend an Act entitled "An Act fixing and regulating the salaries and fees of certain officers of Elko County, Nevada, and providing for the payment of the same," approved March 28, 1907.

On motion of Mr. Schoer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko Delegation.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Bergman, the rules were suspended, Assembly Bill No. 82 was considered engrossed, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Allen, Brandon, Burke, Curtin, Farnsworth, and Ross—6.

On motion of Mr. Dodge, Assembly Bill No. 84 was placed at the bottom of the file.

On motion of Mr. Folsom, Assembly Bill No. 33 was considered engrossed, under suspension of the rules, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh,

McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Mr. Dodge.

Absent—Messrs. Allen, Brandon, Burke, Curtin, Farnsworth, and Ross—6.

Mr. Luke changed his vote from nay to yea.

The Washoe Delegation was given unanimous consent to withdraw its report on Senate Bill No. 20.

On motion of Mr. Berry, Senate Bill No. 20 was rereferred to Washoe Delegation.

On motion of Mr. Ferguson, Assembly Bill No. 84 was taken from the bottom of the file and placed on third reading.

On motion of Mr. McNamara, Assembly Bill No. 84 was considered engrossed and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Burke, Farnsworth, and Ross—3.

The Sergeant-at-Arms announced a message from the Senate.

Senate Bill No. 8 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Burke, Farnsworth, and Ross—3.

On motion of Mr. Dodge, Assembly Bill No. 81 was indefinitely postponed.

Assembly Bill No. 64 was placed on third reading, and, on motion of Mr. Duborg, was considered engrossed and placed on final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Aylesworth and Folsom—2.

Absent—Messrs. Bergman, Burke, Farnsworth, McCafferty, Pollard, and Ross—6.

Assembly Bill No. 73, on motion of Mr. Bulmer, was considered engrossed, and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conway, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Burke, Curtin, Ellis, Farnsworth, Folsom, McCafferty, and Ross—7.

On motion of Mr. Bergman, Assembly Bill No. 88 was referred to Committee of the Whole.



On motion of Mr. Ferguson, Assembly Bill No. 89, under suspension of rules, was considered engrossed, placed on third reading and final passage, and passed, with amendment, by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Burke, Curtin, Ellis, Farnsworth, McCafferty, and Ross—6.

On motion of Mr. Smail, Assembly Bill No. 100 was referred to Committee of the Whole.

On motion of Mr. Dodge, Assembly Bills Nos. 29 and 30 were referred to Committee of the Whole.

On motion of Mr. Duborg, Assembly Bill No. 70 was referred to Committee of the Whole.

Assembly Joint and Concurrent Resolution No. 6 was placed on its third reading, and, on motion of Mr. Folsom, was considered engrossed, under suspension of the rules, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Burke, Curtin, Farnsworth, McCafferty and Ross—5.

Assembly Joint and Concurrent Resolution No. 5 was placed on its third reading, and, on motion of Mr. Folsom, the resolution was sent to engrossment.

On motion of Mr. Duborg, Assembly Bill No. 46 was referred to Committee of the Whole.

On motion of Mr. Dodge, Senate Bills Nos. 14 and 15 were referred to the Committee of the Whole.

On motion of Mr. Dodge, the House resolved itself into Committee of the Whole, for the purpose of considering such business as might come before it.

Mr. McNamara was called to the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole recommended that the report of the Committee on Ways and Means relative to Assembly Bill No. 100 be not adopted, and further recommended that the bill do pass.

Assembly Bills Nos. 29 and 30 were retained in Committee of the Whole to be taken up later.

Assembly Bill No. 88 was reported favorably, with the recommendation that it do pass as amended.

Assembly Bill No. 46 was reported unfavorably, with the recommendation that it do not pass.

Assembly Bill No. 70 was reported favorably, with the recommendation that it do pass.



Senate Bills Nos. 14 and 15 were reported favorably, with the recommendation that they do pass.

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

On motion of Mr. Smail, the House adjourned till Thursday, February 18, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE THIRTY-SECOND DAY.

CARSON CITY (Thursday), February 18, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Folsom.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Enrollment have carefully compared Assembly Enrolled Bills No. 1, 11, 13, 20, 34, 38, and 50 with the engrossed copies, find the same correctly enrolled, and have this day delivered the same to the Governor.

W. H. CURTIN,  
*Chairman.*

*Mr. Speaker:*

Your Committee on Agriculture have had Assembly Joint and Concurrent Resolution No. 9 under consideration, and report favorably, with the recommendation that it do pass.

LEM ALLEN,  
*Chairman.*

The Committee on Education reported Assembly Bill No. 73 favorably, with the recommendation that it do pass.

The Committee on Irrigation reported Assembly Bill No. 89 favorably, with the recommendation that it do pass.

*Mr. Speaker:*

The undersigned, constituting a majority of the members of your Committee on Public Morals, having had under consideration Assembly Bill No. 74, report in favor of amending Section 7 of said bill, to read as follows:

SECTION 7. This Act shall be in effect from and after the first day of January, 1910. With the insertion of said amendment we recommend that said bill do pass.

H. A. N. TODD,  
FRED L. BERRY,  
J. W. FERGUSON.

*Mr. Speaker:*

We, the undersigned members of your Committee on Public Morals, having had under consideration Assembly Bill No. 74, report in favor of amending Section 7 thereof to read as follows:

SECTION 7. This Act shall be in effect from and after the first day of January, 1910. With the insertion of said amendment we recommend that said bill do pass, provided, however, that it shall not become operative until it shall have been first submitted to a vote of the duly qualified voters of the State of Nevada, at a special election to be held on the first Tuesday of November, 1909, and shall then and there receive a majority vote of the votes cast at said election, in favor of its becoming a law.

WM. MERTEN,  
E. D. BLAKE.

The Washoe Delegation reported Senate Bill No. 20 favorably, with the recommendation that it do pass.

The Elko Delegation reported Assembly Bill No. 109 favorably, with the recommendation that it do pass.

MESSAGES FROM THE SENATE.

Messages from the Senate were read conveying Assembly Bill No. 26, which was lost in the Senate: Yeas, 8; nays, 8; absent, 3.

Also, Senate Bill No. 43, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Also, Senate Bill No. 21, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Also, Senate Bill No. 44, which passed the Senate: Yeas, 17; nays, none; absent, 2.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Dodge, Assembly Bill No. 74 was made a special order for Wednesday, at 2 p. m.

On motion of Mr. Dodge, all persons interested in Assembly Bill No. 74 were invited to appear before the House and express their opinion, at 2 p. m.

INTRODUCTION AND FIRST READING.

Senate Substitute for Senate Bill No. 34.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 44.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Ormsby Delegation.

Senate Bill No. 21.

On motion of Mr. Gallagher, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 43.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lincoln Delegation.

On motion of Mr. Pollard, House took a recess until 1:30 p. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present.

GENERAL FILE AND THIRD READING.

Senate Substitute for Senate Bill No. 9 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brogan, Brooks, Burke, Church, Clark, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolley, and Mr. Speaker—34.

NAYS—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Bulmer, Conaway, Duborg, Ellis, Matt. Kane, Luke, McIntosh, Pollard, Reynolds, and Woolcock—14.

On motion of Mr. Allen, Assembly Joint and Concurrent Resolution



No. 9 was taken up out of order, placed on its third reading, and on motion of Mr. Allen the resolution was considered engrossed under suspension of the rules, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—48.

NAYS—None.

Assembly Substitute for Senate Bill No. 19 was placed on third reading.

On motion of Mr. Duborg, the rules were suspended, the bill was considered engrossed, placed on final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Absent—Mr. McCafferty.

The Sergeant-at-Arms announced a message from the Senate.

#### SPECIAL ORDER.

The House resolved itself into Committee of the Whole, to invite citizens who were present to address the House on Assembly Bill No. 74, Mr. Allen in the chair.

#### HOUSE IN SESSION.

On motion of Mr. Berry, the House resolved itself into Committee of the Whole with instructions to the chairman to invite any citizens present to address the Assembly on Assembly Bill No. 74.

Mr. Allen was called to the chair.

Hon. B. Curler was invited to address the committee.

Judge Seeds addressed the committee upon invitation.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

On motion of Mr. Neill, a rising vote of thanks was tendered to the gentlemen who addressed the committee.

Assembly Bill No. 99 was placed on third reading.

On motion of Mr. Folsom, the House adjourned until Friday, February 19, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE THIRTY-THIRD DAY.

CARSON CITY (Friday), February 19, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Allen, Aylesworth, Brandon, Curtin, and O'Brien, who were excused.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

The Committee on Fish and Game reported Senate Joint Resolution No. 4 favorably, with the recommendation that it do pass.

The Committee on Engrossment reported that they had carefully compared Assembly Concurrent Resolution No. 5 with the engrossed copy thereof, and found the same correctly engrossed.

The Lincoln Delegation reported Senate Bill No. 43 favorably, with the recommendation that it do pass.

The Lander Delegation reported Assembly Bill No. 91 favorably, with the recommendation that it do pass.

### MESSAGES FROM THE SENATE.

Messages from the Senate were read, conveying Senate Bill No. 46, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Also, Assembly Bill No. 52 which passed the Senate: Yeas, 12; nays, 3; absent, 4.

### INTRODUCTION AND FIRST READING.

By Mr. Brooks:

Assembly Bill No. 123—An Act pertaining to the compensation of of county officers in Esmeralda County, State of Nevada.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Esmeralda Delegation.

By Mr. Lunsford:

Assembly Bill No. 124—An Act to define contributory dependency and contributory delinquency, and to make the same a misdemeanor, and to provide for the punishment of persons guilty thereof.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.



By Mr. Folsom (by request):

Assembly Bill No. 125—An Act to amend an Act entitled "An Act for the government and maintenance of the State Orphans' Home," approved March 1, 1873.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Folsom, Assembly Bill No. 19 was taken up out of order.

On motion of Mr. Folsom, the House concurred in the Senate amendments to Assembly Bill No. 19, by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Curtin, Ellis, and O'Brien—6

On motion of Mr. Dodge, Senate Bills Nos. 14 and 15 were taken up out of order.

Senate Bill No. 15 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Bulmer, Burke, Church, Clark, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Todd, Winter, Woolcock, and Mr. Speaker—35.

NAYS—Messrs. Brogan, Brooks, Conaway, Gallagher, Merten, Smith, and Woolley—7.

Absent—Messrs. Allen, Aylesworth, Brandon, Curtin, Ellis, and O'Brien.

Mr. Chas. A. Kane and Mr. Brooks explained their rejective votes on Senate Bill No. 14 before the result of the vote was announced.

Senate Bill No. 14 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—Messrs. Brogan, Brooks, Merten, Smith, and Woolley—5.

Absent—Messrs. Allen, Aylesworth, Brandon, Curtin, Ellis, and O'Brien—6.

Assembly Bill No. 99 was placed on its third reading.

On motion of Mr. McCafferty, the bill was considered engrossed, under suspension of rules, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Curtin, Ellis, and O'Brien—6.

On motion of Mr. Neill, Assembly Bill No. 40 was placed at the bottom of the file, to be taken up at the pleasure of its author.

On motion of Mr. Chas. A. Kane, the House took a recess until 2 p. m.



## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, and Fitzgerald, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

## GENERAL FILE AND THIRD READING.

On motion of Mr. Berry, Assembly Bill No. 67 was taken from the table, and placed on the general file.

On motion of Mr. Dodge, Assembly Bill No. 67 was taken up, out of order, placed on third reading, considered engrossed under suspension of the rules, and passed, with amendment, by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Woolley—40.

NAYS—Mr. Speaker.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, and Fitzgerald—7.

On motion of Mr. Farnsworth, Assembly Bill No. 70 was taken up out of order, placed on its third reading, considered engrossed under suspension of the rules, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Brooks, Curtin, and Fitzgerald—8.

Assembly Bill No. 93 was placed on its third reading.

On motion of Mr. McCafferty, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, and Fitzgerald—7.

Not voting—Mr. Duborg.

Assembly Bill No. 98 was placed on its third reading.

On motion of Mr. Lunsford, the rules were suspended, the bill was considered engrossed, and passed, with amendments, by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, Ellis, Fitzgerald, and Chas. A. Kane—9.

Assembly Bill No. 100 was placed on third reading.

On motion of Mr. Smaill, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bulmer, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—34.

NAYS—Messrs. Bradshaw, Brooks, Duborg, and Riddell—4.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, Ellis, Fitzgerald, Folsom, and Chas. A. Kane—10.

On motion of Mr. McCafferty, Assembly Bill No. 88 was placed at the bottom of the file.

Assembly Bill No. 105 was placed on third reading.

On motion of Mr. Todd, the rules were suspended, the bill was considered engrossed, placed on third reading and final passage, and lost by the following vote:

YEAS—Messrs. Blake, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, Neill, Raycraft, Riddell, Ross, Smith, and Woolley—23.

NAYS—Messrs. Berry, Bradshaw, Duborg, Matt. Kane, McIntosh, McNamara, Merten, O'Brien, Pollard, Reynolds, Schoer, Smaill, Todd, Winter, Woolcock, and Mr. Speaker—16.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, Ellis, Fitzgerald, and Chas. A. Kane—9.

Mr. Todd changed his vote from yea to nay.

The Speaker announced that by unanimous consent a reconsideration of the vote on Assembly Bill No. 105 would be given on the next legislative day.

Assembly Bill No. 113 was placed on its third reading.

On motion of Mr. Ferguson, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Curtin, Ellis, Fitzgerald, McCafferty, Neill, Ross, and Smaill—12.

On motion of Mr. Church, Assembly Bill No. 46 was laid on the table.

Senate Bill No. 28 was placed on its third reading, and on motion of Mr. Duborg it was referred to Committee of the Whole.

Assembly Bill No. 109 was placed on third reading.

On motion of Mr. Winter, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brooks, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brogan, Bulmer, Curtin, Fitzgerald, and Ross—9.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Folsom, Senate Bill No. 20 was laid on the table.

Substitute for Assembly Bill No. 58 was placed on its third reading, and, on motion of Mr. Folsom, was referred to Committee of the Whole.

On motion of Mr. Folsom, the House adjourned until Tuesday, February 23, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



## THE THIRTY-SEVENTH DAY.

CARSON CITY (Tuesday), February 23, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Raycraft, who was excused.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Sergeant-at-Arms announced a message from the Senate.

Journal of Friday, February 19th, read and approved.

### REPORTS OF COMMITTEES.

The Committee on Public Lands reported Assembly Bill No. 92 favorably, with the recommendation that it do pass.

### MESSAGES FROM THE SENATE.

Messages from the Senate were read conveying Senate Bill No. 39, which passed the Senate: Yeas, 13; nays, none; absent, 5.

Also, Senate Bill No. 41, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Also, Senate Bill No. 29, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Also, Assembly Joint and Concurrent Resolution No. 9, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Also, Senate Joint and Concurrent Resolution No. 5, which passed the Senate: Yeas, 14; nays, none; absent, 4.

Also, Assembly Bill No. 76, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 45, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Also, Senate Substitute for Senate Bill No. 36, which passed the Senate: Yeas, 15; nays, none; absent, 4.

On motion of Mr. Todd, the vote by which Assembly Bill No. 105 was lost was reconsidered, and the bill passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Duborg, O'Brien, Reynolds, and Woolcock—4.

Absent—Messrs. Curtin, Ellis, and Raycraft—3.

On motion of Mr. McCafferty, Senate Bill No. 29 was taken up out of order.

On motion of Mr. Folsom, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

## INTRODUCTION AND FIRST READING.

By Nye County Democratic Delegation:

Assembly Joint and Concurrent Resolution No. 10, relating to free coinage of silver.

On motion of Mr. McNamara, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

By Mr. Giffen:

Assembly Bill No. 126—An Act to amend an Act entitled "An Act to regulate houses of prostitution, dance houses, and houses where beer, wine, or spirituous liquors are sold," approved February 26, 1887.

On motion of Mr. Berry, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

By Mr. Brooks:

Assembly Bill No. 127—An Act to provide for the compiling and publishing of the laws of the State of Nevada, and certain laws of the United States of particular interest to the State of Nevada, and other matters properly connected therewith, and making appropriation therefor.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Schoer:

Assembly Bill No. 128—An Act to amend an Act entitled "An Act to amend an Act to provide for the preservation of fish in the waters of this State, and matters properly relating thereto," approved March 14, 1903.

On motion of Mr. Schoer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Mr. Neill:

Assembly Bill No. 129—An Act reapportioning Senators and Assemblymen of the several counties to the Legislature of the State of Nevada.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

By Mr. Brandon:

Assembly Bill No. 130—An Act to authorize the Board of Trustees of school districts in the State of Nevada to call elections and submit to the electors of such district whether the bonds of such district shall be issued and sold for the purpose of raising money for school purposes, and to levy and assess and provide for the collection of taxes for the payment of said bonds.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Lunsford:

Assembly Bill No. 131—An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, and transfers, and to direct



the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising thereunder.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Burke (by request):

Assembly Bill No. 132—An Act to amend Section 1 of Article XII of an Act entitled "An Act to amend the title of, and to amend an Act entitled 'An Act to incorporate the Town of Reno, and to establish a city government therefor,' approved March 16, 1903," approved March 13, 1905.

On motion of Mr. Burke, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Folsom (by request):

Assembly Bill No. 133—An Act to regulate the burning, drying, and maintenance of brick kilns outside of incorporated towns and cities.

On motion of Mr. Folsom, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 39.

On motion of Mr. Duborg, duly seconded, the rules were suspended, reading so far was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Joint and Concurrent Resolution No. 5.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Senate Bill No. 41.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 45.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

On motion of Mr. Berry, the House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Raycraft and Ross, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

Mr. Leary was given consent to submit a Select Committee report.



The Ormsby Delegation, through its chairman, Mr. Leary, reported Assembly Bill No. 101 favorably, with the recommendation that it do pass.

GENERAL FILE AND THIRD READING.

On motion of Mr. Dodge, Assembly Bill No. 40 was placed at the bottom of the file.

On motion of Mr. Smith, Assembly Bill No. 88 was placed at the bottom of the file.

Senate Bill No. 43 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Berry, Brandon, Neill, Raycraft, and Ross—7.

Senate Joint and Concurrent Resolution No. 4 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McNamara, Merten, O'Brien, Pollard, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Messrs. Bradshaw and McIntosh—2.

Absent—Messrs. Aylesworth, Bergman, Brandon, Gallagher, McCafferty, Neill, Raycraft, and Ross—8.

On motion of Mr. Farnsworth, Assembly Bill No. 43 was taken up out of order, rules suspended, bill considered engrossed, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Blake, Bradshaw, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—Mr. Berry.

Absent—Messrs. Aylesworth, Bergman, Brandon, Bulmer, McCafferty, Neill, Raycraft, and Ross—8.

Assembly Joint and Concurrent Resolution No. 5 was placed on third reading.

On motion of Mr. Dodge, it was made a special order for Thursday, February 25th, at 2 p. m.

The Humboldt Delegation was given permission to introduce the following report out of order:

*Mr. Speaker:*

The Humboldt Delegation have had Senate Bill No. 29 under consideration, and beg leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

After the "and," in the last paragraph, the word "thereupon" be inserted, and the word "shall," in the last line of the last paragraph, be stricken out, and the word "may" be inserted instead.

F. E. McCAFFERTY,  
*Chairman.*

On motion of Mr. McCafferty, Senate Bill No. 29 was taken up out of order, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Brandon, Brogan, Brooks,

Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Curtin, Ellis, Folsom, Raycraft, and Ross—5.

Not voting—Messrs. Bradshaw, Bulmer, Duborg, and Woolley—4.

Mr. Allen was given unanimous consent to introduce a resolution out of order.

By Mr. Allen:

Assembly Resolution No. 12:

*Resolved*, That the Assembly do hereby appoint Mrs. Joseph Raycraft as Bill Clerk of the Assembly; vacancy caused by the death of Normand B. Harris.

The resolution was adopted.

Assembly Bill No. 91 was placed on third reading, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Brogan, Brooks, Raycraft, Riddell, and Ross—5.

On motion of Mr. Neill, Assembly Bill No. 40 was placed on the table.

Assembly Bill No. 88 was placed on third reading, and, on motion of Mr. Allen, the bill, as amended, was sent to engrossment.

On motion of Mr. Duborg, the House resolved itself into Committee of the Whole, for the purpose of considering such bills as had been referred to it.

Mr. Neill in the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bills Nos. 29 and 30, Senate Bill No. 28, and Substitute for Assembly Bill No. 58 favorably, with the recommendation that they do pass.

On motion of Mr. Folsom, House adjourned till Wednesday, February 24th, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*



**THE THIRTY-EIGHTH DAY.**

CARSON CITY (Wednesday), February 24, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Raycraft, who was excused.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Sergeant-at-Arms announced a message from the Senate.

Journal of the previous day read and approved.

**PETITIONS.**

The Speaker announced the receipt of petitions favoring the passage of the anti-gambling bill from the Civic Reform League, The Woman's Christian Association, The Association of Locomotive Firemen and Engineers, and residents of Elko County.

**REPORTS OF COMMITTEES.**

The Committee on Education reported Senate Concurrent and Joint Resolutions Nos. 1 and 2, and Assembly Bills Nos. 51, 83, 86, 96, and 97 favorably, with the recommendation that they do pass.

The Committee on State Prison and Insane Asylum reported Assembly Bill No. 114 favorably, with the recommendation that it do pass.

The Committee on Ways and Means reported Senate Bill No. 39 unfavorably, with the recommendation that it do not pass.

The Committee on Engrossment reported that they had carefully compared Assembly Bill No. 88 with the engrossed copy, and found the same correctly engrossed.

The Ormsby Delegation reported Senate Bill No. 44 favorably, with the recommendation that it do pass.

**MESSAGES FROM THE SENATE.**

The Senate transmitted Assembly Bill No. 10, which passed the Senate by the following vote: Yeas, 15; nays, none; absent, 4,

Also, Senate Bill No. 38, which passed the Senate: Yeas, 16; nays, none; absent, 3.

Also, Substitute for Senate Bill No. 36, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 37, which passed the Senate: Yeas, 16; nays, none; absent, 3.

Also, Assembly Substitute for Senate Bill No. 19, which passed the Senate: Yeas, 15; nays, none; absent, 4.



## INTRODUCTION AND FIRST READING.

By Mr. Neill:

Assembly Bill No. 134—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relating to county government and the reduction of the rate of county taxation,' approved March 13, 1903," approved March 17, 1905.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Woolley:

Assembly Bill No. 135—An Act for the registration of motor vehicles and the licensing of chauffeurs within this State.

On motion of Mr. Woolley, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Smaill:

Assembly Bill No. 136—An Act authorizing the State Board of Capitol Commissioners to sell and dispose of, at public auction, worn and unused furniture and other personal property belonging to the State.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

By Mr. Smaill:

Assembly Bill No. 137—An Act making an appropriation for defraying the expenses of delegates from the State of Nevada to congresses, conventions, and other National assemblages.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Raycraft:

Assembly Bill No. 138—An Act making an appropriation for the support and maintenance of the Governor's Mansion.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered the first reading, the rules were further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Riddell (by request):

Assembly Bill No. 139—An Act to provide for a fireproof structure for the preservation and exhibition of the library, museum, and collections of the Nevada Historical Society, and for the accommodation, until otherwise provided, of the University Library.

On motion of Mr. Riddell, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committees on Ways and Means and State Institutions.

By Mr. Leary:

Assembly Bill No. 140—An Act making appropriation for cement walks in the Capitol grounds, Carson City, Nevada.

On motion of Mr. Leary, duly seconded, rules suspended, reading so

far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Leary:

Assembly Bill No. 141—An Act to prevent the obtaining of ardent spirits by Indians.

On motion of Mr. Leary, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

By Mr. Lunsford:

Assembly Bill No. 142—An Act to amend sections five and twelve of an Act entitled "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," approved March 2, 1875, approved March 6, 1903.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Washoe Delegation:

Assembly Bill No. 143—An Act to provide for the relief of the City of Reno.

On motion of Mr. Dodge, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Substitute for Senate Bill No. 36.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

Senate Bill No. 37.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Lunsford offered a resolution from the Brotherhood of Carpenters and Joiners of America endorsing Assembly Bill No. 74.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Dodge, Assembly Bill No. 29 was placed at the bottom of the file.

Assembly Bill No. 30 was placed on its third reading.

On motion of Mr. Luke, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Allen, Curtin, and Raycraft—3.

On motion of Mr. Dodge, Assembly Bill No. 29 was taken from the bottom of the file, and placed on its third reading.



On motion of Mr. Dodge, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Bradshaw, Brandon, Brogan, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Mr. Pollard.

Absent—Messrs. Allen, Berry, Brooks, Curtin, and Raycraft—5.

On motion of Mr. Folsom, House took a recess until 2 p. m.

### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Matt. Kane, who was excused.

### SPECIAL ORDER.

Assembly Bill No. 74, which was made a special order at this time, was taken up, and placed on third reading.

Mr. Folsom offered an amendment to section one, which was lost by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Dodge, Ellis, Farnsworth, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Neill, O'Brien, Raycraft, Small, Smith, and Woolley—22.

NAYS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Curtin, Duborg, Ferguson, Gallagher, Luke, Lunsford, McCafferty, McIntosh, Pollard, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—25.

Absent—Mr. Matt. Kane.

Mr. Todd changed his vote from yea to nay.

Mr. Folsom offered another amendment to section one, which was lost, by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Dodge, Ellis, Farnsworth, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Neill, Raycraft, Small, Smith, and Woolley—22.

NAYS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Duborg, Ferguson, Gallagher, Luke, Lunsford, McCafferty, McIntosh, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—25.

Absent—Mr. Matt. Kane.

Mr. Folsom offered an amendment to section three, which was lost by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Dodge, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Neill, Raycraft, Small, Smith, and Woolley—21.

NAYS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Duborg, Ferguson, Fitzgerald, Gallagher, Luke, Lunsford, McCafferty, McIntosh, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—26.

Absent—Mr. Matt. Kane.

Mr. Dodge offered an amendment to the amendment offered by the majority of the Committee on Public Morals, which was lost by roll call by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Dodge, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Leary, McCafferty, McNamara, Merten, Neill, Raycraft, Small, Smith, and Woolley—22.

NAYS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Duborg, Ferguson, Fitzgerald, Gallagher, Luke, Lunsford, McIntosh, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—25.

Absent—Mr. Matt. Kane.



The amendment offered by the majority of the Committee on Public Morals was adopted by roll call by the following vote:

YEAS—Messrs. Allen, Berry, Bergman, Blake, Bradshaw, Brandon, Brogan, Bulmer, Burke, Church, Clark, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Luke, Lunsford, McCafferty, McIntosh, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Messrs. Aylesworth, Brooks, Dodge, Hunter, Chas. A. Kane, Leary, McNamara, Merten, and Smith—9.

Absent—Mr. Matt. Kane.

Mr. Allen moved that a committee of one be appointed to assist the Clerk in inserting the amendment.

Motion carried by the following vote:

YEAS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Duborg, Ferguson, Fitzgerald, Gallagher, Luke, Lunsford, McCafferty, McIntosh, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—27.

NAYS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Dodge, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Neill, Raycraft, Small, and Smith—20.

Absent—Mr. Matt. Kane.

Mr. Berry was appointed the committee to insert the amendment.

On motion of Mr. Allen the bill was considered engrossed by the following vote:

YEAS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Duborg, Ferguson, Fitzgerald, Gallagher, Luke, Lunsford, McCafferty, McIntosh, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—27.

NAYS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Dodge, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Neill, Raycraft, Small, and Smith—20.

Absent—Mr. Matt. Kane.

Assembly Bill No. 74 was passed as amended, by the following vote:

YEAS—Messrs. Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Luke, Lunsford, McCafferty, McIntosh, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—29.

NAYS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Neill, Small, and Smith—18.

Absent—Mr. Matt. Kane.

Messrs. Dodge and Raycraft changed their vote from nay to yea.

Mr. Dodge gave notice that he moved for a reconsideration of the vote on Assembly Bill No. 74, on the next legislative day.

On motion of Mr. Allen, House adjourned until Thursday, February 25, 1909, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE THIRTY-NINTH DAY.

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CARSON CITY (Thursday), February 25, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. H. H. McCreery.

The Sergeant-at-Arms announced a message from the Senate.

The Journal of the previous day was read and approved.

### REPORTS OF COMMITTEES.

The Committee on Ways and Means reported Senate Bills Nos. 21 and 41 favorably, with the recommendation that they do pass.

Also, Assembly Bills Nos. 137 and 140 unfavorably, with the recommendation that they do not pass.

The Committee on Judiciary reported Assembly Bill No. 21 unfavorably, with the recommendation that it do not pass; also, Assembly Bill No. 71 favorably, with the recommendation that it do pass.

The Committee on Public Lands reported Assembly Bill No. 106 favorably, with the recommendation that it do pass.

The Committee on Federal Relations reported Assembly Joint and Concurrent Resolution No. 10 favorably, with the recommendation that it do pass.

The Committee on Judiciary reported Assembly Joint and Concurrent Resolution No. 3 without recommendation; also, Assembly Joint and Concurrent Resolution No. 10 favorably, with the recommendation that it do pass.

The Committee on Judiciary reported Assembly Bills Nos. 118 and 134 favorably, on the committee's substitute, with the recommendation that it do pass.

The Lyon Delegation reported Senate Bill No. 7 unfavorably, with the recommendation that it be laid on the table.

The Esmeralda Delegation reported Assembly Bill No. 123 favorably, with the recommendation that it do pass.

The Lincoln Delegation reported Senate Bill No. 46 favorably, with the recommendation that it do pass.

### MESSAGES FROM THE SENATE.

The Senate transmitted Senate Bill No. 54, which passed the Senate: Yeas, 13; nays, none; absent, 6.



Also, Assembly Bill No. 113, which passed: Yeas, 15; nays, 3; not voting, 1.

Also, Assembly Joint and Concurrent Resolution No. 6, which passed: Yeas, 14; nay, none; absent, 5.

Also, Assembly Bill No. 33, which passed: Yeas, 15; nays, none; absent, 4.

Also, Assembly Joint and Concurrent Resolution No. 4, which passed: Yeas, 15; nays, 1; absent, 3.

MOTIONS AND RESOLUTIONS.

Mr. Dodge moved for a reconsideration of the vote by which Assembly Bill No. 74 was lost.

The roll was called, and the motion lost by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Brogan, Brooks, Clark, Curtin, Dodge, Farnsworth, Folsom, Hunter, Chas. A. Kane, Leary, McCafferty, McNamara, Merten, Neill, Small, and Smith—19.

NAYS—Allen, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Duborg, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Luke, Lunsford, McIntosh, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—28.

Absent—Mr. Ellis.

INTRODUCTION AND FIRST READING.

By Mr. Church:

Assembly Bill No. 144—An Act to amend section twenty-two of an Act entitled "An Act in relation to marriage and divorce," approved November 28, 1861.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

By Mr. Church:

Assembly Bill No. 145—An Act fixing the compensation of county officers in Lincoln County, Nevada.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lincoln Delegation.

By Mr. Reynolds:

Assembly Bill No. 146—An Act providing for compulsory education, and other matters properly connected therewith, and repealing any and all prior laws on the subject of compulsory education.

On motion of Mr. Reynolds, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Winter:

Assembly Bill No. 147—An Act to amend an Act entitled "An Act to regulate railroads, telegraph and telephone companies, and other common carriers in this State, creating a Railroad Commission, constituting the Governor, the Lieutenant-Governor, and the Attorney-General a Railroad Board for the appointment and removal of the Railroad Commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907.

On motion of Mr. Winter, duly seconded, rules suspended, reading so



far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

Senate Bill No. 54.

On motion of Mr. Woolley, duly seconded, rules suspended reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Storey Delegation.

Senate Bill No. 38.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 28 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Aylesworth, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Allen, Berry, Curtin, Ellis, Farnsworth, Folsom, Chas. A. Kane, McCafferty, and Raycraft—9.

Mrs. Joseph Raycraft was sworn in as Bill Clerk to fill the vacancy caused by the death of Normand B. Harris.

On motion of Mr. Duborg, the Ways and Means Substitute for Assembly Bill No. 58 was adopted, placed on third reading and, on motion of Mr. Dodge, it was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Brogan, Burke, Curtin, Ellis, Folsom, Chas. A. Kane, and McCafferty—7.

On motion of Mr. Berry, Assembly Bills Nos. 118 and 134 were taken up out of order.

The Judiciary Substitute for Assembly Bills Nos. 118 and 134 was adopted, and was placed on its third reading.

On motion of Mr. Allen, it was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Blake, Brogan, Curtin, Ellis, Gallagher, Hunter, Merten, and Woolcock—8.

On motion of Mr. Lunsford, the House took a recess until 2 p. m.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present.

Assembly Joint and Concurrent Resolution No. 5, which was made a special order for 2 p. m., was taken up, placed on third reading, and, on motion of Mr. Folsom, the resolution was laid on the table.

Assembly Bill No. 92, on motion of Mr. Smaill, was made a special order for Monday, March 1, 1909, at 2 p. m.

GENERAL FILE AND THIRD READING.

On motion of Mr. Brooks, Assembly Bill No. 123 was taken up out of order, and placed on third reading, considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Charles A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—Mr. Ellis.

Absent—Mr. Riddell.

Assembly Bill No. 101 was placed on its third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and, on motion of Mr. Allen, the bill was laid on the table.

Assembly Bill No. 88 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burks, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.

NAYS—None.

Absent—Messrs. Curtin and Folsom—2.

Senate Joint and Concurrent Resolution No. 2 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Absent—Mr. Folsom.

Assembly Bill No. 151 was placed on third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—47.

NAYS—None.

Absent—Mr. Folsom.

Senate Joint and Concurrent Resolution No. 1 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke,



Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—46.  
 NAYS—None.

Absent—Messrs. Folsom and McCafferty—2.

Assembly Bill No. 96 was placed on its third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Clark, McCafferty, and Winter—3.

Assembly Bill No. 85 was placed on its third reading.

On motion of Mr. Ferguson, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Berry, Folsom, McCafferty, and Winter—4.

On motion of Mr. Allen, House adjourned until Friday, February 26th, at 11 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



**THE FORTIETH DAY.**

CARSON CITY (Friday), February 26, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Burke, who was excused, and Mr. Smail.

Prayer by the Chaplain, Rev. H. H. McCreery.

Journal of the previous day was read and approved.

The Sergeant-at-Arms announced a message from the Senate.

**REPORTS OF COMMITTEES.**

The Committee on Public Morals reported Assembly Bill No. 126, and recommended that it be amended by striking out of line 2, Section 3, of the printed bill, the following words, "or house commonly called a hurdy house," and that the bill pass as amended.

The Committee on Public Morals reported Assembly Bill No. 121 unfavorably, with the recommendation that it do not pass.

The Committee on State Institutions reported Assembly Bill No. 136 favorably, with the recommendation that it do pass.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 19 and 76 and Assembly Joint and Concurrent Resolution No. 9 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

The Storey Delegation reported Senate Bill No. 54 favorably, with the recommendation that it do pass.

**MESSAGES FROM THE SENATE.**

Messages from the Senate were received, transmitting Senate Bill No. 35, which passed the Senate: Yeas, 18; nays, none; absent, 1.

Also, Assembly Bill No. 84, which passed: Yeas, 17; nays, 1; absent, 1.

Also, Assembly Bill No. 42, which passed, with amendments: Yeas, 18; nays, none; absent, 1.

Also, Assembly Bill No. 91, which passed: Yeas, 18; nays, 1.

Also, Senate Substitute for Assembly Bill No. 55, which passed: Yeas, 17; nays, none; absent, 2.

**MOTIONS AND RESOLUTIONS.**

By Mr. Curtin:

WHEREAS, On account of the extra amount of work devolving upon the Enrolling Committee Clerks of the Twenty-Fourth Session of the Legislature, it will be found necessary to provide assistance in order to properly complete the enrolling of bills and resolutions; therefore, be it

*Resolved*, That Alice M. Bath be appointed as an Assistant Enrolling Clerk of the Assembly at a compensation of six dollars per day, when the Enrolling Committee deem such help necessary.

On motion of Mr. Curtin, the resolution was adopted.

By Mr. Riddell:

WHEREAS, This body has learned with regret that there has appeared in the public prints of this State certain articles reflecting upon the motives and actions of Hon. Mr. McCafferty, a member of this Assembly, regarding his consideration of Assembly Bill No. 74 while under final passage; and

WHEREAS, Said articles are false in fact, and the conduct and actions of said member have at all times been commendable and above reproach; now, therefore, be it

*Resolved by the Assembly of the State of Nevada, convened in Legislature.* That full faith and confidence are hereby expressed in the motives and actions of the Hon. Mr. McCafferty concerning said Assembly Bill No. 74, and in the discharge of all his other duties in and during this session, and we sympathize with him in the unwarranted reflection made upon him in the public prints as aforesaid.

On motion of Mr. Farnsworth, the Senate amendments to Assembly Bill No. 42 were read by the Clerk, and adopted by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Brogan, Burke, Ross, and Smail—4.

On motion of Mr. Allen, Substitute for Senate Bill No. 34 was taken up out of regular order.

The Committee on Judiciary was given leave to submit a report out of regular order.

The Committee on Judiciary reported Substitute for Senate Bill No. 34 favorably, with the recommendation that it do pass.

Substitute for Senate Bill No. 34 was read by the Clerk, and, on motion of Mr. Curtin, was referred to the Committee of the Whole.

On motion of Mr. Dodge, the House resolved itself into Committee of the Whole for the consideration of such business as might come before it.

Mr. Winter was called to the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Substitute for Senate Bill No. 34 favorably, with the recommendation that it do pass.

On motion of Mr. Folsom, Substitute for Senate Bill No. 34 was placed on third reading, out of regular order, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Blake, Bradshaw, Brandon, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Berry, Brogan, Burke, Curtin, Farnsworth, and Smail—6.

On motion of Mr. Winter, the House took a recess until 2 p. m.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Burke and Smail, who were excused, and Mr. Hunter.



The Sergeant-at-Arms announced a message from the Senate.

INTRODUCTION AND FIRST READING.

By Mr. Brogan:

Assembly Bill No. 148—An Act creating the office of State Boiler Inspector, providing for the appointment of such inspector, defining his powers and duties, and providing for the punishment of any violation of this Act.

On motion of Mr. Lunsford, duly seconded, the rules were suspended, the reading so far had was considered first reading, the rules were further suspended, the bill was read second time by title, and referred to Committee on Labor.

By Mr. Brooks:

Assembly Bill No. 149—An Act requiring all railway corporations to equip locomotive engines with electric headlights of not less than fifteen hundred candle power.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Railroads and Corporations.

By Mr. Hunter:

Assembly Bill No. 150—An Act to establish a State Board of Stationary Engineers; to provide a system of examination, registration, and licensing of stationary engineers; to provide for the better protection of life; to prevent incompetent stationary engineers being employed to run stationary machinery, hoist apparatus, and to impose penalties for the violation of its provisions.

On motion of Mr. Gallagher, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

By Mr. Hunter:

Assembly Bill No. 151—An Act to provide books, equipment, and material, and to encourage the economic use thereof by the pupils of the public schools.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Lunsford:

Assembly Bill No. 152—An Act to amend section two of an Act entitled "An Act to provide a site for a free public library building in the Town of Reno," approved March 4, 1903.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Clark:

Assembly Bill No. 153—An Act to amend section two of an Act entitled "An Act to prevent the unlawful destruction of fish and game; to provide for the appointment of fish and game wardens in the several counties of this State, and to define their duties and compensation," approved March 12, 1901.



On motion of Mr. Clark, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Mr. Church:

Assembly Bill No. 154—An Act amending an Act entitled "An Act to amend an Act entitled 'An Act to enable the several school districts of the State to issue negotiable coupon bonds.'"

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brandon:

Assembly Bill No. 155—An Act to amend section twenty-one 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 8, 1865.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Clark:

Assembly Bill No. 156—An Act for the protection of owners of uninclosed property, and to prevent hunting or shooting therein.

On motion of Mr. Clark, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Mr. Clark:

Assembly Bill No. 157—An Act to amend an Act entitled "An Act to prevent the unlawful destruction of fish and game."

On motion of Mr. Clark, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Mr. Bradshaw:

Assembly Bill No. 158—An Act to designate and authorize the work to be done in the State Printing Office.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Conaway:

Assembly Bill No. 159—An Act providing for railroad fences and cattle-guards, and for damages for the killing or injury of stock.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

On motion of Mr. Curtin, Assembly Bill No. 147 was taken up out of order, and made a special order for Tuesday, March 2, 1909, at 2 p. m.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Winter, Senate Substitute for Assembly Bill No. 55 was taken up out of order, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Aylesworth, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Mr. Dodge.

Absent—Messrs. Burke, Clark, Hunter, McCafferty, and Smail—5.

Assembly Bill No. 97 was placed on third reading.

On motion of Mr. Folsom, the bill was laid on the table until such time as the author desired to lift it.

Assembly Bill No. 83 was placed on third reading.

On motion of Mr. Neill, it was referred to Committee of the Whole.

On motion of Mr. Curtin, Assembly Bill No. 114 was taken up, out of order, and referred to Committee of the Whole.

On motion of Mr. Gallagher, Senate Bill No. 41 was taken up, out of order, and referred to Committee of the Whole.

On motion of Mr. Neill, House resolved itself into Committee of the Whole for the consideration of Assembly Bills Nos. 83 and 114, Senate Bill No. 41, and any other business that might come before it.

Mr. O'Brien in the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 83 favorably, with the recommendation that it do pass with the amendments recommended by Committee of the Whole.

Assembly Bill No. 114 was reported favorably, with the recommendation that it do pass.

Senate Bill No. 41 was reported favorably, with the recommendation that it do pass.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Folsom, the House adjourned until Monday, March 1st, at 11 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*



## THE FORTY-THIRD DAY.

CARSON CITY (Monday), March 1, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, and Bulmer, who were excused, and Mr. Merten.

Prayer by the Chaplain, Rev. Father Gartland.

The Journal of Friday, February 26th, was read and approved.

The Sergeant-at-Arms announced a message from the Senate.

### REPORTS OF COMMITTEES.

The Committee on Corporations and Railroads reported Assembly Bill No. 76 favorably, with the recommendation that it do pass as amended: Amend section one by inserting after the word "published" the words "within the State"; also, strike out the letter "e" from the word "least."

The Committee on Judiciary reported Assembly Bills Nos. 103, 110, and 124, and Senate Bill No. 31, favorably, with the recommendation that they do pass.

The Committee on Ways and Means reported Assembly Bill No. 158 favorably, with the recommendation that it do pass.

The Lincoln Delegation reported Assembly Bill No. 145 favorably, with the recommendation that it do pass.

The Lander Delegation reported Senate Bill No. 25 favorably, with the recommendation that it do pass, as amended: Amend, in section one, line one, printed bill, by striking out the word "summoned" and insert the word "subpenaed." Amend section one, line two, of printed bill, by striking out the words "in behalf of the State," and in lieu thereof insert "in criminal cases." In line ten of printed bill, strike out the period, and in lieu thereof insert comma, and further amend section one by adding in line ten, after the word "witness": "*provided, however,* that not more than two witnesses shall be subpenaed to prove the same fact at the expense of the State, and the Judge before whom the hearing is had, shall promptly at the conclusion of the witness' testimony certify that the testimony of said witness was material and relevant to the matter tried." And further amend by striking out all of section two.

### MESSAGES FROM THE SENATE.

Messages from the Senate were received presenting for consideration Senate Bill No. 59, which passed the Senate: Yeas, 13; nays, none; absent, 6.

Also, Senate Bill No. 51, which passed with amendments: Yeas, 15; nays, none; absent, 4.



Also, Senate Bill No. 56, which passed: Yeas, 12; nays, none; absent, 7.

Also, Senate Bill No. 33, which passed: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 48, which passed: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 49, which passed: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 50, which passed: Yeas, 11; nays, 4; absent, 4.

Also, Senate Bill No. 64, which passed: Yeas, 15; nays, none; absent, 4.

Also, returning Assembly Bill No. 62, which passed: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bills Nos. 118 and 134, which passed: Yeas, 14; nays, 1; absent, 4.

Also, Assembly Bill No. 89, which passed: Yeas, 13; nays, none; absent, 6.

Also, Assembly Bill No. 73, which passed: Yeas, 15; nays, none; absent, 4.

Also, Assembly Bill No. 69, which passed: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bill No. 44, which passed: Yeas, 14; nays, none; absent, 5.

#### INTRODUCTION AND FIRST READING.

By Mr. Duborg:

Assembly Bill No. 160—An Act to repeal an Act entitled "An Act to assist the United States Reclamation Service in the construction and maintenance of irrigation works provided for by the Congressional Reclamation Act approved June 17, 1902, by granting right of way over state lands, regulating the disposition of state lands included in government irrigation projects, and authorizing County Commissioners to accept and use stock subscription books of water users associations formed under the provisions of said Congressional Reclamation Act," approved March 9, 1905.

On motion of Mr. Duborg, duly seconded, the rules were suspended, reading so far was considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Lands.

By Mr. Riddell:

Assembly Bill No. 161—An Act making it unlawful for any public officer to accept relief from the State for loss of tax receipts unless affidavits in regard thereto have been filed previously with the State Controller, and providing certain penalties for a violation thereof.

On motion of Mr. Riddell, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Winter:

Assembly Bill No. 162—An Act to grant the right of way to C. G. Rothchild, F. L. Reber, E. E. Oldham, E. A. P. Johnson, A. B. Gray, and their associates, for the construction and operation of a railroad in Lander and Elko Counties, State of Nevada, from Gold Circle, Tusca-

rors, and points north in Elko County to a point on the Western Pacific, or Southern Pacific, to be located by said grantees, and matters relating thereto.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

By Mr. Ferguson:

Assembly Bill No. 163—An Act providing for the protection and preservation of game, and repealing all Acts and parts of Acts in conflict therewith.

On motion of Mr. Ferguson, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 44 was placed on third reading and final passage, and lost by the following vote:

YEAS—Messrs. Farnsworth, Neill, Pollard, and Raycraft—4.

NAYS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, O'Brien, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

Absent—Messrs. Aylesworth, Bulmer, Folsom, Matt. Kane, Merten, and Ross—6.

On motion of Mr. Ferguson, Senate Bill No. 39 was referred to Committee of the Whole.

Assembly Bill No. 106 was placed on third reading.

On motion of Mr. Smith, the House took a recess till 2 p. m.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Bulmer, who were excused, and Mr. Smith.

On motion of Mr. Smail, the special order on Assembly Bill No. 92, which was set for 2 o'clock, was vacated and made a special order for Tuesday, March 2, 1909, at 11:30 a. m.

The Sergeant-at-Arms announced a message from the Senate.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 106 was placed on its third reading.

On motion of Mr. Duborg, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Bergman, Church, Chas. A. Kane, McNamara, and Merten—5.

Absent—Messrs. Aylesworth, Bulmer, and Curtin—3.



By unanimous consent the following reports of committees were made out of order.

The Committee of State Institutions reported Assembly Bill No. 125 favorably, with the recommendation that it do pass as amended: In section 1, line 2, insert the word "Section" and figure "8." In line 10 of the printed bill, after the word "employment," insert "and when so placed said boy shall at all times be under the supervision of the Board of the County Commissioners of said county, until he arrives at the age of eighteen years." In section 2 insert the word "Section" and figure "9."

The Committee on State Institutions reported Assembly Bills Nos. 104 and 60 favorably, with the recommendation that they do pass.

The Committee on Judiciary reported Substitutes for Assembly Bills Nos. 95 and 57, with the recommendation that they do pass.

On motion of Mr. Gallagher, Assembly Bill No. 137 was referred to Committee of the Whole.

Assembly Joint and Concurrent Resolution No. 3 was placed on third reading.

On motion of Mr. Merten, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Allen, Brandon, Duborg, and Schoer—4.  
Absent—Messrs. Aylesworth, Bulmer, and McIntosh—3.

Assembly Bill No. 71 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McNamara, Neill, O'Brien, Raycraft, Reynolds, Riddell, Smaill, Todd, Winter, Woolcock, and Woolley—30.

NAYS—Messrs. Allen, Berry, Bradshaw, Duborg, Ellis, Ferguson, McCafferty, Merten, Pollard, Ross, Schoer, Smith, and Mr. Speaker—13.

Absent—Messrs. Aylesworth, Bulmer, Curtin, Hunter, and McIntosh—5.

On motion of Mr. Neill, Assembly Bill No. 83 was taken up out of order.

On motion of Mr. Allen, the bill as amended was ordered engrossed.

Assembly Joint and Concurrent Resolution No. 10 was placed on third reading.

On motion of Mr. Church, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Burke, Church, Clark, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Neill, Pollard, Raycraft, Riddell, Ross, Smaill, Smith, Todd, Winter, Wokicoek, and Woolley—32.

NAYS—Messrs. Allen, Conaway, Curtin, Duborg, Ellis, Hunter, McIntosh, Merten, O'Brien, Reynolds, Schoer, and Mr. Speaker—12.

Absent—Messrs. Aylesworth, Berry, Brooks, and Bulmer—4.

On motion of Mr. Folsom, Senate Bill No. 21 was rereferred to Committee on Judiciary.

On motion of Mr. Brandon, Assembly Bill No. 21 was laid on the table.



Senate Bill No. 46 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Bulmer, Hunter, Riddell, Ross, Smail, and Winter—9.

On motion of Mr. Leary, Assembly Bill No. 140 was referred to Committee of the Whole.

Assembly Joint and Concurrent Resolution No. 11 was placed on its third reading.

On motion of Mr. Chas. A. Kane, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Mr. Dodge.

Absent—Messrs. Allen, Aylesworth, Bulmer, Hunter, and Ross—5.

On motion of Mr. Dodge, Assembly Bill No. 126 was made a special order for Wednesday, March 3, 1909, at 2 p. m.

The Committee on Enrollment, reported that it had compared Assembly Enrolled Bills Nos. 42, 84, and 89, Senate Substitutes for Assembly Bills Nos. 118 and 134, and Assembly Joint and Concurrent Resolution No. 6 with the engrossed copies, and found the same correctly enrolled, and delivered the same to the Governor.

Senate Bill No. 54 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bulmer, Curtin, Ellis, Hunter, and Luke—7.

On motion of Mr. Bradshaw, House adjourned until 10 a. m., Tuesday, March 2, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE FORTY-FOURTH DAY.

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CARSON CITY (Tuesday), March 2, 1909.

House convened at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Hunter, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

Journal of the previous day read and approved.

The Sergeant-at-Arms announced a message from the Senate.

### PETITIONS.

Mr. Lunsford presented a petition from the Woman's Christian Temperance Union favoring the passage of Assembly Bill No. 103.

### REPORTS OF COMMITTEES.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 44, 69, and 73 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

The Committee on Mines and Mining reported Senate Joint and Concurrent Resolution No. 5 favorably, with the recommendation that it do pass.

The Committee on Engrossment reported that they had carefully compared Assembly Bill No. 83 with the engrossed copy, and found the same correctly engrossed.

### MESSAGES FROM THE SENATE.

Messages from the Senate were received, presenting for consideration Senate Bill No. 67, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Also, Substitute for Senate Bill No. 32, which passed: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 62, which passed: Yeas, 15; nays, none; absent, 4.

Also, returning Assembly Bill No. 67, which was not passed by the Senate: Yeas, none; nays, 15; absent, 4.

Also, Assembly Bill No. 64, which passed: Yeas, 10; nays, 4; absent, 5.

Also, Assembly Bill No. 70, which passed: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bill No. 82, which passed: Yeas, 15; nays, 1; absent, 3.

Also, Assembly Bill No. 100, which passed: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bill No. 35, which passed: Yeas, 16; nays, none; absent, 3.



Also, Assembly Bill No. 105. which passed, with amendments: Yeas, 14; nays, none; absent, 5.

Also, Assembly Bill No. 109, which passed, with amendments: Yeas, 15; nays, none; absent, 4.

Also, Assembly Bill No. 93, which passed, with amendments: Yeas, 12; nays, none; absent, 7.

Also, Assembly Bill No. 98, which was killed, with amendments: Yeas, 8; nays, 5; absent, 6.

#### MOTIONS AND RESOLUTIONS.

By Mr. Hunter:

Assembly Joint and Concurrent Resolution No. 13, proposing to amend section one of article fifteen of the Constitution of the State of Nevada, pertaining to the seat of government.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Fish and Game.

By Mr. Berry:

Assembly Joint and Concurrent Resolution No. 12, relative to mineral lands within the Central Pacific Railway grant.

On motion of Mr. Berry, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Ways and Means.

#### INTRODUCTION AND FIRST READING.

By Mr. Folsom:

Assembly Bill No. 161—An Act to enable school districts to issue negotiable coupon bonds.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Curtin:

Assembly Bill No. 165—An Act to repeal an Act entitled "An Act to provide for a more uniform valuation and assessment of property in this State," approved March 16, 1901, approved March 13, 1903.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brooks:

Assembly Bill No. 166—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act concerning crimes and punishments,'" approved February 26, 1881.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Berry:

Assembly Bill No. 167—An Act to empower courts of record in the State of Nevada in proper cases to pass the title to real or personal property by judgment or decree, including cases in which summons is served by publication.

On motion of Mr. Berry, duly seconded, rules suspended, reading so



far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. McCafferty:

Assembly Bill No. 168—An Act making it a felony for any banker, or any officer, director, cashier, teller, managing member, manager, clerk, person, party or agent of any bank, banking corporation, association, firm or person engaged in a banking, brokerage, exchange or deposit business to receive, or accept or assent or be accessory to or permit the reception of deposits of money, currency or valuable paper, in banking and other institutions, knowing the same to be insolvent; providing a punishment therefor and establishing a rule of evidence in connection therewith.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Leary:

Assembly Bill No. 169—An Act for the relief of O. H. Gallup.

On motion of Mr. Leary, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Brandon:

Assembly Bill No. 170—An Act to restrict and license glove contests, or exhibitions between man and man, and regulating athletic associations in this State.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Allen:

Assembly Bill No. 171—An Act to amend an Act entitled "An Act to prevent the pollution or contamination of the waters of the lakes, rivers, streams and ditches in the State of Nevada, prescribing penalties, and making an appropriation to carry out the provisions of this Act."

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Senate Bill No. 67.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered the first reading, the rules were further suspended, bill read second time by title, and referred to Committee on State Prison and Insane Asylum.

Senate Bill No. 56.

On motion of Mr. Luke, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

Senate Bill No. 59.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 51.

On motion of Mr. Gallagher, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Senate Bill No. 33.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 48.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 49.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Senate Bill No. 64.

On motion of Mr. Brooks, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Senate Bill No. 50.

On motion of Mr. Curtin, duly seconded, the rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Senate Bill No. 62.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Substitute for Senate Bill No. 32.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 83 was placed on its third reading.

On motion of Mr. Neill, the bill was considered engrossed.

On motion of Mr. Folsom, the consideration of Assembly Bill No. 92, which was made a special order for 11:30, was continued until after final action on Assembly Bill No. 83.

Assembly Bill No. 83 was passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Aylesworth, Brogan, and Hunter—3.

On motion of Mr. Berry, the House took a recess until 2 p. m.



## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Hunter, who were excused.

## SPECIAL ORDER.

Assembly Bill No. 92, special order for this time, was taken up.

On motion of Mr. Winter, Assembly Bill No. 147, which was made a special order for 2 p. m., was vacated and made a special order for Thursday, March 4th, at 2 p. m.

Assembly Bill No. 92 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Aylesworth, Hunter, and Todd,—3.

On motion of Mr. Smith, the House accepted a report from the Committee on Mines and Mining.

The Committee on Mines and Mining, through its chairman, Mr. Smith, reported Senate Bill No. 51 favorably, with the recommendation that it do pass.

Assembly Bill No. 136 was placed on third reading.

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

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Ellis, Folsom, Hunter, and Riddell—6.

On motion of Mr. Winter, Assembly Bill No. 121 was made a special order for Monday, at 2:10 p. m.

Assembly Bill No. 114 was placed on third reading, and, on motion of Mr. Curtin, was considered engrossed, placed on final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—Messrs. Bradshaw and Duborg—2.

Absent—Messrs. Allen, Aylesworth, Ellis, Hunter, Luke, Riddell, and Ross—7.

Senate Bill No. 41 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Smaill, Todd, Woolley, and Mr. Speaker—35.

NAYS—Messrs. Berry, Bulmer, Duborg, Pollard, Smith, and Woolcock—6.

Absent—Messrs. Aylesworth, Bradshaw, Ellis, Hunter, Riddell, Ross, and Winter—7.



Assembly Bill No. 158 was placed on its third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Aylesworth, Curtin, Ellis, Hunter, and Ross—5.

Mr. Dodge was given leave to introduce a bill without previous notice.

By Mr. Dodge:

Assembly Bill No. 172—An Act to authorize municipalities to issue bonds for the purpose of paying the cost of municipal improvements for which special assessments are levied.

On motion of Mr. Dodge, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

On motion of Mr. Gallagher, Senate Bill No. 51 was taken up out of regular order, placed on third reading and final passage, and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—Mr. Neill.

Absent—Messrs. Aylesworth, Farnsworth, Hunter, and Ross—4.

On motion of Mr. Folsom, the House adjourned until Wednesday, March 3, 1909, at 10:30 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

**THE FORTY-FIFTH DAY.**

CARSON CITY (Wednesday), March 3, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Hunter, who were excused, and Messrs. Curtin and Folsom.

Prayer by the Chaplain, Rev. Father Gartland.

The Journal of the previous day was read and approved.

Mr. Folsom was given temporary leave of absence.

**REPORTS OF COMMITTEES.**

The Committee on Railroads and Corporations reported Assembly Bill No. 149 favorably, with the recommendation that it do pass, as amended: Amend Section 1, line 3, after the word "within," by inserting "one year." Strike out "six months."

The minority of the Committee on Labor reported Assembly Bill No. 148 unfavorably, with the recommendation that it do not pass.

The majority of the Committee on Labor reported Assembly Bill No. 148 favorably, with the recommendation that it do pass.

The Committee on Labor reported Assembly Bill No. 90 unfavorably, with the recommendation that it do not pass.

The Committee on Public Morals reported Assembly Bill No. 144 favorably, with the recommendation that it do pass.

A minority of the Committee on Way and Means, in the absence of a majority, reported Assembly Joint and Concurrent Resolution No. 12 favorably, with the recommendation that it do pass.

The Committee on Judiciary reported Assembly Bills Nos. 155, 167, and 168, Assembly Joint and Concurrent Resolutions Nos. 7 and 8, and Senate Bills Nos. 37, 48, and 59 favorably, with the recommendation that they do pass; also, Assembly Bills Nos. 86 and 116 unfavorably, with the recommendation that they do not pass; also, Assembly Bills Nos. 133 and 161 without recommendation.

The Washoe Delegation reported Assembly Bills Nos. 152 and 172 and Senate Bill No. 56 favorably, with the recommendation that they do pass.

**MOTIONS AND RESOLUTIONS.**

By Mr. Smaill:

Assembly Joint and Concurrent Resolution No. 14, providing for the appointment of a Joint Committee from the Senate and Assembly, to inquire into and report upon the compliance of the State Board of Bank Commissioners with the duties of said board.



On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Ways and Means.

Mr. Chas. A. Kane gave notice that, at some future day, he would introduce a resolution requesting ladies within the bar of the House to remove their hats.

#### INTRODUCTION AND FIRST READING.

By Mr. Brooks:

Assembly Bill No. 173—An Act fixing the salary of Constable in and for Goldfield Township, Esmeralda County, State of Nevada, and providing for the payment thereof.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Esmeralda Delegation.

By Mr. Schoer:

Assembly Bill No. 174—An Act to provide for the branding and marking of live stock.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Mr. Lunsford:

Assembly Bill No. 175—An Act to amend section two of an Act entitled "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto."

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Pollard:

Assembly Bill No. 176—An Act providing for the refunding of certain sums of money advanced by counties, citizens, and corporations of the State of Nevada to enable the State to make an exposition of its mineral resources at the International Miners Exposition at Madison Square Garden, New York City, during May, 1908.

On motion of Mr. Pollard, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

By Mr. Fitzgerald:

Assembly Bill No. 177—An Act amendatory of and supplemental to "An Act to incorporate the Town of Sparks, in Washoe County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto."

On motion of Mr. Fitzgerald, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Brandon (by request):

Assembly Bill No. 178—An Act to make parents and guardians responsible for the acts of minor children and wards.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 35.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 145 was placed on third reading.

On motion of Mr. Church, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Curtin, Ellis, Folsom, Hunter, Chas. A. Kane, McCafferty, Riddell, Ross, and Smaill—12.

Assembly Bill No. 110 was placed on third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and, with amendments, was passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McNamara, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Messrs. McIntosh, Merten, and Pollard—3.

Absent—Messrs. Aylesworth, Bergman, Curtin, Ellis, Hunter, McCafferty, and Ross—7.

The Sergeant-at-Arms announced a message from the Senate.

Assembly Bill No. 103 was placed on third reading.

On motion of Mr. Neill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Aylesworth, Curtin, Ellis, Hunter, McCafferty, Ross, and Smaill—7.

On motion of Mr. Winter, the House took a recess until 2 p. m.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Ross, who was excused, and Messrs. Aylesworth, Hunter, and Smith.

Assembly Bill No. 126, which was made a special order for 2 p. m., was taken up.

On motion of Mr. Smaill, the bill, as amended, was sent to engrossment.

The Sergeant-at-Arms announced a message from the Senate.



## MESSAGES FROM THE SENATE.

Messages from the Senate were received presenting for consideration Senate Bill No. 73, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Also, Senate Bill No. 42, which passed with amendment: Yeas, 16; nays, none; absent, 3.

Also, Senate Bill No. 66, which passed: Yeas, 15; nays, none; absent, 2; not voting, 2.

Also, Senate Joint and Concurrent Resolution No. 9, which passed: Yeas, 16; nays, 1; absent, 2.

Also, Senate Bill No. 76, which passed: Yeas, 17; nays, none; absent, 2.

Also, Senate Bill No. 65, which passed: Yeas, 15; nays, none; absent, 2; not voting, 2.

Also, returning Assembly Bill No. 92, which the Senate ordered returned for proper engrossment.

Also, Assembly Bill No. 43, which passed: Yeas, 19; nays, none.

Also, Substitute for Assembly Bill No. 58, which passed: Yeas, 17; nays, none; absent, 2.

Also, Assembly Bill No. 39, which passed as amended: Yeas, 16; nays, 2; not voting, 1.

Also, Assembly Bill No. 106, which passed as amended: Yeas, 14; nays, 3; absent, 2.

## GENERAL FILE AND THIRD READING.

Senate Bill No. 25 was placed on third reading and final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—Mr. Matt. Kane.

Absent—Messrs. Aylesworth, Ellis, Folsom, Hunter Chas. A. Kane, McCafferty, Neill, Ross, Smaill, and Smith—10.

Assembly Bill No. 79 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed.

On motion of Mr. Berry, the bill was laid on the table.

Assembly Bill No. 124 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Brogan, Fitzgerald, Folsom, Hunter, Chas. A. Kane, and Ross—8.

The Esmeralda Delegation reported Assembly Bill No. 173 favorably, with the recommendation that it do pass.

The Washoe Delegation reported Assembly Bill No. 177 favorably, with the recommendation that it do pass.



Senate Bill No. 31 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Brogan, Fitzgerald, Folsom, Hunter, Chas. A. Kane, and Ross—8.

#### INTRODUCTION AND FIRST READING.

Speaker pro tem. in the chair.

By Mr. Berry:

Assembly Bill No. 179—An Act to repeal an Act entitled "An Act requiring foreign corporations doing business in the State of Nevada to publish annual statements," approved March 28, 1901.

On motion of Mr. Berry, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations.

Senate Bill No. 65, printed as Senate Bill No. 66.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 42.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lyon Delegation.

Senate Bill No. 76.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine Delegation.

Senate Bill No. 73.

On motion of Mr. Woolley, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Senate Joint and Concurrent Resolution No. 9.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Military and Indian Affairs.

Senate Bill No. 66, printed as Senate Bill No. 65.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 60 was placed on third reading.

On motion of Mr. Folsom, it was sent to engrossment with amendments.

Assembly Bill No. 125 was placed on third reading, and, on motion of Mr. Folsom, was sent to engrossment with amendments.

Assembly Bill No. 104 was placed on third reading.

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

YEAS—Messrs. Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brogan, Curtin, Ellis, Fitzgerald, Hunter, Chas. A. Kane, McCafferty, and Ross—11.

On motion of Mr. Smith, the House adjourned until 10:30 a. m., Thursday, March 4, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



**THE FORTY-SIXTH DAY.**

CARSON CITY (Thursday), March 4, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Hunter, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

Journal of the previous day approved, on motion of Mr. Dodge.

**REPORTS OF COMMITTEES.**

The Committee on Fish and Game was given additional time for consideration of the bill now before it.

A minority of the Committee on Ways and Means reported Assembly Bill No. 169 unfavorably, with the recommendation that it do not pass.

A majority of the Committee on Ways and Means reported Assembly Bill No. 169 favorably, with the recommendation that it do pass.

The Committee on Ways and Means reported Senate Bill No. 45 favorably, with the recommendation that it do pass.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 64, 70, 82, 93, and 107, and Senate Substitute for Assembly Bill No. 55 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

The Committee on Fish and Game reported Assembly Bills Nos. 153 and 157 favorably, with the recommendation that they do pass.

The Committee on Public Morals reported Senate Bill No. 64 favorably, with the recommendation that it do pass; also, Assembly Bill No. 141, without recommendation.

The Committee on Engrossment reported that they had carefully compared Assembly Bills Nos. 125 and 126 with the engrossed copies, and found the same correctly engrossed.

The Committee on Corporations and Railroads reported Assembly Bills Nos. 159, 162, and 179, and Senate Bill No. 35 favorably, with the recommendation that they do pass.

The Committee on Ways and Means reported Assembly Bill No. 87 favorably, with the recommendation that it do pass; also, Assembly Bill No. 120 unfavorably, with the recommendation that it do not pass.

The Sergeant-at-Arms announced a message from the Senate.

**MESSAGES FROM THE SENATE.**

Senate messages were received, presenting for consideration Senate Bill No. 70, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Also, Senate Bill No. 57, which passed: Yeas, 15; nays, none; absent, 4.

Also, Senate Bill No. 74, which passed: Yeas, 13; nays, none; absent, 6.

Also, Senate Bill No. 69, which passed: Yeas, 11; nays, none; absent, 8.

Also, returning Assembly Bill No. 114, which passed: Yeas, 13; nays, none; absent, 6.

Also, Assembly Bill No. 136, which passed: Yeas, 12; nays, none; absent, 7.

Also, Assembly Bill No. 158, which passed; Yeas, 13; nays, none; absent, 6.

Also, Assembly Bill No. 51, which passed, as amended: Yeas, 10; nays, 4; absent, 5.

#### INTRODUCTION AND FIRST READING.

By Nye Delegation:

Assembly Bill No. 180—An Act authorizing Nye County to fund and refund its existing indebtedness, and to repeal all Acts and parts of Acts in conflict herewith.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Nye Delegation.

By Washoe Delegation:

Assembly Bill No. 181—An Act to authorize the County Commissioners of Washoe County, Nevada, to issue bonds to provide for altering, improving and repairing the existing court house at Washoe County; for erecting and constructing an addition to said court house, and furnishing the same, and authorizing the issuance of bonds to provide for paying for the foregoing.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Berry (by request):

Assembly Bill No. 182—An Act to regulate the exercise of eminent domain in the State of Nevada, and to repeal all other Acts and parts of Acts in relation thereto, or in conflict therewith.

On motion of Mr. Berry, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Schoer:

Assembly Bill No. 183—An Act to regulate the salary of the Constable of Wells Township, County of Elko, State of Nevada.

On motion of Mr. Schoer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko Delegation.

By Mr. Winter:

Assembly Bill No. 184—An Act to amend section eight of an Act entitled "An Act to segregate certain county offices in Elko County, Nevada, and fixing their salaries, to take effect on the first Monday in April, 1909," approved March 27, 1907.

On motion of Mr. Winter, duly seconded, rules suspended, reading so



far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko Delegation.

On motion of Mr. Folsom, a report from the Committee on Ways and Means was received out of order.

GENERAL FILE AND THIRD READING.

Assembly Bill No. 125 was placed on third reading, and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Aylesworth, Brogan, Hunter, Chas. A. Kane, and Matt. Kane—5.

By Mr. Matt. Kane:

Assembly Joint Resolution No. 15:

*Resolved*, That the following telegram, attested by the signatures of the presiding officers of the Senate and Assembly, be transmitted to William H. Taft, the newly inaugurated President of the United States:

*"To the President, Washington, D. C.:*

*"The people of the State of Nevada, through their representatives in Senate and Assembly, send congratulations and assure the President of their loyal support in every effort of the new administration for the common good."*

All rules of the House were suspended,

On motion of Mr. Berry, the rules were suspended, the resolution was placed on third reading, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—45.

NAYS—None.

Absent—Messrs. Aylesworth, Hunter, and Chas. A. Kane—3.

On motion of Mr. McCafferty, Assembly Bill No. 168 was taken up out of order, and placed on its third reading.

On motion of Mr. McCafferty, the rules were suspended, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Hunter, and Chas. A. Kane—4.

Assembly Bill No. 126 was placed on third reading, and was referred to Committee on Engrossment.

Substitute for Assembly Bill No. 57 was placed on third reading, and, on motion of Mr. Allen, the bill was placed at the bottom of the file.

Substitute for Assembly Bill No. 95 was placed at the bottom of the file.

Assembly Joint and Concurrent Resolution No. 7 was placed on third reading.

On motion of Mr. Brooks, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon Brogan, Brooks, Bulmer, Burke,



Church, Clark, Conaway, Curtin, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

YAYS—Messrs. Dodge and Ellis—2.

Absent—Messrs. Aylesworth, Bradshaw, Hunter, McCafferty, and Neill—5.

On motion of Mr. Winter, House took a recess until 1:30 p. m.

### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Hunter, who were excused.

The Committee on Elections reported Assembly Bill No. 129 without recommendation.

#### GENERAL FILE AND THIRD READING.

Assembly Concurrent Resolution No. 8 was placed on third reading.

On motion of Mr. Brooks, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Messrs. Dodge, Duborg, and Luke—3.

Absent—Messrs. Aylesworth, Hunter, and Matt. Kane—3.

The Sergeant-at-Arms announced a message from the Senate.

The Committee on Engrossment reported that they had carefully compared Assembly Bill No. 126 with the engrossed copy, and found the same correctly engrossed.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were read transmitting for consideration Substitute for Assembly Bill No. 48, which passed the Senate as amended: Yeas, 16; nays, none; absent, 3.

Also, Senate Bill No. 47, which passed: Yeas, 15; nays, none; absent, 3.

Also, returning Assembly Bill No. 145, which passed: Yeas, 17; nays, none; absent, 2.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 173 was taken up out of order, and placed on third reading.

On motion of Mr. Brooks, the bill was considered engrossed, and passed by the the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Aylesworth, Brandon, Ellis, Hunter, and Chas. A. Kane—5.

On motion of Mr. Luke, Senate Bill No. 56 was taken up, out of order, placed on third reading and final passage, and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks,

Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Aylesworth, Ellis, Hunter, and Chas. A. Kane—4.

Assembly Bill No. 126 was placed on third reading.

On motion of Mr. Folsom, the bill was indefinitely postponed.

On motion of Mr. Winter, the special order, Assembly Bill No. 147, which was set for 2 p. m., was vacated, and made a special order for Friday, March 5, 1909, at 2:10 p. m.

Assembly Bill No. 39 was placed on third reading, and, on motion of Mr. Curtin, was returned to the Senate for correction in its history.

Assembly Bill No. 149 was placed on third reading.

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

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Farnsworth, Ferguson, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—Messrs. Burke, Dodge, Duborg, Ellis, Fitzgerald, Luke, Lunsford, and McIntosh—8.

Absent—Messrs. Allen, Aylesworth, Berry, and Hunter—4.

Assembly Bill No. 177 was placed on third reading.

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

YEAS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Blake, Curtin, Hunter, McCafferty, Riddell, and Winter—8.

The Committee on Engrossment reported that they had carefully compared Assembly Bill No. 60 with the engrossed copy and found the same correctly engrossed.

Assembly Bill No. 60 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Blake, Clark, Hunter, McCafferty, and Riddell—7.

Assembly Bill No. 90 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, placed on final passage, and, on motion of Mr. Smail, the bill was indefinitely postponed.

On motion of Mr. Woolley, Assembly Bill No. 116 was laid on the table.

On motion of Mr. Brogan, Assembly Bill No. 148 was referred to Committee of the Whole.



Assembly Bill No. 133 was placed on third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and was lost by the following vote:

YEAS—Messrs. Burke, Dodge, Folsom, Lunsford, McCafferty, and Neill—6.

NAYS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Leary, Luke, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

Absent—Messrs. Aylesworth, Blake, Hunter, Chas. A. Kane, and Matt. Kane.—5.

Senate Bill No. 37 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Curtin and Ferguson—2.

Absent—Messrs. Aylesworth, Blake, Hunter, Chas. A. Kane, and Matt. Kane—5.

Assembly Bill No. 155 was placed on third reading.

On motion of Mr. Brandon, the bill was considered engrossed, and passed, with amendment, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Hunter, Chas. A. Kane, Matt. Kane, and Smith—6.

Assembly Joint and Concurrent Resolution No. 12 was placed on third reading.

On motion of Mr. Berry, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Aylesworth, Clark, Hunter, Chas. A. Kane, and McCafferty—5.

Assembly Bill No. 162 was placed on third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Ferguson, Folsom, Hunter, Chas. A. Kane, and McCafferty—7.

Senate Bill No. 48 was placed on its third reading, and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Smail, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—Messrs. Schoer and Winter—2.

Absent—Messrs. Aylesworth, Berry, Ferguson, Folsom, Hunter, Chas. A. Kane, and McCafferty—7.

Senate Bill No. 59 was placed on its third reading, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Ferguson, Hunter, Chas. A. Kane, Matt. Kane, and McCafferty—7.

On motion of Mr. Fitzgerald, the House adjourned until Friday, March 5, 1909, at 8:30 a. m.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



## THE FORTY-SEVENTH DAY.

CARSON CITY (Friday), March 5, 1909.

House convened at 8:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Allen, Aylesworth, and Hunter, who were excused.

Prayer by the Chaplain, Rev. Father Laffan.

Journal of the previous day read and approved.

### REPORTS OF COMMITTEES.

The Committee on Education reported Senate Bill No. 50 favorably, with the recommendation that it do pass with the following amendments: In line 8 strike out the word "the" between the word "fix" and the word "salary," and insert the word "his" instead; also, in lines 8 and 9 strike out the words "to fix the term of office for a period not to exceed four years."

The Committee on Education reported Assembly Bill No. 41 unfavorably, with the recommendation that it do not pass; also, Assembly Bills Nos. 49, 94, and 164 favorably, with the recommendation that they do pass.

The Committee on Judiciary reported Assembly Bills Nos. 131, 170, and 175 favorably, with the recommendation that they do pass; also, Assembly Bills No. 102 and 178 unfavorably, with the recommendation that they do not pass; also, Assembly Bill No. 166 favorably, with the following amendment: Strike out words "in writing," in line 8 of Section 1.

The Committee on State Institutions reported Assembly Bill No. 139, recommending the following amendment: In Section 2, line 10, of the printed bill, add, after the word "provided," "and no contract or expense for the construction of said building, or any part thereof, shall become a binding obligation against the State, unless the same shall first be approved by the Board of Examiners, or a majority thereof"; and further recommending that said bill be referred to the Committee on Ways and Means.

### REPORT OF COMMITTEE ON STATE INSTITUTIONS.

*Mr. Speaker:*

As this committee has not previously reported upon the Nevada Historical Society, which is a state institution, and should therefore deserve our consideration, we beg leave to at this time submit a few remarks bearing thereon.

The institution which this bill is designed to benefit became a state institution two years ago, and its purposes are such that every public-spirited citizen of Nevada should feel interested in its success. It has accomplished much of value to the State in its brief life, and right now is a particularly important time in its career.

The first generation of Nevadans are rapidly passing away, and to gather first-hand information of the origin and first history of Nevada requires immediate attention. Many other States have organizations of a similar character, liberally endowed and generously maintained, and no State that has by such means provided for history gathering has had cause to regret such action.

Our early settlers were citizens of the highest type of Americanism, hardy pioneers of the kind that alone can and does build States and Nations, and their early struggles are worthy of record, not only as interesting memories, but as instructive lessons. The members and management of this Society deserve much credit for the intelligent enthusiasm with which they have conducted their work, and the valuable records, information, and historic material they have laboriously gathered should be housed safely and conveniently and creditably to the State.

We conclude with these sentiments, as expressed by Mr. Bryan in a speech before the Nebraska Legislature recently: "The Legislature should be generous with the Historical Society building, and follow the lead of other States in creating a place to shelter the history of the Commonwealth as it develops."

WM. J. O'BRIEN,  
*Chairman.*

The Committee on State Prison and Insane Asylum reported Senate Bill No. 67 favorably, with the recommendation that it do pass.

The Committee on Agriculture reported Joint and Concurrent Resolution No. 3 favorably, with the recommendation that it do pass; also, Senate Bill No. 38 favorably, with the recommendation that it do pass.

The Lyon Delegation reported Senate Bill No. 42 favorably, with the recommendation that it do pass.

The White Pine Delegation reported Senate Bill No. 76 favorably, with the recommendation that it do pass.

The Nye Delegation reported Assembly Bill No. 180 favorably, with the recommendation that it do pass.

The Elko Delegation reported Assembly Bills Nos. 183 and 184 favorably, with the recommendation that they do pass.

#### MOTIONS AND RESOLUTIONS.

By Mr. Farnsworth:

*Resolved*, That after the close of the session on the 9th day of March, 1909, no bill or joint resolution, except appropriation bills, shall be introduced in the Assembly without the consent of two-thirds of the members.

The resolution was adopted.

#### INTRODUCTION AND FIRST READING.

By Mr. Brooks:

Assembly Joint and Concurrent Resolution No. 16, to amend section one, article nine, of the Constitution of the State of Nevada.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

By Eureka Delegation:

Assembly Joint and Concurrent Resolution No. 17, relative to amending section eight of article one of the Constitution of the State of Nevada, pertaining to indictments in criminal cases.

On motion of Mr. Reynolds, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

By Mr. Bulmer:

Assembly Bill No. 185—An Act to amend an Act requiring foreign corporations doing business in the State of Nevada to publish annual statements.



On motion of Mr. Bulmer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Printing.

By Mr. Brooks:

Assembly Bill No. 186—An Act for the aid and support of the Nevada Historical Society.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Smaill:

Assembly Bill No. 187—An Act appropriating one hundred dollars out of the Legislative Fund of the Twenty-fourth Session of the Nevada Legislature, to be paid to M. Farrell, Porter of the Assembly, and Clarence Sadler, Porter of the Senate.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

By Mr. Smaill:

Assembly Bill No. 188—An Act making an appropriation for the relief of George A. Cole and George L. Sanford.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

By Mr. Raycraft:

Assembly Bill No. 189—An Act making an appropriation for completion of work on state water supply system, and for repairs to state reservoir.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Duborg:

Assembly Bill No. 190—An Act making an appropriation for the purpose of filing-cases and equipment for the preservation of the records in the State Land Office.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Smaill:

Assembly Bill No. 191—An Act to provide for the protection, restoration and preservation of fish, game birds, wild animals, wild fowl, non-game and song birds in the State of Nevada, and matters properly relating thereto, and to repeal all Acts and parts of Acts in conflict therewith.

On motion of Mr. Smaill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Mr. Berry (by request):

Assembly Bill No. 192—An Act to enable actions concerning the title to real property situated in this State, to be brought and maintained



against unknown heirs of deceased persons by describing them as such, and providing for the service of summons in said actions by publication with like effect as if the names of such heirs were inserted in the summons.

On motion of Mr. Berry, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, read second time by title, and referred to Committee on Judiciary.

By Mr. Bergman:

Assembly Bill 193—An Act to provide for the compensation and payment of grand and trial jurors, and fixing the fees and compensation of witnesses in criminal cases, Justices of the Peace, Coroners and Constables in and for the County of Clark.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lincoln Delegation.

By Nye Delegation:

Assembly Bill No. 194—An Act authorizing County Treasurers to place county funds in bank, on open account, under certain restrictions, and providing that a violation of this Act shall be a felony, and fixing the penalty therefor.

On motion of Mr. Chas. A. Kane, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. McNamara:

Assembly Bill No. 195—An Act to amend "An Act to provide for the creation, organization, and maintenance of the Nevada State Police, prescribing the powers and duties of the officers and members thereof in maintaining peace, order and quiet in the State of Nevada, fixing their compensation, providing certain penalties, and other matters relating thereto, making an appropriation therefor, and repealing all Acts or parts of Acts in conflict therewith."

On motion of Mr. McNamara, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Military and Indian Affairs.

By Nye Delegation:

Assembly Bill No. 196—An Act relating to County Treasurers, providing that they shall take the oath of office, and shall furnish bonds of surety companies, and providing that the various counties shall pay the premiums on said bonds.

On motion of Mr. Berry, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Nye Delegation:

Assembly Bill No. 197—An Act fixing the compensation of county and township officers in Nye County, State of Nevada, and matters pertaining to the collection and disposition of fees arising from such offices, and regulating the conduct thereof, and to repeal all Acts or parts of Acts conflicting therewith.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Nye Delegation.

Senate Bill No. 47.

On motion of Mr. Woolcock, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Printing.

Senate Bill No. 74.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 70.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Senate Bill No. 69.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 57.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Substitute for Assembly Bill No. 48.

On motion of Mr. Bulmer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 35 was placed on third reading and final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Clark, Folsom, Hunter, Leary, McCafferty, Neill, Pollard, and Smaill—10.

Not voting—Mr. Chas. A. Kane.

Assembly Bill No. 167 was placed on third reading.

On motion of Mr. Berry, the bill was considered engrossed, and lost by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Church, Conaway, Dodge, Duborg, Ellis, Fitzgerald, Matt. Kane, Luke, Lunsford, Neill, O'Brien, Reynolds, Riddell, Schoer, Smith, Todd, and Winter—21.

NAYS—Messrs. Bradshaw, Brogan, Brooks, Bulmer, Burke, Curtin, Farnsworth, Ferguson, Gallagher, Chas. A. Kane, Leary, McIntosh, McNamara, Merten, Raycraft, Ross, Woolley, and Mr. Speaker—18.

Absent—Messrs. Allen, Aylesworth, Clark, Folsom, Hunter, McCafferty, Pollard, Smaill, and Woolcock—9.

Mr. Berry gave notice that he would, on the next legislative day, ask



for a reconsideration of the vote by which Assembly Bill No. 167 was lost.

Assembly Bill No. 161 was placed on its third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—Messrs. Berry, Chas. A. Kane, Matt. Kane, Leary, Raycraft, and Woolley—6.

Absent—Messrs. Allen, Aylesworth, Brogan, Folsom, and Hunter—5.

On motion of Mr. Ferguson, Assembly Bill No. 86 was laid on the table.

Senate Joint and Concurrent Resolution No. 5 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Ellis, Farnsworth, Folsom, Hunter, and McCafferty—8.

Assembly Bill No. 172 was placed on its third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Ellis, Farnsworth, Folsom, Hunter, and McCafferty—8.

The Sergeant-at-Arms announced a message from the Senate.

Assembly Bill No. 152 was placed on its third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Burke, Ellis, Farnsworth, Folsom, Hunter, and McCafferty—9.

On motion of Mr. Winter, the House took a ten-minute recess.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Allen, Aylesworth, Folsom, and Hunter.

### GENERAL FILE AND THIRD READING.

Assembly Bill No. 144 was placed on third reading.

On motion of Mr. Church, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Ellis, Folsom, and Hunter—6.

Mr. Dodge changed his vote from nay to yea and gave notice that he would ask for a reconsideration of the vote on Assembly Bill No. 144 on the next legislative day.

Assembly Bill No. 157 was placed on its third reading.

On motion of Mr. Clark, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Mr. Bradshaw.

Absent—Messrs. Allen, Aylesworth, Bergman, Berry, Folsom, and Hunter—6.

Assembly Bill No. 153 was placed on third reading.

On motion of Mr. Clark, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolley, and Mr. Speaker—37.

NAYS—Messrs. Bradshaw, Duborg, Reynolds, Smail, and Woolcock—5.

Absent—Messrs. Allen, Aylesworth, Bergman, Berry, Folsom, and Hunter—6.

On motion of Mr. Dodge, House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Allen, Aylesworth, and Hunter.

### GENERAL FILE AND THIRD READING.

On motion of Mr. Blake, Assembly Bill No. 87 was placed at the bottom of the file.

Senate Bill No. 45 was placed on its third reading.

On motion of Mr. Gallagher, it was referred to Committee of the Whole.

On motion of Mr. Smith, Assembly Bill No. 120 was made a special order for Monday, March 8, 1909, at 11 a. m.

Assembly Bill No. 179, on motion of Mr. Smail, was laid on the table.

Assembly Bill No. 141 was placed on its third reading.

On motion of Mr. Leary, the bill was considered engrossed, and placed on final passage, and, on motion of Mr. Lunsford, was laid on the table.

Assembly Bill No. 159, on motion of Mr. Church, was placed at the bottom of the file.



Senate Bill No. 64 was placed on third reading, and, on motion of Mr. Lunsford, was placed at the bottom of the file.

Assembly Bill No. 169 was placed on third reading, and, on motion of Mr. Folsom, was referred to the Committee of the Whole.

Assembly Bill No. 147—special order for 2:10 p. m.—was vacated and made a special order at this time.

On motion of Mr. Winter, Assembly Bill No. 147 was considered engrossed, placed on final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Mr. Fitzgerald.

Absent—Messrs. Allen, Aylesworth, Burke, Curtin, Hunter, and Pollard—6.

#### REPORTS OF COMMITTEES.

The Committee on Printing reported Senate Bill No. 47 favorably, with the recommendation that it do pass.

The Committee on Claims reported Assembly Bill No. 176 favorably, with the recommendation that it do pass.

The Washoe Delegation reported Assembly Bill No. 181 favorably, with the recommendation that it do pass.

The Nye Delegation reported Assembly Bill No. 197 favorably, with the recommendation that it do pass.

On motion of Mr. Woolley, Senate Bill No. 47 was referred to Committee of the Whole.

#### INTRODUCTION AND FIRST READING.

By Mr. Chas. A. Kane:

Assembly Bill No. 198—An Act fixing the fees and compensation of witnesses in criminal cases in and for the County of Nye, State of Nevada, and providing payment therefor.

On motion of Mr. Chas. A. Kane, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Nye Delegation.

By Mr. McIntosh:

Assembly Bill No. 199—An Act to prevent the payment of salaries or per diem by the State when no service is rendered therefor.

On motion of Mr. McIntosh, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Lunsford:

Assembly Bill No. 200—An Act to amend section four of an Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada, and to repeal certain Acts relating thereto."

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Church:

Assembly Bill No. 201—An Act requiring all nursery stock shipped into the State of Nevada to have an official certificate of inspection attached, and prescribing the penalty for any common carrier receiving or delivering any uncertified nursery stock.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Folsom, Substitute for Assembly Joint and Concurrent Resolution No. 14 was taken up out of order, and placed on third reading.

On motion of Mr. Folsom, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Curtin, Ellis, Hunter, Chas. A. Kane, Matt. Kane, Pollard, and Smith—10.

The House concurred in the Senate amendments to Assembly Bill No. 39 by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Curtin, Ellis, Chas. A. Kane, Matt. Kane, McCafferty, Pollard, Smail, Smith, and Winter—12.

The House concurred in Senate amendments to Assembly Bill No. 51 by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Curtin, Ellis, Hunter, Matt. Kane, McCafferty, Pollard, Riddell, and Smail—11.

On motion of Mr. Brooks, Assembly Bill No. 129 was laid on the table for the present.

Assembly Bill No. 166 was placed on third reading.

On motion of Mr. Brooks, the bill was considered engrossed, and passed, as amended, by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McIntosh, McNamara, Merten, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—Messrs. Berry, Dodge, Ellis, Luke, and Neill—5.

Absent—Messrs. Allen, Aylesworth, Curtin, Hunter, McCafferty, and Pollard—6.

On motion of Mr. Smail, Assembly Bill No. 102 was indefinitely postponed.



Assembly Bill No. 175 was placed on third reading.  
On motion of Mr. Lunsford, the bill was considered engrossed.

Speaker pro tem. in the chair.

Assembly Bill No. 175 passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Woolley—40.

NAYS—Mr. Dodge and Mr. Speaker—2.

Absent—Messrs. Allen, Aylesworth, Curtin, Hunter, Pollard, and Ross—6.

Substitute for Assembly Bill No. 57 was placed on its third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Mr. Dodge.

Absent—Messrs. Allen, Aylesworth, Curtin, Hunter, Pollard, and Ross—6.

On motion of Mr. Chas. A. Kane, House adjourned until Saturday, March 6, 1909, at 10 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE FORTY-EIGHTH DAY.

CARSON CITY (Saturday), March 6, 1909.

House convened at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Allen, Aylesworth, Burke, Duborg, Clark, Hunter, Luke, McIntosh, and Riddell, who were absent by leave.

Prayer by the Chaplain, Rev. Father Gartland.

On motion of Mr. Gallagher, the reading of the Journal of the previous day was dispensed with, and Journal approved as written.

### REPORTS OF COMMITTEES.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 35, 43, 58, 100, 106, 114, 136, and 158, with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

The Committee on Irrigation reported Assembly Bill No. 171 and Senate Bill No. 70 favorably, with the recommendation that they do pass.

The Storey Delegation reported Assembly Bill No. 112 favorably, with the recommendation that it do pass, with the following amendment: Strike out all of section two in original bill, and make section two read as follows: "SEC. 2. This Act shall take effect on and after April 1, 1909."

The Nye Delegation reported Assembly Bill No. 198 favorably, with the recommendation that it do pass.

### MOTIONS AND RESOLUTIONS.

Mr. Berry, having given notice, moved for a reconsideration of Assembly Bill No. 167, which was lost on final passage in the House on the previous day.

The motion was carried, and the roll was called by the Clerk.

The bill was lost by the following vote:

YEAS—Messrs. Berry, Bradshaw, Brandon, Bulmer, Conaway, Dodge, Ellis, Fitzgerald, Chas. A. Kane, Matt. Kane, Lunsford, McNamara, Neill, O'Brien, Pollard, Reynolds, Ross, Schoer, Small, Smith, Todd, Winter, and Woolcock—23.

NAYS—Messrs. Blake, Brogan, Brooks, Church, Curtin, Farnsworth, Ferguson, Folsom, Gallagher, Leary, Merten, Raycraft, Woolley, and Mr. Speaker—14.

ABSENT—Messrs. Allen, Aylesworth, Bergman, Burke, Clark, Duborg, Hunter, Luke, McCafferty, McIntosh, and Riddell—11.

### MESSAGES FROM THE SENATE.

Messages were received from the Senate presenting for consideration Senate Bill No. 53, which passed the Senate by the following vote: Yeas, 16; nays, 1; absent, 2.



Also, returning Assembly Joint Resolution No. 10, which passed the Senate unanimously.

## INTRODUCTION AND FIRST READING.

By Mr. Dodge:

Assembly Bill No. 202—An Act for the relief of John S. Orr and J. P. O'Brien for legal expenses incurred while acting as District Judges of the State of Nevada.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Delegations of Second and Third Judicial Districts.

## GENERAL FILE AND THIRD READING.

On motion of Mr. Smith, Assembly Bill No. 197 was taken up out of order.

On motion of Mr. Chas. A. Kane, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Burke, Clark, Duborg, Ellis, Hunter, Luke, Lunsford, McIntosh, and Riddell—12.

## INTRODUCTION AND FIRST READING.

By Mr. Brooks:

Assembly Bill No. 203—An Act making the Railroad Commission of Nevada ex officio a Public Service Commission for the regulation of certain public utilities, defining such public utilities, and prescribing the manner in which they shall be so controlled.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

On motion of Mr. Smail, the House resolved itself into Committee of the Whole, for the consideration of such business as might come before it, Mr. Farnsworth in the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Senate Bill No. 39, with the recommendation that further action on it be deferred until Monday.

Also, Senate Bills Nos. 45 and 47, and Assembly Bill No. 137 favorably, with the recommendation that they do pass.

Assembly Bill No. 148, on motion of Mr. Smith, was reported favorably, with the recommendation that it do pass as amended.

Assembly Bill No. 140 was reported favorably, with the recommendation that it do pass as amended.

Assembly Bill No. 169 was retained in Committee of the Whole.

Assembly Bill No. 187, Senate Substitute for Assembly Bill No. 48,

and Assembly Bill No. 188 were reported favorably, with the recommendation that they do pass.

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

On motion of Mr. Dodge, House took a recess until 2 p. m.

### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Allen, Aylesworth, Burke, Clark, Duborg, Hunter, Luke, Riddell, and McIntosh, who were absent by leave.

The Sergeant-at-Arms announced a message from the Senate.

### INTRODUCTION AND FIRST READING.

By Mr. Brandon:

Assembly Bill No. 204—An Act to amend an Act entitled "An Act to prevent the pollution or contamination of the water of the lakes, rivers, streams and ditches in the State of Nevada, prescribing penalties, and making an appropriation to carry out the provisions of this Act."

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brandon:

Assembly Bill No. 205—An Act regulating the sale of dressed beef in the State of Nevada.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. McCafferty:

Assembly Bill No. 206—An Act permitting the establishment of county high schools in the various counties of this State, and providing for the construction, maintenance, management, and supervision of the same, to repeal all Acts and parts of Acts in conflict herewith, and matters properly connected therewith.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Winter:

Assembly Bill No. 207—An Act regulating the use of marks and brands of stock, and the recording thereof, and providing penalties for the violation thereof, and repealing all Acts in conflict therewith.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

By Mr. Smail (by request):

Assembly Bill No. 208—An Act regulating the conduct of, and providing for licenses for unmarried males over the age of twenty-eight years, residing in the State of Nevada.



On motion of Mr. Smail, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lander Delegation.

By Mr. Giffen:

Assembly Bill No. 209—An Act in relation to elections, promoting the purity thereof, supporting the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment of violations thereof.

On motion of Mr. Chas. A. Kane, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

By Mr. Brooks:

Assembly Bill No. 210—An Act to prohibit the sale or disposal of opium, morphine and kindred drugs or ardent spirits to any person lawfully confined in the State Prison, county jails or in other public institutions, and other matters relating thereto.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

MESSAGES FROM THE SENATE.

Messages from the Senate were received returning for consideration Senate Bill No. 59, with the information that the Senate did not concur in the Assembly amendments to said bill.

Also, Senate Bill No. 83, which passed the Senate by the following vote: Yeas, 19; nays, none.

Also, Senate Bill No. 75, which passed: Yeas, 17; nays, 1; absent, 1.

Also, Senate Bill No. 81, which passed: Yeas, 17; nays, none; absent, 2.

Also, Substitute for Senate Bill No. 40, which passed: Yeas, 18; nays, 1.

Speaker pro tem. in the chair.

GENERAL FILE AND THIRD READING.

On motion of Mr. Gallagher, Assembly Bill No. 148 was taken up out of order, and placed on third reading.

On motion of Mr. Brogan, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Rayercraft, Reynolds, Schoer, Smail, Smith, Winter, Woolcock, and Woolley—36.

NAYS—Mr. Ross.

ABSENT—Messrs. Allen, Aylesworth, Burke, Clark, Duborg, Hunter, Luke, McIntosh, Riddell, Todd, and Mr. Speaker—11.

Substitute for Assembly Bill No. 95 was placed on its third reading.

On motion of Mr. Berry, the bill was considered engrossed, placed on final passage, and passed with amendments by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McNamara, Merten,

Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Winter, Woolcock, and Woolley—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Burke, Clark, Duborg, Hunter, Luke, McIntosh, Riddell, Ross, Todd, and Mr. Speaker—12.

On motion of Mr. Pollard, Senate Bill No. 47 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Winter, Woolcock, and Woolley—35.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Burke, Clark, Duborg, Hunter, Luke, McIntosh, Riddell, Ross, Todd, and Mr. Speaker—13.

On motion of Mr. Leary, Assembly Bill No. 140 was placed on third reading.

On motion of Mr. Leary, the bill was considered engrossed, placed on final passage, and was lost by the following vote:

YEAS—Messrs. Bergman, Brandon, Brogan, Bulmer, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Leary, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Smail, Smith, and Woolley—23.

NAYS—Messrs. Berry, Bradshaw, Church, Curtin, Folsom, Matt. Kane, Reynolds, Schoer, Winter, and Woolcock—10.

Absent—Messrs. Allen, Aylesworth, Blake, Brooks, Burke, Clark, Duborg, Ellis, Hunter, Luke, McIntosh, Riddell, Ross, Todd, and Mr. Speaker—15.

Mr. Folsom changed his vote from yea to nay, and gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Assembly Bill No. 140 was lost.

On motion of Mr. Folsom, the House adjourned until 11 a. m., Monday, March 8, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



**THE FIFTIETH DAY.**

CARSON CITY (Monday), March 8, 1909.

House convened at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Blake, Bulmer, Hunter, and McIntosh, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

On motion of Mr. Smaill, the Journal of the previous day was approved.

On motion of Mr. Smith, Assembly Bill No. 120, special order for this time, was vacated and made a special order for Tuesday, at 2 p. m.

Speaker pro tem. in the chair.

**REPORTS OF COMMITTEES.**

The Committee on Judiciary reported Assembly Joint and Concurrent Resolution No. 16 favorably, with the recommendation that it do pass with the following amendment: Wherever the words "first day of July" occur, insert the words "first day of September;" instead.

The Committee on Judiciary reported Substitute for Senate Bill No. 32 with a substitute for same, with the recommendation that substitute do pass.

Also, Substitute for Senate Bill No. 32 favorably, with the recommendation that it do pass.

Also, Senate Joint and Concurrent Resolution No. 17 unfavorably, with the recommendation that it do not pass.

The Committee on Ways and Means reported Assembly Bill No. 190 favorably, with the recommendation that it do pass.

Also, Assembly Bill No. 80, without recommendation.

Also, Assembly Bill No. 31 favorably, with the recommendation that it do pass.

Also, Senate Bill No. 66, printed as No. 65, favorably, with the recommendation that it do pass.

Also, Senate Bill No. 65, printed as No. 66, favorably, with the recommendation that it do pass.

The Lincoln Delegation reported Assembly Bill No. 193 favorably, with the recommendation that it do pass.

**MOTIONS AND RESOLUTIONS.**

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 169.

Mr. Dodge was called to the chair.

United States District Attorney Samuel Platt was invited to address the Assembly.

## HOUSE IN SESSION.

Speaker pro tem. in the chair.

Assembly Bill No. 169 was reported favorably from the Committee of the Whole, with the recommendation that it do pass.

Report adopted, and vote of thanks extended to Mr. Platt.

On motion of Mr. Brandon, Substitute for Assembly Bill No. 32 was made a special order for 3 o'clock this afternoon.

## NOTICES OF BILLS.

Mr. Neill gave notice that he would at some future day introduce a bill to regulate banks and banking institutions and the business of banking in the State of Nevada.

## INTRODUCTION AND FIRST READING.

By Committee on State Institutions:

Assembly Bill No. 211—An Act making an appropriation for the alteration of the State Armory Building so as to provide offices for the State in addition to those in the Capitol and elsewhere, and to furnish said offices.

On motion of Mr. O'Brien, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Brooks:

Assembly Bill No. 212—An Act authorizing and empowering the Governor to make appointments, subject to the ratification by the Senate, and repealing all Acts in conflict with this Act, and other matters in relation thereto.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Winter:

Assembly Bill No. 213—An Act to amend section three as amended March 16, 1897, 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 8, 1865.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Gallagher:

Assembly Bill No. 214—An Act creating a State Conservation Commission, fixing their duties, and making an appropriation for necessary expenses.

On motion of Mr. Gallagher, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Pollard:

Assembly Bill No. 215—An Act supplementary to an Act entitled "An Act permitting the establishment of county high schools in the various



counties of this State, and providing for the construction, maintenance, and management of the same."

On motion of Mr. Pollard, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Lunsford:

Assembly Bill No. 216—An Act to provide for the union label on all books used in the public schools of this State.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Printing.

By Mr. Smith:

Assembly Bill No. 217—An Act to amend an Act entitled "An Act to provide for a reorganization of the system of school supervision."

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Clark:

Assembly Bill No. 218—An Act to amend section two of Article XIV of an Act entitled "An Act to amend the title of, and to amend an Act entitled 'An Act to incorporate the Town of Reno, and to establish a city government therefor,' approved March 16, 1903," approved March 13, 1905.

On motion of Mr. Clark, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Brandon:

Assembly Bill No. 219—An Act providing for the removal from office of public officers for malfeasance or nonfeasance in office, regulating the mode of procedure, and other matters properly connected therewith.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Washoe Delegation:

Assembly Bill No. 220—An Act to amend Article V of an Act entitled "An Act to incorporate the Town of Reno, and to establish a city government therefor."

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Church:

Assembly Bill No. 221—An Act amending an Act requiring certain non-resident joint-stock companies, associations and corporations doing a building and loan business to furnish security before doing business in this State, and prescribing the penalty for a failure to do so.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 83.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Prison and Insane Asylum.

Senate Bill No. 75.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 81.

On motion of Mr. Farnsworth, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Storey Delegation.

Senate Bill No. 53.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Substitute for Senate Bill No. 40.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

On motion of Mr. Folsom, a conference committee of three—Messrs. Folsom, Brooks, and Curtin—were appointed by the Chair to confer with a committee from the Senate on Senate Bill No. 59.

On motion of Mr. Bradshaw, the House took a recess until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Blake, Bulmer, Hunter, Curtin, and McIntosh, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Brandon, the special order—Substitute for Senate Bill No. 32—which was set for 3 p. m., was vacated, and made a special order for 4 p. m., Tuesday, March 9, 1909.

On motion of Mr. Winter, the special order for 2:10 p. m.—Assembly Bill No. 121—was vacated, and made a special order for Friday, March 12, 1909, at 2:10 p. m.

## GENERAL FILE AND THIRD READING.

On motion of Mr. Chas. A. Kane, Assembly Bill No. 198 was placed on third reading.

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

YEAS—MESSRS. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara,



Merten, Neill, O'Brien, Raycraft, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Bulmer, Curtin, Hunter, McIntosh, Pollard, and Reynolds—8.

The Washoe Delegation reported Assembly Bill No. 220 favorably, with the recommendation that it do pass.

On motion of Mr. Folsom, the vote by which Assembly Bill No. 140 was lost was reconsidered, and the Clerk ordered to call the roll.

Assembly Bill No. 140 was passed by the following vote:

YEAS—Messrs. Brandon, Brogan, Burke, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Ross, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—28.

NAYS—Messrs. Allen, Berry, Bradshaw, Brooks, Church, Duborg, Ellis, Chas. A. Kane, Matt. Kane, McNamara, Reynolds, Schoer, and Woolcock—13.

Absent—Messrs. Aylesworth, Bergman, Blake, Bulmer, Curtin, Hunter, and McIntosh—7.

Senate Bill No. 76 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Woolley—39.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Blake, Bulmer, Curtin, Hunter, McIntosh, Pollard, and Mr. Speaker—9.

Senate Bill No. 50 was placed on third reading, and, on motion of Mr. Folsom, was indefinitely postponed.

Senate Bill No. 42 was placed on third reading, and, on motion of Mr. Ross, was placed on the bottom of the file.

Senate Bill No. 67 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Bulmer, Hunter, McIntosh, Pollard, Ross, and Winter—8.

Assembly Bill No. 94 placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Clark, Hunter, McIntosh, Pollard, Ross, and Winter—8.

Assembly Bill No. 180 was placed on third reading.

On motion of Mr. Smith, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McNamara, Merten,

O'Brien, Raycraft, Reynolds, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Bulmer, Duborg, Ellis, Hunter, McCafferty, McIntosh, Neill, Pollard, Riddell, and Ross—12.

On motion of Mr. Ferguson, Senate Bill No. 38 was referred to Committee of the Whole.

Senate Joint and Concurrent Resolution No. 3 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Lunsford, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Blake, Bulmer, Duborg, Ellis, Hunter, Matt. Kane, Leary, Luke, McCafferty, McIntosh, Pollard, Riddell, Ross, and Smith—16.

Senate Bill No. 49 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Lunsford, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Blake, Bulmer, Ellis, Hunter, Matt. Kane, Luke, McCafferty, McIntosh, Pollard, Ross, and Smith—14.

On motion of Mr. Neill, Assembly Bill No. 41 was indefinitely postponed.

Assembly Bill No. 184 was placed on third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Blake, Bulmer, Ellis, Hunter, Matt. Kane, McCafferty, McIntosh, Pollard, Ross, and Smith—13.

Assembly Bill No. 164 was placed on its third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Leary, Luke, Lunsford, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Blake, Bulmer, Fitzgerald, Hunter, Chas. A. Kane, Matt. Kane, McCafferty, McIntosh, Pollard, Ross, and Smith—14.

The Committee on Ways and Means were given unanimous leave to report Assembly Bill No. 119 favorably, with the recommendation that it do pass.

Assembly Bill No. 183 was placed on third reading.

On motion of Mr. Schoer, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smaill, Todd, Winter, Woolley, and Mr. Speaker—33.

NAYS—None.



Absent—Messrs. Allen, Aylesworth, Berry, Blake, Bulmer, Curtin, Hunter, Chas. A. Kane, Matt. Kane, McCafferty, McIntosh, Pollard, Ross, Smith, and Woolcock—15.

On motion of Mr. Brandon, Assembly Bill No. 178 was indefinitely postponed.

On motion of Mr. Lunsford, Assembly Bill No. 131 was placed at the bottom of the file.

On motion of Mr. Conaway, Assembly Bill No. 159 was laid on the table.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting Senate Bill No. 82, which passed the Senate: Yeas, 16; nays, none; absent, 3.

Also, returning Substitute Joint and Concurrent Resolution No. 14, which passed: Yeas, 15; nays, none; absent, 4.

Also, Assembly Bill No. 177, which passed: Yeas, 12; nays, none; absent, 7.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Reynolds, Assembly Bill No. 176 was rereferred to Committee on Claims.

On motion of Mr. Brandon, Assembly Bill No. 170 was made a special order for Tuesday, March 9, 1909, at 2 p. m.

Assembly Bill No. 181 was placed on its third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Bradshaw, Brogan, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Smaill, Smith, Todd, Woolley, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Blake, Brandon, Brooks, Bulmer, Ferguson, Gallagher, Hunter, Matt. Kane, McIntosh, Pollard, Riddell, Ross, and Winter—15.

Not voting—Mr. Woolcock.

Senate Bill No. 64 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Smaill, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Blake, Bulmer, Curtin, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, McIntosh, Pollard, Riddell, Ross, and Winter—14.

The Speaker appointed Messrs. Brandon, Chas. A. Kane, and Brooks, a committee to act with a like committee from the Senate, for the purpose of carrying out the provisions of Assembly Joint and Concurrent Resolution, relative to bank examination.

On motion of Mr. Farnsworth, Assembly Bill No. 87 was placed at the bottom of the file.

On motion of Mr. Brooks, Assembly Bill No. 119 was taken up out of regular order, and referred to Committee of the Whole.

Assembly Bill No. 171 was placed on third reading.

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

YEAS—MESSRS. Allen, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Church,

Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Blake, Bulmer, Folsom, Hunter, Chas. A. Kane, McIntosh, Raycraft, Ross, and Winter—11.

On motion of Mr. Dodge, the House adjourned until Tuesday, March 9, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



**THE FIFTY-FIRST DAY.**

CARSON CITY (Tuesday), March 9, 1909.

House convened at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Folsom, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

On motion of Mr. Allen, the Journal of the previous day was approved.

Mr. Speaker announced the receipt of a petition from the Reno Commercial Club, protesting against the passage of Senate Bill No. 71.

**REPORTS OF COMMITTEES.**

The Committee on State Prison and Insane Asylum reported Senate Bill No. 83 favorably, with the recommendation that it do pass with the following amendments: Section 1, in line 2, after the word "classify," insert "and separate." In Section 2, line 1, after word "shall," insert "with the approval of the Prison Commission."

The Committee on Fish and Game reported Assembly Bill No. 174, with the recommendation that it be referred to the Committee on Agriculture; also, Assembly Concurrent Resolution favorably, with the recommendation that it do pass, with amendments: Section 1 amended to read as follows: "The seat of government shall be located at Mazuma, Humboldt County, on and after the first day of January, 1911. SEC. 2. It shall be the duty of the janitor of the Capitol, as he has time and opportunity, assisted by the Esmeralda Delegation, to see that the provisions of this resolution are complied with."

The Committee on Agriculture reported Assembly Bill No. 201 and Senate Substitute for Senate Bill No. 36 favorably, with the recommendation that they do pass; also, Assembly Bill No. 207, without recommendation.

The Committee on Ways and Means reported Assembly Bill No. 143 and Senate Bill No. 57 favorably, with the recommendation that they do pass.

**INTRODUCTION AND FIRST READING.**

By Mr. Brooks:

Assembly Bill No. 222—An Act to provide for the creation of a central bureau of criminal information, providing for an officer in charge, prescribing his powers and duties, prescribing certain duties of Sheriffs and other officers in connection therewith, providing certain penalties and other matters relating thereto, making appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so

far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Winter:

Assembly Bill No. 223—An Act to amend an Act entitled "An Act to provide for the protection and preservation of different species of wild game, and to repeal all Acts and parts of Acts in conflict herewith."

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

The Sergeant-at-Arms announced a message from the Senate.

By Mr. Bergman:

Assembly Bill No. 224—An Act fixing and regulating the fees to be charged by County Recorders and District Mining Recorders for recording affidavits of proof of labor on mining claims.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

By Mr. Neill:

Assembly Bill No. 225—An Act for the relief of A. C. House.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Luke:

Assembly Bill No. 226—An Act relating to the grazing of live stock.

On motion of Mr. Luke, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

By Mr. Pollard:

Assembly Bill No. 227—An Act to amend section five of an Act entitled "An Act consolidating certain county offices in Lyon County."

On motion of Mr. Pollard, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lyon Delegation.

By Mr. Brandon:

Assembly Bill No. 228—An Act to compel all persons retailing liquor in the State of Nevada to enter into a bond not to sell the same or permit the same to be sold to any minor, habitual drunkard, irresponsible person, or to any Indian maintaining tribal relations, and defining habitual drunkard.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

By Mr. Smith:

Assembly Bill No. 229—An Act to provide for the health and safety of persons employed in and about mines, mills, and smelters of the State of Nevada, and for the protection and preservation of property connected therewith.

On motion of Mr. Smith, duly seconded, rules suspended, reading so



far had considered first reading, rules further suspended, bill read second time by title and referred to Committee on Mines and Mining.

By Mr. Neill:

Assembly Bill No. 230—An Act for the regulation of banks and banking institutions, providing penalties for its violation and repealing all Acts or parts of Acts inconsistent herewith.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations.

By Washoe Delegation:

Assembly Bill No. 231—An Act to amend an Act entitled "An Act to amend the title of and to amend an Act entitled 'An Act to incorporate the Town of Reno, and to establish a city government therefor,'" approved March 13, 1905.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

By Mr. Fitzgerald:

Assembly Bill No. 232—An Act making the payment of a poll tax a condition to the right of voting, and other matters properly connected therewith.

On motion of Mr. Fitzgerald, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Senate Bill No. 82.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Railroads and Corporations.

MESSAGES FROM THE SENATE.

Messages from the Senate were read, transmitting for consideration:

Senate Bill No. 55, which passed the Senate by the following vote: Yeas, 11; nays, 1; absent, 7.

Senate Bill No. 84, which passed: Yeas, 14; nays, none; absent, 5.  
 Senate Bill No. 85, which passed: Yeas, 14; nays, none; absent, 5.  
 Senate Bill No. 86, which passed: Yeas, 12; nays, none; absent, 7.  
 Senate Bill No. 88, which passed: Yeas, 12; nays, none; absent, 7.  
 Senate Bill No. 90, which passed: Yeas, 13; nays, none; absent, 6.  
 Senate Bill No. 91, which passed: Yeas, 14; nays, none; absent, 5.  
 Senate Bill No. 92, which passed: Yeas, 16; nays, none; absent, 3.  
 Senate Bill No. 96, which passed: Yeas, 13; nays, none; absent, 6.  
 Senate Bill No. 97, which passed: Yeas, 13; nays, none; absent, 5;  
 not voting, 1.

Also, returning the following:

Assembly Bill No. 96, which passed: Yeas, 13; nays, none; absent, 6.  
 Assembly Bill No. 110, which passed: Yeas, 12; nays, none; absent, 7.  
 Assembly Bill No. 161, which passed: Yeas, 14; nays, none; absent, 5.  
 Assembly Bill No. 152, which passed: Yeas, 15; nays, none; absent, 4.  
 Assembly Bill No. 172, which passed: Yeas, 14; nays, none; absent, 5.

Assembly Resolution No. 10, which passed: Yeas, 12; nays, none; absent, 7.

Substitute for Assembly Bill No. 99, which passed: Yeas, 13; nays, none; absent, 6.

GENERAL FILE AND THIRD READING.

Senate Bill No. 70 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Brandon, Brogan, Brooks, Curtin, Ellis, Matt. Kane, McNamara, Neill, and Smith—11.

Assembly Bill No. 112, was placed on its third reading.

On motion of Mr. Farnsworth, the bill was considered engrossed, and passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Brandon, Brogan, Curtin, Ellis, Matt. Kane, Hunter, McNamara, Neill, and Smith—11.

Assembly Bill No. 187 was placed on third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Riddell, Ross, Smaill, Todd, Winter, Woolley, and Mr. Speaker—33.

NAYS—Messrs. Berry, Bradshaw, Church, Duborg, Matt. Kane, Luke, Reynolds, Schoer, and Woolcock—9.

Absent—Messrs. Aylesworth, Brandon, Curtin, Ellis, Neill, and Smith—6.

Senate Bill No. 45 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Curtin, Folsom, McCafferty, and Neill—8.

Assembly Bill No. 197 was placed on third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and was lost by the following vote:

YEAS—Messrs. Blake, Brogan, Clark, Gallagher, Hunter, Chas. A. Kane, Leary, McNamara, Merten, Raycraft, Woolley, and Mr. Speaker—12.

NAYS—Messrs. Berry, Bradshaw, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Matt. Kane, Luke, Lunsford, McIntosh, Pollard, Reynolds, Riddell, Schoer, Smaill, Winter, and Woolcock—22.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brooks, Curtin, Folsom, McCafferty, Neill, O'Brien, and Ross—11.

Not voting—Messrs. Farnsworth, Smith, and Todd—3.

Mr. Smaill gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Assembly Bill No. 137 was lost.



On motion of Mr. Pollard, Senate Bill No. 42 was taken up out of order, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Brooks, Clark, Curtin, McCafferty, and Ross—6.

Assembly Bill No. 188 was placed on third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Dodge, Farnsworth, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Smaill, Smith, Todd, Winter, and Woolley—33.

NAYS—Messrs. Allen, Berry, Bradshaw, Conaway, Duborg, Ellis, Ferguson, Reynolds, Schoer, and Mr. Speaker—10.

Absent—Messrs. Aylesworth, Bergman, Curtin, Ross, and Woolcock—5.

Senate Substitute for Assembly Bill No. 48 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—Mr. Allen.

Absent—Messrs. Aylesworth, Curtin, and Smaill—3.

On motion of Mr. Dodge, House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Neill, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration: Senate Bill No. 89, which passed: Yeas, 12; nays, 1; absent, 5; not voting, 1.

Senate Bill No. 98, which passed: Yeas, 11; nays, none; absent, 7.

Also, returning Assembly Bill No. 162, which passed: Yeas, 15; nays, none; absent, 4.

Assembly Joint and Concurrent Resolution No. 12, which passed: Yeas, 14; nays, none; absent, 5.

### GENERAL FILE AND THIRD READING.

Assembly Bill No. 169 was placed on its third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, McCafferty, McIntosh, McNamara,

Merten, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—Messrs. Bergman, Chas. A. Kane, and O'Brien.

Absent—Messrs. Aylesworth, Curtin, Matt. Kane, Lunsford, Neill, and Smaill—6.

Assembly Bill No. 220 was placed on third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Curtin, Chas. A. Kane, Matt. Kane, Lunsford, Neill, Ross, and Smaill—9.

#### INTRODUCTION AND FIRST READING.

By Mr. Smith:

Assembly Bill No. 233—An Act granting a franchise unto Nevada Telephone-Telegraph Company, a corporation organized and existing under the laws of the State of Nevada, its successors and assigns, to complete and operate a telephone and telegraph line from the Town of Reno, in Washoe County, to the Town of Ely, in White Pine County, via Carson City, Ormsby County, Dayton, Lyon County, Fort Churchill, Lyon County, Tonopah, Nye County, and Goldfield, Esmeralda County, along, across and under highways and certain lands between the said termini.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

#### GENERAL FILE AND THIRD READING.

Assembly Joint and Concurrent Resolution No. 16 was placed on its third reading.

On motion of Mr. Brooks, the resolution was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Curtin, Folsom, Matt. Kane, Neill, Riddell, Ross, and Smaill—10.

#### SPECIAL ORDERS.

Assembly Bill No. 120, which was made a special order for 2 p. m., was taken up and placed on its third reading.

On motion of Mr. Smith, the bill was considered engrossed.

On motion of Mr. Farnsworth, the bill was indefinitely postponed.

On motion of Mr. Brandon, Assembly Bill No. 170 was taken up out of order, the time for its special order having passed.

Assembly Bill No. 170 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Lunsford, McCafferty, McIntosh, McNamara,



Merten, O'Brien, Pollard, Raycraft, Riddell, Ross, Schoer, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Messrs. Bradshaw, Duborg, Leary, Luke, Reynolds, Smaill, and Winter—7.

ABSENT—Messrs. Aylesworth, Matt Kane, and Neill—3.

Assembly Bill No. 120 was placed on third reading, and, on motion of Mr. Brooks, was indefinitely postponed.

INTRODUCTION AND FIRST READING.

By Mr. Curtin:

Assembly Bill No. 234—An Act to provide for the current expenses of the Railroad Commission of Nevada.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

By Mr. Bergman:

Assembly Bill No. 235—An Act empowering all persons to copy or make abstracts or memoranda of all books and records of state and county officers, and to utilize the same to supply the general public with copies, abstracts, and memoranda, and to otherwise make use thereof.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brandon:

Assembly Bill No. 236—An Act defining the rights of bailees for hire of goods in storage, as to disposition of unclaimed or delinquent property.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Washoe Delegation:

Assembly Bill No. 237—An Act to authorize the City of Reno, Washoe County, State of Nevada, to borrow from the Reno park fund the sum of four thousand dollars.

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

On motion of Mr. Folsom, the House took a recess until 7:30 p. m.

HOUSE IN SESSION

At 7:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth, Bradshaw, Curtin, Folsom, Leary, Neill, O'Brien, and Riddell.

GENERAL FILE AND THIRD READING.

On motion of Mr. Brandon, Substitute for Senate Substitute for Senate Bill No. 32 was made a special order for Wednesday, at 11 a. m.

Assembly Joint and Concurrent Resolution No. 17 was placed on third reading.

On motion of Mr. Reynolds, the resolution was considered engrossed.

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

Assembly Bill No. 193 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Bulmer, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Brooks, Curtin, Duborg, Ellis, Leary, Neill, O'Brien, and Riddell—11.

On motion of Mr. Dodge, Assembly Bill No. 80 was referred to Committee of the Whole.

On motion of Mr. Farnsworth, Assembly Bill No. 31 was referred to Committee of the Whole.

On motion of Mr. Folsom, Assembly Bills Nos. 87 and 190, Senate Bill No. 65 (printed as Senate Bill No. 66), and Senate Bill No. 66 (printed as Senate Bill No. 65), were referred to Committee of the Whole.

Assembly Bill No. 131 was placed on its third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Clark, Fitzgerald, Chas. A. Kane, Matt. Kane, Lunsford, McCafferty, McIntosh, McNamara, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—25.

NAYS—Messrs. Allen, Bergman, Burke, Church, Conaway, Dodge, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Luke, Merten, and Woolley—14.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Duborg, Ellis, Leary, Neill, O'Brien, and Riddell—9.

Assembly Joint and Concurrent Resolution No. 13, on motion of Mr. Smail, was indefinitely postponed.

Senate Substitute for Senate Bill No. 36 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Luke, McCafferty, McIntosh, Raycraft, Schoer, Smail, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—31.

NAYS—Messrs. Berry, Chas. A. Kane, McNamara, Merten, Pollard, Reynolds, Ross, and Smith—8.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Duborg, Leary, Lunsford, Neill, O'Brien, and Riddell—9.

Senate Bill No. 83 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, McIntosh, McNamara, Merten, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Curtin, Duborg, Leary, Lunsford, McCafferty, Neill, O'Brien, and Riddell—11.

On motion of Mr. Dodge, Assembly Bill No. 143 was referred to Committee of the Whole.

Assembly Bill No. 201 was placed on its third reading.

On motion of Mr. Church, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke,



Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, McIntosh, McNamara, Merten, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Curtin, Duborg, Leary, Lunsford, McCafferty, Neill, O'Brien, Riddell, and Ross—12.

Assembly Bill No. 207 was placed on its third reading.

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

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, McCafferty, McIntosh, McNamara, Merten, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—Messrs. Allen, Conaway, and Folsom—3.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Curtin, Duborg, Leary, Lunsford, Neill, O'Brien, and Riddell—10.

On motion of Mr. Folsom, the House adjourned until 10:30 a. m. Wednesday, March 10, 1909.

Approved:

J. B. GIFFEN,  
*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE FIFTY-SECOND DAY.

CARSON CITY (Wednesday), March 10, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Blake, and Ross, who were excused.

Prayer by the Chaplain, Rev. Father Gartland.

The Sergeant-at-Arms announced a message from the Senate.

### REPORTS OF COMMITTEES.

The Committee on Fish and Game, reported Assembly Bill No. 191 favorably, with the recommendation that it do pass with the following amendments: Section 2, line 4, strike out the word "swan," line 11, "shall." Section 5, line 2, "1915." Section 6, strike out whole section. Section 8, line 1, "1st of December." Section 9, line 1, "5th of March"; line 2, "15th of September"; line 5, cut out "wild goose." Section 10, line 2, cut out "twenty-five doves"; change to "twenty sagehen, twenty mountain quail"; line 3, change to "twenty valley quail," cut out "ten snipe"; line 4, cut out "three wild geese," insert "or three swan." Section 11, cut out whole section. Section 15, cut out whole section. Section 16, line 1, change date to "31st of December"; line 2, "October 1st." Section 17, line 3, cut out word "male." Section 18, cut out word "male." Section 19, line 3, change to "twenty mountain quail, twenty sagehen," cut out "twenty-five doves"; change to "twenty valley quail"; line 4, cut out "ten snipe"; line 5, cut out "wild geese," and change to "swan." Section 20, line 5, cut out the word "dove"; line 6, cut out the word "snipe"; line 12, change to "\$500." Section 22, line 4, cut out word "shall." Section 26, line 2, change date to "15th of March." Section 29, line 2, after the word "line," insert "net" or "seine"; line 4, cut out the words "net" and "seine," to "gill net trap"; line 5, cut out the word "basket"; lines 5, 6, 7, and 8, cut out all words after the word "compound." Section 32, cut out, in line 6, the words "is guilty of misdemeanor." Section 35, line 3, change word "must" to "shall."

The Committee on Judiciary reported Assembly Bill No. 142 favorably, with the recommendation that it do pass as amended: Strike out all of bill except Section 2 and title and enacting clause.

Also, Assembly Bill No. 215 favorably, with the recommendation that it do pass as amended: In line 2, Section 8, strike out word "less," and insert word "more" instead. In line 3, strike out words, "930 votes, nor more than"; add words to Section 8 as follows: "and having more than \$3,600,000 of taxable property."

Also, Assembly Bills Nos. 135, 194, and 219, favorably, with the recommendation that they do pass.



Also, Senate Bill No. 69 unfavorably, with the recommendation that it do not pass.

The Committee on Public Lands reported Assembly Bill No. 160 favorably, with the recommendation that it do pass.

The Committee on Elections reported Assembly Bill No. 209 and Senate Bill No. 53 favorably, with the recommendation that they do pass; also, Assembly Bill No. 232, without recommendation.

The minority of the Committee on Ways and Means reported Senate Bill No. 75 favorably, with the recommendation that it do pass.

The majority of the Committee on Ways and Means reported Senate Bill No. 75 unfavorably, with the recommendation that it do not pass.

The Storey Delegation reported Senate Bill No. 81 favorably, with the recommendation that it do pass.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received, transmitting for consideration: Senate Bill No. 68, which passed the Senate: Yeas, 15; nays, none; absent, 3.

Senate Bill No. 99 which passed: Yeas, 16; nays, none; absent, 3.

Senate Bill No. 103, which passed: Yeas, 16; nays, none; absent, 3.

Senate Bill No. 104, which passed: Yeas, 16; nays, none; absent, 3.

Also, returning Assembly Bill No. 29, which passed: Yeas, 15; nays, none; absent, 4.

Assembly Bill No. 63, which passed: Yeas, 15; nays, none; absent, 4.

Assembly Bill No. 88, which was lost: Yeas, 7; nays, 9; absent, 3.

Assembly Bill No. 168, which passed: Yeas, 16; nays, none; absent, 3.

Assembly Bill No. 125, which passed: Yeas, 17; nays, none; absent, 2.

Assembly Bill No. 181, which passed: Yeas, 13; nays, none; absent, 6.

Assembly Bill No. 183, which passed: Yeas, 12; nays, none; absent, 7.

On motion of Mr. Smaill, Assembly Bill No. 191 was referred to the Committee of the Whole.

On motion of Mr. Folsom, Assembly Bill No. 129 was taken from the table.

#### SPECIAL ORDERS.

Senate Substitute for Senate Bill No. 32, special order for 11 a. m., was taken up, and placed on third reading.

On motion of Mr. Folsom, the bill was referred to the Committee of the Whole.

On motion of Mr. Berry, the House resolved itself into Committee of the Whole for the consideration of such business as might come before it.

Mr. McCafferty in the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 191 without recommendation; Assembly Bills Nos. 80, 87, 119, 143, and 190, and Senate Bill No. 65 (printed as Senate Bill No. 66), and Senate Bill No. 66

(printed as Senate Bill No. 65) were reported favorably, with the recommendation that they do pass.

Senate Bill No. 38 and Assembly Bill No. 31 were retained in Committee of the Whole for further consideration.

On motion of Mr. Allen, the House took a recess until 1:30 p. m.

#### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Merten and Ross, who were excused, and Mr. Aylesworth.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Lunsford, the House resolved itself into Committee of the Whole for the consideration of Substitute for Senate Bill No. 32, and such other business as might come before it.

Mr. Smith was called to the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Substitute for Senate Bill No. 32 unfavorably, with the recommendation that it do not pass.

Action on Senate Bill No. 38 was deferred.

Assembly Bill No. 234 was reported with the recommendation that it be referred to Committee on Ways and Means.

Senate Substitute for Senate Bill No. 32 was reported favorably, with the recommendation that it do pass.

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

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration: Senate Bill No. 77, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 94, which passed: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 105, which passed: Yeas, 18; nays, none; absent, 1.

Senate Bill No. 109, which passed: Yeas, 19; nays, none.

Senate Bill No. 110, which passed: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 111, which passed: Yeas, 19; nays, none.

#### INTRODUCTION AND FIRST READING.

By Mr. Bergman:

Assembly Bill No. 238—An Act making an appropriation for various repairs in the State Prison.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Committee on State Prison and Insane Asylum:

Assembly Bill No. 239—An Act making an appropriation for the



installation of machinery and other appliances at the Nevada State Prison.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Washoe Delegation:

Assembly Bill No. 240—An Act to amend an Act entitled "An Act to prevent pollution or contamination of the waters of the lakes, rivers, streams and ditches in the State of Nevada."

On motion of Mr. Lunsford, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

Senate Bill No. 109.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 94.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Senate Bill No. 77.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 105.

On motion of Mr. Bulmer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Printing.

Senate Bill No. 111.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 110.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine Delegation.

Senate Substitute for Assembly Bill No. 99.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

Senate Bill No. 95.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine Delegation.

Senate Bill No. 90.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Internal Improvements.

Senate Bill No. 91.

On motion of Mr. Dodge, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

Senate Bill No. 92.

On motion of Mr. Dodge, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.

Senate Bill No. 96.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 97.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 98.

On motion of Mr. Neill, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine Delegation.

Senate Bill No. 89.

On motion of Mr. Pollard, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lyon Delegation.

Senate Bill No. 88.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 86.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 85.

On motion of Mr. Brandon, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

Senate Bill No. 84.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 55.

On motion of Mr. Woolley, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Military and Indian Affairs.

Senate Bill No. 68.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.



Senate Bill No. 103.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 104.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

#### MOTIONS AND RESOLUTIONS.

Mr. Smaill, having given notice, moved for a reconsideration by which Assembly Bill No. 137 was lost.

The motion was carried, and on roll call the bill was passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Curtin, Farnsworth, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Smaill, Smith, Todd, Winter, Woolley, and Mr. Speaker—31.

NAYS—Messrs. Allen, Church, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Luke, Lunsford, McIntosh, Reynolds, Schoer, and Woolcock—14.

Absent—Messrs. Aylesworth, Bradshaw, and Ross—3.

On motion of Mr. Smaill, House took a recess for fifteen minutes.

#### HOUSE IN SESSION.

Roll called.

All present, except Messrs. Aylesworth, Bradshaw, Brandon, Luke, Neill, O'Brien, Riddell, and Todd.

#### REPORTS OF COMMITTEES.

The Committee on Education reported Assembly Bill No. 107 favorably, with the recommendation that it do pass, as amended: In line 13 strike out word "or"; also, after word "building," insert words "or improving the grounds and outbuildings."

The Committee on Education reported Assembly Bill No. 146 favorably, with the recommendation that it do pass.

The Lyon Delegation reported Assembly Bill No. 227 favorably, with the recommendation that it do pass.

On motion of Mr. Folsom, Assembly Bill No. 97 was taken from the table.

On motion of Mr. Folsom, the House took a recess until 7:30 p. m.

#### HOUSE IN SESSION

At 7:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth, Clark, Duborg, and Riddell.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 226 was placed on third reading.

On motion of Mr. Luke, the bill was considered engrossed, and was lost by the following vote:

YEAS—Messrs. Allen, Brogan, Dodge, Ferguson, Fitzgerald, Luke, Lunsford, O'Brien, Pollard, Ross, Winter, Woolcock, and Mr. Speaker—13.

NAYS—Messrs. Bergman, Berry, Blake, Bulmer, Church, Conaway, Curtin, Ellis, Farnsworth, Folsom, Gallagher, Hunter, Matt. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, and Woolley—26.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Burke, Clark, Duborg, Chas. A. Kane, and Riddell—9.

On motion of Mr. Winter, Assembly Bill No. 174 was laid on the table.

Senate Bill No. 57, on motion of Mr. Winter, was referred to Committee of the Whole,

Assembly Bill No. 119 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brogan, Church, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Ross, Schoer, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—31.

NAYS—Messrs. Allen, Bulmer, Conaway, Ellis, Hunter, Reynolds, and Woolcock—7.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Brooks, Burke, Clark, Duborg, Chas. A. Kane, and Riddell—10.

Assembly Bill No. 215 was placed on third reading.

On motion of Mr. Pollard, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Burke, Clark, Duborg, Chas. A. Kane, and Riddell—9.

Assembly Bill No. 129 was placed on third reading.

On motion of Mr. McCafferty, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Mr. Todd.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Burke, Clark, Duborg, Chas. A. Kane, and Riddell—9.

Messrs. Curtin and Hunter changed their votes from yea to nay.

Senate Bill No. 39 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brogan, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Brandon, Brooks, Burke, Clark, Duborg, Chas. A. Kane, Riddell, and Ross—11.

Assembly Bill No. 143 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brogan, Bulmer, Church, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary,



Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Smith, Todd, Winter, Woolley, and Mr. Speaker—31.

YAYS—Messrs. Allen, Hunter, McIntosh, Schoer, Smaill, and Woolcock—6.

ABSENT—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Burke, Clark, Duborg, Chas. A. Kane, Pollard, Riddell, and Ross—11.

Senate Bill No. 81 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Bulmer, Church, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Burke, Clark, Curtin, Duborg, Chas. A. Kane, Pollard, Riddell, and Ross—12.

On motion of Mr. Berry, Senate Bill No. 75 was referred to Committee of the Whole.

On motion of Mr. Fitzgerald, Assembly Bill No. 232 was indefinitely postponed.

Senate Bill No. 69 was placed on third reading.

On motion of Mr. Lunsford, it was placed at the bottom of the file.

Assembly Bill No. 160 was placed on third reading.

On motion of Mr. Gallagher, it was placed at the bottom of the file.

Assembly Bill No. 219 was placed at the bottom of the file, on motion of Mr. McCafferty.

Assembly Bill No. 142 was placed on third reading.

On motion of Mr. Lunsford, it was sent to engrossment, as amended.

On motion of Mr. Church, Assembly Bill No. 209 was placed at the bottom of the file.

On motion of Mr. Folsom, Assembly Bill No. 80 was placed at the bottom of the file.

On motion of Mr. Folsom, the House adjourned until Thursday, at 10:30 a. m.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

**THE FIFTY-THIRD DAY.**

CARSON CITY (Thursday), March 11, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Farnsworth and O'Brien, who were excused, and Messrs. Aylesworth and Clark.

Prayer by the Chaplain, Rev. R. G. Pike.

On motion of Mr. Dodge, the Journal of the previous day was approved as written.

The Sergeant-at-Arms announced a message from the Senate.

**REPORTS OF COMMITTEES.**

The Committee on Claims reported Senate Bill No. 73 favorably, with the recommendation that it do pass; also, Assembly Bill No. 176, without recommendation.

The Committee on Judiciary reported Senate Bill No. 21 with a substitute therefor, with the recommendation that substitute do pass.

The Committee on Printing reported Senate Bill No. 105 favorably, with the recommendation that it do pass.

The Committee on Military and Indian Affairs reported Senate Bill No. 55 favorably, with the recommendation that it do pass; also, Senate and Concurrent Resolution favorably, with the recommendation that it do pass.

The Committee on Corporations and Railroads reported Assembly Bill No. 233 favorably, with the recommendation that it do pass; also, Assembly Bill No. 203 unfavorably, with the recommendation that it do not pass.

The Committee on Internal Improvements reported Senate Bill No. 90 favorably, with the recommendation that it do pass.

The Committee on Judiciary reported Senate Bills Nos. 33 and 62, and Assembly Bill No. 204 favorably, with the recommendation that they do pass; also, Assembly Bill No. 165 unfavorably, with the recommendation that it do not pass.

Messrs. Neill and Smith, of the Committee on Education, reported Assembly Bill No. 151 favorably, with the recommendation that it do pass.

Messrs. Brandon and Bergman, of the Committee on Education, reported Assembly Bill No. 151 without recommendation.

The Humboldt Delegation reported Senate Substitute for Assembly Bill No. 99, and Senate Bills Nos. 85 and 104 favorably, with the recommendation that they do pass.



The White Pine Delegation reported Senate Bills Nos. 98, 99, and 110 favorably, with the recommendation that they do pass.

MESSAGES FROM THE SENATE.

Messages from the Senate were read, transmitting for consideration: Senate Bill No. 107, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 106, which passed: Yeas, 16; nays, none; absent, 3.

Senate Bill No. 87, which passed: Yeas, 10; nays, 6; absent, 3.

Senate Bill No. 101, which passed: Yeas, 17; nays, none; absent, 2.

Also, returning Assembly Bill No. 175, which passed: Yeas, 14; nays, 2; absent, 3.

Assembly Bill No. 171, which passed: Yeas, 18; nays, none; absent, 1.

Assembly Bill No. 164, which passed: Yeas, 14; nays, 1; absent, 4.

Assembly Bill No. 157, which passed: Yeas, 12; nays, 4; absent, 3.

Assembly Bill No. 124, which passed: Yeas, 17; nays, none; absent, 2.

Assembly Bill No. 94, which passed: Yeas, 19; nays, none.

Assembly Bill No. 85, which passed: Yeas, 18; nays, none; absent, 1.

Substitute for Assembly Bill No. 95, which passed: Yeas, 16; nays, none; absent, 3.

The Committee on Enrollment reported Assembly Bill No. 63 for completion of its history.

INTRODUCTION AND FIRST READING.

By Mr. Folsom:

Assembly Bill No. 241—An Act to create an additional Legislative Fund.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

On motion of Mr. Allen, Assembly Bill No. 63 was placed at the bottom of the file.

Senate Bill No. 53 was placed on third reading and final passage, and passed, with amendments, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Brooks, Clark, Duborg, Ellis, Farnsworth, Folsom, Lunsford, O'Brien, and Smaill—11.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 51, 96, 110, 145, 152, and 177, and Assembly Joint and Concurrent Resolution No. 10, and Substitute for Assembly Joint and Concurrent Resolution No. 14 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

Assembly Bill No. 87 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Brogan, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Brooks, Bulmer, Clark, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Neill, O'Brien, and Smaill—13.

Assembly Bill No. 190 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Brogan, Brooks, Clark, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, McNamara, O'Brien, and Smaill—13.

Assembly Bill No. 66 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Bradshaw, Brandon, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Brogan, Brooks, Clark, Ellis, Farnsworth, Ferguson, Folsom, Hunter, Chas. A. Kane, McNamara, O'Brien, Smaill, and Winter—15.

Senate Bill No. 65 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Fitzgerald, Folsom, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, Raycraft, Reynolds, Smaill, and Todd—27.

NAYS—Messrs. Allen, Berry, Ferguson, McIntosh, O'Brien, Riddell, Ross, Schoer, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—13.

Absent—Messrs. Aylesworth, Blake, Clark, Ellis, Farnsworth, Hunter, Chas. A. Kane, and O'Brien—8.

Mr. Folsom, from the Committee on Conference, appointed to confer with a like committee of the Senate in the matter of Senate Bill No. 59, reported that said committee had met in conference, and had agreed to recommend that the Senate and Assembly do pass said bill with the following amendment: In Section 2, line 2, strike out the words "owned or."

Report adopted.

On motion of Mr. Curtin, Assembly Bill No. 203 was rereferred to Committee on Corporations and Railroads.

On motion of Mr. Folsom, the House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Clark, Farnsworth, and Riddell.

## INTRODUCTION AND FIRST READING.

Senate Bill No. 101.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.



Senate Bill No. 106.

On motion of Mr. Bulmer, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Library.

Senate Bill No. 87.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Library.

Senate Bill No. 107.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 146 was placed on third reading.

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

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Ellis, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Raycraft, Reynolds, Schoer, Smith, Winter, Woolcock, and Mr. Speaker—32.

NAYS—Messrs. Allen, Ferguson, Leary, Merten, Pollard, Ross, Smail, Todd, and Woolley—9.

Absent—Messrs. Aylesworth, Clark, Curtin, Duborg, Farnsworth, Matt. Kane, and Riddell—7.

Assembly Bill No. 135 was placed on third reading.

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

YEAS—Messrs. Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Meill, O'Brien, Pollard, Raycraft, Riddell, Schoer, Smail, Todd, Winter, Woolcock, Woolley and Mr. Speaker—29.

NAYS—Messrs. Allen, Bergman, Berry, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Lunsford, Reynolds, and Ross—11.

Absent—Messrs. Aylesworth, Brandon, Clark, Curtin, Duborg, Farnsworth, Matt. Kane, and Smith—8.

On motion of Mr. Berry, Assembly Bill No. 194 was made a special order for Monday, at 2 p. m.

Assembly Bill No. 107 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Burke, Church, Conaway, Dodge, Ellis, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Reynolds, Ross, Schoer, Smith, Winter, Woolcock, and Mr. Speaker—33.

NAYS—Messrs. Brooks, Bulmer, Ferguson, Pollard, Raycraft, Todd, and Woolley—7.

Absent—Messrs. Allen, Aylesworth, Clark, Curtin, Duborg, Farnsworth, Riddell, and Smail—8.

Assembly Bill No. 227 was placed on third reading.

On motion of Mr. Folsom, it was placed at the bottom of the file.

Assembly Bill No. 97 was placed on third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas.

A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Ross, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Clark, Curtin, Duborg, Ellis, Farnsworth, McCafferty, Pollard, Riddell, and Smail—11.

On motion of Mr. Brandon, Substitute for Senate Bill No. 32 was taken up out of order.

Mr. Curtin moved to strike out the enacting clause of Assembly Substitute for Senate Substitute for Senate Bill No. 32, and the motion was carried by the following vote:

YEAS—Messrs. Berry, Brandon, Brogan, Burke, Church, Curtin, Dodge, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Reynolds, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—27.

NAYS—Messrs. Allen, Bergman, Blake, Brooks, Bulmer, Conaway, Chas. A. Kane, Merten, O'Brien, Pollard, Raycraft, Ross, Smith, and Woolley—14.

Absent—Messrs. Aylesworth, Bradshaw, Clark, Duborg, Ellis, Farnsworth, and Riddell—7.

Senate Substitute for Senate Bill No. 32 was placed on third reading.

On motion of Mr. Curtin, it was considered engrossed.

Mr. Brooks moved that Section 1 of Senate Substitute for Senate Bill No. 32 be stricken out, and Section 1 of Assembly Substitute for same bill be inserted therefor.

Lost by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brooks, Bulmer, Conaway, Chas. A. Kane, Merten, O'Brien, Pollard, Smith, and Woolley—12.

NAYS—Messrs. Berry, Brandon, Burke, Church, Curtin, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Raycraft, Reynolds, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—28.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Clark, Duborg, Farnsworth, Riddell, and Ross—8.

Senate Substitute for Senate Bill No. 32 passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Brandon, Brooks, Burke, Church, Curtin, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—Messrs. Bergman, Bulmer, Conaway, Chas. A. Kane, Merten, O'Brien, Pollard, and Woolley—8.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Clark, Duborg, Farnsworth, and Riddell—7.

Mr. Brooks changed his vote from nay to yea, and gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Senate Substitute for Senate Bill No. 32 was passed.

On motion of Mr. McCafferty, Senate Bill No. 21 was made a special order for Monday, March 15, 1909, at 3 p. m.

On motion of Mr. Folsom, Assembly Bill No. 227 was taken up out of order, and placed on its third reading.

On motion of Mr. Pollard, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bulmer, Church, Conaway, Curtin, Dodge, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Brogan, Brooks, Burke, Clark, Duborg, Ellis, Farnsworth, Gallagher, McCafferty, Neill, and Riddell—15.



Senate Bill No. 69 was placed on third reading, and, on motion of Mr. Bergman, was laid on the table.

Assembly Bill No. 160 was placed on third reading.

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

YEAS—Messrs. Allen, Blake, Bulmer, Burke, Church, Conaway, Dodge, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Raycraft, Reynolds, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—28.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Clark, Curtin, Duborg, Ellis, Farnsworth, Folsom, Chas. A. Kane, McCafferty, Neill, Pollard, Riddell, Ross, and Smaill—20.

On motion of Mr. Woolley, the House adjourned until 10:30 a. m., Friday, March 12, 1909.

Approved:

J. B. GIFFEN,

*Speaker of the Assembly.*

Attest: HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-FOURTH DAY.

CARSON CITY (Friday), March 12, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth and Ross.

Prayer by the Chaplain, Rev. R. G. Pike.

On motion of Mr. McCafferty, the Journal of the previous day was approved as written.

Speaker pro tem. in the chair.

### REPORTS OF COMMITTEES.

The majority of the Committee on Railroads and Corporations reported Assembly Bill No. 203 unfavorably, with the recommendation that it do not pass. The minority of the same committee reported favorably on the bill, with the recommendation that it do pass.

The Committee on Engrossment reported that they had carefully compared Assembly Bill No. 142 with the engrossed copy, and found the same correctly engrossed.

The Committee on State Library reported Senate Bills Nos. 87 and 106 favorably, with the recommendation that they do pass.

The Committee on Corporations and Railroads reported Senate Bill No. 107 favorably, with the recommendation that it do pass.

The Committee on Elections reported Senate Bill No. 94 favorably, with the recommendation that it do pass.

The Lyon Delegation reported Senate Bill No. 89 without recommendation, and recommended that it be referred to the Judiciary Committee.

The Sergeant-at-Arms announced a message from the Senate.

### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration: Senate Bill No. 112, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Senate Bill No. 119, which passed: Yeas, 14; nays, none; absent, 5.

Also, returning Assembly Joint and Concurrent Resolution No. 16, which passed: Yeas, 15; nays, none; absent, 4.

Assembly Joint and Concurrent Resolution No. 3, which passed as amended: Yeas, 13; nays, 6.

Assembly Bill No. 92, which passed: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 207, which passed: Yeas, 12; nays, none; absent, 7.

Assembly Bill No. 147, which passed: Yeas, 16; nays, none; absent, 3.

On motion of Mr. Pollard, Senate Bill No. 89 was referred to the Committee on Judiciary.



On motion of Mr. Curtin, Assembly Bill No. 203 was referred to the Committee of the Whole.

GENERAL FILE AND THIRD READING.

On motion of Mr. Brandon, Assembly Joint and Concurrent Resolution No. 17 was taken from the table and placed on the general file.

Assembly Bill No. 219 was placed on third reading.

On motion of Mr. Brandon, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Small, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Chas. A. Kane, Pollard, Ross, and Smith—6.

Assembly Bill No. 80 was placed on third reading.

On motion of Mr. Dodge, it was placed at bottom of the file.

The House concurred in Senate amendments to Assembly Joint and Concurrent Resolution No. 3 by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Dodge and Lunsford—2.

Absent—Messrs. Aylesworth, Berry, Chas. A. Kane, Pollard, and Ross—5.

On motion of Mr. Lunsford, Assembly Bill No. 131 was made a special order for Saturday, March 13, 1909, at 2:30 p. m.

Assembly Bill No. 209 was placed on third reading.

Mr. Bergman moved to indefinitely postpone Assembly Bill No. 209.

Motion lost.

Mr. Bergman moved to strike out Section 4.

Motion lost.

On motion of Mr. Giffen, the bill was considered engrossed as amended and placed on final passage, and passed by the following vote:

YEAS—Messrs. Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Curtin, Duborg, Ellis, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—32.

NAYS—Messrs. Allen, Bergman, Blake, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Luke, and Woolley—13.

Absent—Messrs. Aylesworth, McIntosh, and Ross—3.

Mr. Brooks moved that the vote by which Senate Substitute for Senate Bill No. 32 passed the Assembly be reconsidered.

Roll call demanded by Messrs. Brooks, Chas. A. Kane, and McNamara.

The motion was lost by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brooks, Bulmer, Conaway, Farnsworth, Chas. A. Kane, Merten, O'Brien, Pollard, Riddell, Smith, and Woolley—14.

NAYS—Messrs. Berry, Bradshaw, Brandon, Brogan, Burke, Church, Clark, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Raycraft, Reynolds, Schoer, Small, Todd, Winter, Woolcock, and Mr. Speaker—32.

Absent—Messrs. Aylesworth and Ross—2.

On motion of Mr. Winter, House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Aylesworth.

## REPORTS OF COMMITTEES.

The Committee on Ways and Means made the following reports out of order:

The minority of the Committee on Ways and Means reported Assembly Bill No. 65 without recommendation.

The majority of the Committee on Ways and Means reported Assembly Bill No. 65 favorably, with the recommendation that it do pass.

The minority of the Committee on Ways and Means reported Senate Bills Nos. 68 and 84 favorably, with the recommendation that they do pass.

The Committee on Ways and Means reported Assembly Bills Nos. 66, 225, 238, and 241, and Senate Bill No. 103 favorably, with the recommendation that they do pass; also, Assembly Bill No. 189 without recommendation, and Assembly Bills Nos. 211 and 214 unfavorably, with the recommendation that they do not pass.

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 142 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brogan, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Brandon, Brooks, Ellis, Chas. A. Kane, and Ross—6.

On motion of Mr. Folsom, Senate Bill No. 107 was taken up out of order, and placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brogan, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Brandon, Brooks, Ellis, Chas. A. Kane, and Riddell—6.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Woolley, the special order on Assembly Bill No. 191, which was set for 2 p. m., Saturday, March 13, was vacated, and the bill was placed on its third reading.

On motion of Mr. Smail, the bill was sent to engrossment.

Mr. Folsom was given consent to read a resolution from the members of the Assembly in honor of the fiftieth anniversary of the marriage of Hon. Lemuel Allen.

The resolution was adopted.

The Sergeant-at-Arms announced a message from the Governor, conveying Assembly Bill No. 35 without his approval.



## VETO MESSAGE.

EXECUTIVE CHAMBER,  
CARSON CITY, NEVADA, March 11, 1909.*To the Honorable the Assembly:*

I return herewith, without approval, Assembly Bill No. 35, entitled "An Act to provide for the purchase of the astronomical and meteorological instruments and appliances, and the original astronomical and meteorological records of the late Charles W. Friend."

Under the provisions of this Act the astronomical and meteorological instruments are to be purchased for the use of the State University and the records for use in the State Engineer's office. I fail to see wherein the instruments or the records can prove of material benefit to the institutions to which they are to be assigned. The State University has never included astronomy in its curriculum, and, so far as I am able to learn, does not contemplate the adoption of such course of study, even though these instruments should be purchased.

The money required for the purchase of the instruments is but the beginning of the outlay which the purchase will make necessary. The cost of preparing a suitable room for the installation of the instruments and of installing them will more than equal the original purchase price.

It appears to me to be a waste of money to purchase articles which are of no value to the State at this time and which are not likely to be of particular value in the future.

D. S. DICKERSON,  
*Lieutenant and Acting Governor.*

On motion of Mr. Smaill, the House adjourned until Saturday, March 13th, at 10:30 a. m.

Approved:

R. LESLIE SMAILL,  
*Speaker Pro Tem. of the Assembly.*Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE FIFTY-FIFTH DAY.

CARSON CITY (Saturday), March 13, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Allen, Aylesworth, Bulmer, and Woolley, who were excused.

On motion of Mr. McCafferty, the Journal was adopted as read.

The Sergeant-at-Arms announced a message from the Senate.

### REPORTS OF COMMITTEES.

The Committee on Judiciary reported Assembly Bill No. 205 favorably, with the recommendation that it do pass with the following amendment: Add words "Constable and Deputy Constable" after words "Deputy Sheriff" whenever same occurs. Strike out words "regularly licensed" in line 8 of Section 4.

The majority of the Committee on Military and Indian Affairs reported Assembly Bill No. 195 favorably, with the recommendation that it do pass.

The Committee on Corporations and Railroads reported Senate Bill No. 82 favorably, with the recommendation that it do pass.

The Committee on Judiciary reported Assembly Bills Nos. 210, 222, and 235, and Substitute for Senate Bill No. 40 favorably, with the recommendation that they do pass.

Also, Assembly Bills Nos. 115 and 196 without recommendation.

Also, Senate Bill No. 77 unfavorably, with the recommendation that it do not pass.

The Committee on Ways and Means reported Assembly Bill No. 138, without recommendation.

The Committee on Education reported Assembly Bill No. 217 favorably, with the recommendation that it do pass, as amended.

The Committee on Engrossment reported Assembly Bill No. 191 as correctly engrossed.

The Washoe Delegation reported Assembly Bills Nos. 218, 231, 237, and 240 favorably, with the recommendation that they do pass.

The Washoe and Nye Delegations reported Assembly Bill No. 202 favorably, with the recommendation that it do pass.

### MESSAGES FROM THE SENATE.

Messages from the Senate were read transmitting for consideration:  
 Senate Bill No. 122, which passed: Yeas, 13; nays, none; absent, 6.  
 Senate Bill No. 102, which passed: Yeas, 13; nays, none; absent, 6.  
 Senate Bill No. 117, which passed: Yeas, 11; nays, 4; absent, 4.



Also, returning Assembly Bill No. 193, which passed: Yeas, 10; nays, none; absent, 9.

Assembly Bill No. 123, which passed: Yeas, 12; nays, none; absent, 7.

Assembly Bill No. 103, which passed: Yeas, 17; nays, none; absent, 2.

Assembly Bill No. 173, which passed: Yeas, 11; nays, none; absent, 8.

Assembly Bill No. 220, which passed: Yeas, 13; nays, none; absent, 6.

Assembly Bill No. 112, which passed: Yeas, 12; nays, none; absent, 7.

INTRODUCTION AND FIRST READING.

By Committee on State Prison and Insane Asylum:

Assembly Bill No. 242—An Act making an appropriation for various improvements and repairs in and about the Nevada Hospital for Mental Diseases.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 119.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

SPECIAL ORDER.

The special order for 11 a. m.—the Governor's veto message on Assembly Bill No. 35—was taken up.

The Clerk read the Governor's veto message on Assembly Bill No. 35.

Mr. Smaill announced that Assembly Bill No. 35 had become a law, as the Governor had not returned the bill with his veto within the time prescribed by law.

The roll was called, and the Governor's veto on Assembly Bill No. 35 was sustained by the following vote:

YEAS—Messrs. Brandon, Brogan, Burke, Clark, Dodge, Farnsworth, Folsom, Hunter, Leary, Lunsford, McCafferty, McNamara, Merten, Pollard, Raycraft, Smaill, Smith, and Todd—18.

NAYS—Messrs. Blake, Bradshaw, Brooks, Church, Conaway, Curtin, Duborg, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Luke, Neill, O'Brien, Reynolds, Woolcock, and Mr. Speaker—18.

Absent—Messrs. Allen, Aylesworth, Bergman, Bulmer, Ellis, Ross, and Woolley—7.

Not voting—Messrs. Berry, McIntosh, Riddell, and Schoer—4.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 29, 85, 94, 95, 124, 125, 161, 162, 164, 168, 171, 172, 175, 181, and 183, and Assembly Joint and Concurrent Resolution No. 12 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

On motion of Mr. Folsom, Assembly Bill No. 121 was made a special order for Monday at 2 p. m.

Senate Bill No. 112.

On motion of Mr. Bergman, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Prison and Insane Asylum.

Senate Bill No. 102.

On motion of Mr. Gallagher, duly seconded, rules suspended, reading so

far had considered first reading, rules further suspended, bill read second time by title, and referred to Esmeralda Delegation.

Senate Bill No. 117.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 122.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

On motion of Mr. Lunsford, Assembly Bill No. 103 was taken up, out of order, for the purpose of concurring in the amendments offered by the Senate.

The amendments were read by the Clerk, and adopted by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brooks, Burke, Church, Clark, Conway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Brogan, Bulmer, Ellis, Chas. A. Kane, McCafferty, Ross, Smail, and Woolley—11.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 110 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brandon, Brooks, Burke, Church, Clark, Conway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, and Woolcock—34.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brogan, Bulmer, Ellis, Chas. A. Kane, McCafferty, McNamara, Pollard, Ross, Smail, Woolley, and Mr. Speaker—14.

Senate Bill No. 98 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, and Woolcock—37.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Bulmer, Ellis, McCafferty, Pollard, Ross, Smail, Woolley, and Mr. Speaker—11.

Assembly Bill No. 151 was placed on third reading.

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

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Smail, Smith, Winter, Woolcock, and Mr. Speaker—39.

NAYS—Messrs. Ferguson, Folsom, Schoer, and Todd—4.

Absent—Messrs. Allen, Aylesworth, Berry, Bulmer, and Woolley—5.

On motion of Mr. Winter, the House took a recess until 1:30 p. m.



## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Allen, Aylesworth, Bulmer, and Woolley, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

## GENERAL FILE AND THIRD READING.

Senate Bill No. 99 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brogan, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Brandon, Brooks, Bulmer, Curtin, Farnsworth, Hunter, Chas. A. Kane, Matt. Kane, Leary, O'Brien, Ross, Smail, and Woolley—16.

Senate Bill No. 85 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Berry, Blake, Bradshaw, Brogan, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bergman, Brandon, Brooks, Bulmer, Curtin, Farnsworth, Folsom, Hunter, Chas. A. Kane, Matt. Kane, O'Brien, Pollard, Ross, Smail, and Woolley—17.

Senate Bill No. 104 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brogan, Burke, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Brooks, Bulmer, Church, Gallagher, Chas. A. Kane, Matt. Kane, O'Brien, Smith, and Woolley—12.

## INTRODUCTION AND FIRST READING.

By Mr. Smail:

Assembly Bill No. 243—An Act appropriating two hundred dollars for the checking up and completing the Senate and Assembly records of the Twenty-fourth Session of the Nevada State Legislature, and providing for payment therefor.

On motion of Mr. Smail, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

## MOTIONS AND RESOLUTIONS.

Mr. Smail gave notice that he would, on the next legislative day, ask the House to rescind its action of this day on Assembly Bill No. 35.

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 233 was placed on third reading.

On motion of Mr. Smith, the bill was considered engrossed, and passed, as amended, by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunford, McCafferty, Mcintosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bulmer, Ellis, Matt. Kane, O'Brien, Smail, and Woolley—8.

On motion of Mr. Curtin, House resolved itself into Committee of the Whole for the purpose of considering Senate Bill No. 57, and any other business which might come before it.

Mr. Chas. A. Kane was called to the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Senate Bill No. 57 favorably, with the recommendation that it do pass, as amended.

Assembly Bill No. 243 and Senate Bill No. 75 were reported favorably, with the recommendation that they do pass.

Assembly Bill No. 203 was held in the committee.

Assembly Bill No. 31 was held over until Monday.

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

#### REPORTS OF COMMITTEES.

The Committee on State Prison and Insane Asylum reported Senate Bill No. 112 favorably, with the recommendation that it do pass with the following amendments: In Section 2 strike out the first subdivision and word "Second" at beginning of second subdivision.

The Committee on Judiciary reported Senate Bill No. 86 favorably, with the recommendation that it do pass.

The Committee on Education reported Assembly Bill No. 206 favorably, with the recommendation that it do pass; also, Assembly Bill No. 130 unfavorably, with the recommendation that it do not pass.

The Humboldt Delegation reported Senate Bill No. 122 favorably, with the recommendation that it do pass.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were read transmitting for consideration: Senate Bill No. 115, which passed the Senate: Yeas, 15; nays, none; absent, 4.

Senate Bill No. 72, which passed: Yeas, 15; nays, 1; absent, 3.

Senate Bill No. 114, which passed: Yeas, 15; nays, none; absent, 4.

Senate Bill No. 116, which passed: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 100, which passed: Yeas, 14; nays, none; absent, 5.

Senate Bill No. 126, which passed: Yeas, 13; nays, 2; absent, 4.

Senate Bill No. 80, which passed: Yeas, 18; nays, none; absent, 1.

Also, returning Assembly Bill No. 140, which was postponed indefinitely by the Senate.

Assembly Bill No. 169, which passed: Yeas, 18; nays, none; absent, 1.

On motion of Mr. Winter, Senate Bill No. 126 was taken up out of order.



On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

GENERAL FILE AND THIRD READING.

The House refused to concur in the Senate amendments to Assembly Bill No. 63 by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brooks, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Luke, Lunsford, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Brandon, Brogan, Bulmer, Clark, Folsom, Chas. A. Kane, Leary, McCafferty, McIntosh, McNamara, Ross, Small, and Woolley—15.

Not voting—Mr. Bradshaw.

Mr. Speaker appointed Messrs. Allen, Ferguson, and Todd a conference committee to confer with a like committee from the Senate relative to Assembly Bill No. 63.

Senate Substitute for Assembly Bill No. 99 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Bradshaw, Brandon, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McCafferty, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Blake, Brogan, Bulmer, Farnsworth, Hunter, Leary, McIntosh, Neill, Ross, Small, and Woolley—14.

Senate Bill No. 62 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McNamara, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Brogan, Bulmer, Ellis, Folsom, Gallagher, Hunter, McCafferty, McIntosh, Merten, Neill, and Woolley—14.

Not voting—Mr. Ross.

Assembly Bill No. 204 was placed on third reading.

On motion of Mr. Brandon, it was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Bradshaw, Brandon, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Brogan, Bulmer, Ellis, McCafferty, McIntosh, Merten, and Woolley—10.

Senate Bill No. 33 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bulmer, Curtin, Ellis, McCafferty, Riddell, and Woolley—8.

Mr. Bradshaw was given temporary leave of absence and was relieved from his duties on the Committee on Ways and Means.

The Committee on Corporations and Railroads reported Senate Bill No. 126 favorably, with the recommendation that it do pass.

On motion of Mr. Winter, all rules were suspended, and Senate Bill No. 126 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Church, Clark, Conaway, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—Messrs. Curtin, Dodge, Fitzgerald, and Luke—4.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Bulmer, Burke, Hunter, and Woolley—7.

On motion of Mr. McNamara, Assembly Bill No. 195 was taken up out of order.

Mr. Folsom moved that Senate Bill No. 90 be taken up in conjunction with Assembly Bill No. 195.

Motion carried by the following vote:

YEAS—Messrs. Bergman, Berry, Bradshaw, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Todd, Winter, and Mr. Speaker—24.

NAYS—Messrs. Blake, Brandon, Brogan, Brooks, Curtin, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, O'Brien, Ross, Smail, and Smith—18.

Absent—Messrs. Allen, Aylesworth, Bulmer, Burke, Woolcock, and Woolley—6.

#### CALL OF THE HOUSE.

On motion of Mr. Winter, the Speaker ordered a call of the House.

Roll call showed all present, except Messrs. Allen, Aylesworth, Bulmer, Woolcock, and Woolley, who had been excused by a vote of the House.

On motion of Mr. Winter, Assembly Bill No. 195 was indefinitely postponed by the following vote:

YEAS—Messrs. Bergman, Berry, Bradshaw, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, and Mr. Speaker—26.

NAYS—Messrs. Blake, Brandon, Brogan, Brooks, Curtin, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, O'Brien, Smail, and Smith—17.

Absent—Messrs. Allen, Aylesworth, Bulmer, Woolcock, and Woolley—5.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 90 was placed on third reading.

Mr. Curtin moved that enacting clause be stricken out.

Roll call demanded by Messrs. Bradshaw, Smail, and Curtin.

Motion lost by the following vote:

YEAS—Messrs. Blake, Brogan, Curtin, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, O'Brien, Smail, and Smith—14.

NAYS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, and Mr. Speaker—29.

Absent—Messrs. Allen, Aylesworth, Bulmer, Woolcock, and Woolley—5.

Mr. Smail offered an amendment which was lost by the following vote:

YEAS—Messrs. Blake, Brogan, Curtin, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, O'Brien, Smail, and Smith—15.

NAYS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, and Mr. Speaker—28.

Absent—Messrs. Allen, Aylesworth, Bulmer, Woolcock, and Woolley—5.



Mr. Lunsford moved that the House adjourn until Monday, March 15, 1909, at 11 a. m.

Motion lost by following vote:

YEAS—Messrs. Blake, Burke, and Pollard—3.

NAYS—Messrs. Bergman, Berry, Bradshaw, Brandon, Brogan, Brooks, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, and Mr. Speaker—40.

Absent—Messrs. Allen, Aylesworth, Bulmer, Woolcock, and Woolley—5.

Mr. Riddell was appointed Chairman of Ways and Means Committee.

Mr. Neill was appointed on Ways and Means Committee to fill vacancy caused by resignation of Mr. Bradshaw.

Mr. Chas. A. Kane moved that House take a recess until 7:30 p. m.

Roll call demanded, and motion carried by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Bradshaw, Brandon, Brogan, Curtin, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, and Mr. Speaker—26.

NAYS—Messrs. Brooks, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Leary, Luke, Lunsford, Pollard, Raycraft, and Reynolds—17.

Absent—Messrs. Allen, Aylesworth, Bulmer, Woolcock, and Woolley—5.

### HOUSE IN SESSION

At 7:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Allen, Aylesworth, Bradshaw, Bulmer, Burke, Duborg, O'Brien, and Woolley.

### GENERAL FILE AND THIRD READING.

Senate Bill No. 90.

The following amendment was offered by Mr. Curtin: "SECTION 8. Whenever the Sheriff or Board of County Commissioners, or both, of any county of the State shall request the Governor to declare a condition of insurrection to exist, or martial law to be established, the Governor may, at his discretion, do so; and in such cases the Nevada State Police shall be recognized as a military body, and shall have power to take such steps as the Governor may approve to preserve peace and order, and protect life and property."

Roll call was demanded, and the amendment was rejected by the following vote:

YEAS—Messrs. Blake, Brogan, Brooks, Curtin, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, Small, and Smith—15.

NAYS—Messrs. Bergman, Berry, Brandon, Church, Clark, Conaway, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—25.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Bulmer, Burke, Duborg, O'Brien, and Woolley—8.

Senate Bill No. 90 was placed on final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Brandon, Brogan, Brooks, Church, Clark, Conaway, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—27.

NAYS—Messrs. Blake, Curtin, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, McCafferty, McNamara, Merten, Small, and Smith—13.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Bulmer, Burke, Duborg, O'Brien and Woolley—8.

Senate Bill No. 106 placed on third reading and final passage, and lost by the following vote:

YEAS—Messrs. Blake, Brandon, Brogan, Brooks, Clark, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Matt. Kane, Leary, Luke, Lunsford, McCafferty, Merten, Pollard, Raycraft, Smail, and Todd—21.

NAYS—Messrs. Bergman, Berry, Church, Conaway, Ellis, Gallagher, Chas. A. Kane, McIntosh, McNamara, Neill, Reynolds, Riddell, Schoer, Smith, Winter, Woolcock, and Mr. Speaker—17.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Bulmer, Burke, Duborg, Hunter, O'Brien, Ross, and Woolley—10.

Mr. Gallagher changed his vote on Senate Bill No. 106 from yea to nay, and gave notice that on the next legislative day he would move to reconsider the vote by which said bill was lost.

Mr. Farnsworth gave notice that on the next legislative day he would ask for a reconsideration of the vote by which Senate Bill No. 106 was lost.

On motion of Mr. Pollard, Assembly Bill No. 176 was indefinitely postponed.

Assembly Joint and Concurrent Resolution No. 17 was placed on third reading.

On motion of Mr. Reynolds, the resolution was considered engrossed, and was lost by the following vote:

YEAS—Messrs. Blake, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Pollard, Reynolds, Smail, Todd, and Mr. Speaker—14.

NAYS—Messrs. Bergman, Brandon, Brooks, Church, Clark, Conaway, Ellis, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Raycraft, Riddell, Schoer, Winter, and Woolcock—18.

Absent—Messrs. Allen, Aylesworth, Berry, Bradshaw, Brogan, Bulmer, Burke, Duborg, Folsom, Hunter, McCafferty, Neill, O'Brien, Ross, Smith, and Woolley—16.

Mr. Woolcock gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Assembly Joint and Concurrent Resolution No. 17 was lost.

On motion of Mr. Bergman, Senate Bill No. 112 was referred to Committee of the Whole.

On motion of Mr. Ferguson, the House adjourned until Monday, March 15, 1909, at 10:30 a. m.

Approved:

R. LESLIE SMAILL,  
*Speaker Pro Tem. of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



## THE FIFTY-SEVENTH DAY.

CARSON CITY (Monday), March 15, 1909.

House convened at 10:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth, Bradshaw, and Duborg, who were excused.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

The Journal of the previous day was approved as written.

The Sergeant-at-Arms announced a message from the Senate.

### PRESENTATION OF PETITIONS.

A petition was read from the Regents of the State University and was referred to special University Committee.

EMPIRE, NEVADA, March 12, 1909.

*To the Honorable Members of the Assembly:*

WHEREAS, The Legislature of the State of Nevada has acceded to the wishes of organized labor, to the extent of enacting into law two eight-hour bills, in which the members of this local are particularly interested, also other measures of interest to labor; therefore be it

*Resolved*, That we, the members of the Lyon and Ormsby County Labor Union No. 261 of the Western Federation of Miners, do hereby express our appreciation of your attitude towards these measures; and be it further

*Resolved*, That we ask your honorable body to extend the same kindly consideration to labor measures in the future as you have in the part of the session now passed.

ARTHUR TODD,  
*President.*

WM. BOHAN, *Secretary.*

On motion of Mr. Dodge, Assembly Bills Nos. 138, 189, and 214, and Senate Bill No. 68 were referred to Committee of the Whole.

### REPORTS OF COMMITTEES.

The Committee on Judiciary reported Senate Bill No. 89 favorably, with the recommendation that it do pass.

### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration:

Senate Bill No. 108, which passed with amendments: Yeas, 15; nays, none; absent, 4.

Senate Bill No. 60, which passed: Yeas, 17; nays, none; absent, 2.

Also, returning Assembly Bill No. 87, which passed: Yeas, 13; nays, none; absent, 6.

Assembly Bills Nos. 25, 75, 78, and 148, which were postponed indefinitely by the Senate.

Assembly Bill No. 227, which passed: Yeas, 17; nays, none; absent, 2.

Assembly Bill No. 83, which passed: Yeas, 13; nays, 1; absent, 5.

## MOTIONS AND RESOLUTIONS.

Mr. Farnsworth moved that the House reconsider the vote by which Senate Bill No. 106 was defeated.

Mr. Lunsford moved that the House rescind its action in regard to approval of Saturday's Journal.

Motion carried.

Mr. Chas. A. Kane announced that he was opposed to such motion.

On motion of Mr. Dodge, Journal of Saturday, March 13th, was read.

On motion of Mr. Lunsford, the Journal of the previous day was approved with the following insertion being made: "Mr. Gallagher changed his vote from yea to nay on Senate Bill No. 106, and gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Senate Bill 106 was defeated."

A roll call was demanded by Messrs. Kane, McNamara, and Smith, and the Journal was approved by the following roll call:

YEAS—Messrs. Berry, Blake, Brandon, Brogan, Bulmer, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McIntosh, Merten, Neill, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—33.

NAYS—Messrs. Allen, Bergman, Brooks, Curtin, Chas. A. Kane, McCafferty, McNamara, Riddell, and Smith—9.

Absent—Messrs. Aylesworth and Bradshaw—2.

Not voting—Messrs. Duborg, Ellis, Matt. Kane, and O'Brien—4.

Mr. Chas. A. Kane gave notice that he was opposed to Speaker's ruling, claiming it was illegal.

On motion of Mr. Gallagher, the vote by which Senate Bill No. 106 was defeated was reconsidered.

The roll was called, and Senate Bill No. 106 was passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—Messrs. Curtin and McIntosh—2.

Absent—Messrs. Aylesworth, Berry, Bradshaw, and Burke—4.

Mr. Kane changed his vote from nay to yea, and gave notice that, on the next legislative day, he would ask for a reconsideration of the vote by which Senate Bill No. 106 was passed.

Mr. Smaill, in accordance with notice previously given, moved that the House rescind its action on Assembly Bill No. 35, and that the record of the vote on the Governor's veto be expunged from the Journal.

The motion was lost.

Mr. Woolcock, in accordance with notice previously given, moved that the House reconsider the vote by which Assembly Joint and Concurrent Resolution No. 17 was lost.

Motion carried.

Roll was called, and the resolution passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—43.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Ferguson, and Chas. A. Kane—5.



Mr. McNamara changed his vote from nay to yea.

On motion of Mr. Folsom, Senate Bill No. 20 was taken from the table and placed on the general file.

On motion of Mr. Folsom, Assembly Bill No. 121, which was a special order for 2 p. m., was vacated, and made a special order for Tuesday, at 2:10 p. m.

INTRODUCTION AND FIRST READING.

By Mr. Winter:

Assembly Bill No. 244—An Act to amend "An Act creating the office of Commissary of the Nevada State Police, prescribing his duties, fixing his compensation, and other matters relating thereto."

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 60.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 80.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Senate Bill No. 100.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 72.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. No. 116.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 115.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 114.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 108.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

On motion of Mr. Folsom, the House took a recess until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Aylesworth, who was excused.

The Sergeant-at-Arms announced a message from the Senate.

## GENERAL FILE AND THIRD READING.

On motion of Mr. Gallagher, Senate Bill No. 87 was referred to Committee of the Whole.

Senate Bill No. 94 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brooks, Burke, Chas. A. Kane, and Lunsford—6.

On motion of Mr. Brooks, the committee appointed to examine into the conduct of the State Bank Examiners relative to State Bank and Trust Company was given one day before making its report.

On motion of Mr. Smith, Senate Bill No. 105 was referred to Committee of the Whole.

Senate Bill No. 57 was placed on third reading and final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Chas. A. Kane, and Lunsford—4.

Assembly Bill No. 225 was placed on third reading, and on motion of Mr. Duborg, referred to Committee of the Whole.

Senate Bill No. 73 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Bradshaw, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Brandon, Chas. A. Kane, Matt. Kane, Lunsford, and Riddell—6.

Senate Joint and Concurrent Resolution No. 9 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Ellis, Matt. Kane, Lunsford, Riddell, and Ross—8.



On motion of Mr. Curtin, the House took a recess until 2:45 p. m.

### HOUSE IN SESSION

At 2:45 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth and Bradshaw.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration: Senate Bill No. 133, which passed the Senate: Yeas, 16; nays, none; absent, 3.

Senate Bill No. 113, which passed: Yeas, 15; nays, none; absent, 3; not voting, 1.

Senate Bill No. 134, which passed: Yeas, 14; nays, 1; absent, 4.

Senate Substitute for Assembly Bill No. 36, which passed: Yeas, 16; nays, none; absent, 1; not voting, 2.

Also, returning Assembly Bill No. 180, which passed, as amended: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 146, which passed: Yeas, 16; nays, none; absent, 3.

Assembly Bill No. 198, which passed: Yeas, 18; nays, none; absent, 1.

On motion of Mr. Dodge, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 31.

Professor Frandsen was invited to address the committee for ten minutes.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported that it had listened to Professor Frandsen.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 55 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Clark, Curtin, Ellis, Matt. Kane, Leary, McCafferty, Pollard, and Smith—10.

On motion of Mr. Berry, Assembly Bill No. 196 was taken up out of order, and placed on third reading.

On motion of Mr. Chas. A. Kane, the bill was considered engrossed, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Clark, Ellis, Matt. Kane, and Ross—6.

On motion of Mr. Curtin, the Committee on Enrollment was increased by three members.

Mr. Curtin offered the following resolution:

WHEREAS, On account of the extra amount of work devolving upon the Enrolling Clerks of the Twenty-fourth Session of the Legislature, it will be necessary to provide assistance in order to complete the enrolling of bills and resolutions; therefore, be it

*Resolved*, That the Chairman of the Committee on Enrollment be and is hereby empowered to employ such additional help as he may deem necessary.

Resolution adopted.

#### REPORTS OF COMMITTEES.

The Committee on Ways and Means reported Senate Bills Nos. 114, 115, and 116 favorably, with the recommendation that they do pass.

Also, Senate Bill No. 111, with substitute, and recommend that substitute do pass.

The Washoe Delegation reported Senate Bill No. 91 favorably, with the recommendation that it do pass.

On motion of Mr. Folsom, Assembly Bill No. 65 was referred to Committee of the Whole.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 66 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, O'Brien, Raycraft, Reynolds, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—Messrs. Church, Curtin, Gallagher, Chas. A. Kane, McNamara, Merten, and Neill—7.

Absent—Messrs. Aylesworth, Bradshaw, Matt. Kane, Pollard, and Riddell—5.

Assembly Bill No. 241 was placed on third reading, and, on motion of Mr. Duborg, was referred to Committee of the Whole.

Senate Bill No. 103 was placed on third reading, and, on motion of Mr. Duborg, was referred to Committee of the Whole.

Assembly Bill No. 210 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Matt. Kane, Lunsford, Pollard, Riddell, and Ross—7.

On motion of Mr. Duborg, Assembly Bill No. 238 was referred to the Committee of the Whole.

Assembly Bill No. 115 was placed on third reading.

Mr. Folsom moved that the House adjourn until 10 a. m. Tuesday.

Roll call was demanded, and the motion was lost by the following vote:

YEAS—Messrs. Allen, Blake, Bulmer, Burke, Clark, Conaway, Dodge, Duborg, Ellis,



Farnsworth, Ferguson, Fitzgerald, Folsom, Leary, Luke, Lunsford, Neill, Raycraft, Reynolds, and Woolley—20.

NAYS—Messrs. Bergman, Berry, Brandon, Brogan, Brooks, Church, Curtin, Gallagher, Hunter, Chas. A. Kane, McCafferty, McIntosh, McNamara, Merten, O'Brien, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—22.

Absent—Messrs. Aylesworth, Bradshaw, Matt. Kane, Pollard, Riddell, and Ross—6.

Messrs. Pollard, Gallagher, and O'Brien were appointed to assist the Enrolling Committee.

The Enrolling Committee was excused by the Speaker.

Assembly Bill No. 113 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Raycraft, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—36.

NAYS—Mr. Duborg.

Absent—Messrs. Aylesworth, Blake, Bradshaw, Curtin, Matt. Kane, Leary, O'Brien, Pollard, Reynolds, Ross, and Woolcock—11.

On motion of Mr. Folsom, the House adjourned until 9 a. m., Tuesday, March 16, 1909.

Approved:

R. LESLIE SMAILL,  
*Speaker Pro Tem. of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE FIFTY-EIGHTH DAY.

CARSON CITY (Tuesday), March 16, 1909.

House convened at 9 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Bradshaw, Bulmer, Leary, and Todd, who were excused, and Messrs. Clark and Ellis.

The Journal of the previous day approved as written.

### REPORTS OF COMMITTEES.

The Committee on Mines and Mining reported Assembly Bill No. 224 favorably, with the recommendation that it do pass with the following amendments: In Section 1 strike out words "fifty cents," in line 3, and insert the words "one dollar" in lieu thereof. Strike out the word "ten" in line 4, and insert the words "twenty-five" in lieu thereof.

Also, Assembly Bill No. 150 favorably, with the recommendation that it do pass.

The Committee on Public Morals reported Assembly Bill No. 228 unfavorably, with the recommendation that it do not pass.

### INTRODUCTION AND FIRST READING.

Senate Bill No. 113.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Senate Substitute for Assembly Bill No. 36.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 133.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

Senate Bill No. 134.

On motion of Mr. O'Brien, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

### GENERAL FILE AND THIRD READING.

Senate Bill No. 84 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Burke, Church, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Luke, Lunsford, McCafferty, McIntosh, Neill,



O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—26.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Clark, Curtin, Duborg, Ellis, Folsom, Hunter, Matt. Kane, Leary, McNamara, Merten, Riddell, Ross, Smail, and Todd—22.

On motion of Mr. Bergman, Assembly Bill No. 211 was referred to Committee of the Whole.

Senate Bill No. 122 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Burke, Church, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Bulmer, Clark, Curtin, Duborg, Ellis, Folsom, Matt. Kane, Leary, Merten, Riddell, Smail, and Todd—16.

Senate Bill No. 86 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Burke, Church, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Winter, Woolcock, Woolley, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Bulmer, Clark, Duborg, Ellis, Folsom, Matt. Kane, Lunsford, Merten, Riddell, Smail, Smith, and Todd—16.

Assembly Bill No. 237 was placed on third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Burke, Church, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Woolcock, Woolley, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Bulmer, Clark, Duborg, Ellis, Folsom, Matt. Kane, Merten, Riddell, Smail, Smith, Todd, and Winter—16.

On motion of Mr. Dodge, Assembly Bill No. 38 was referred to Committee of the Whole.

On motion of Mr. Dodge, Senate Bill No. 77 was laid on the table.

Senate Bill No. 82 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Burke, Church, Conaway, Dodge, Farnsworth, Fitzgerald, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, Neill, O'Brien, Pollard, Raycraft, Ross, Schoer, Winter, Woolcock, Woolley, and Mr. Speaker—27.

NAYS—Messrs. Allen, Ferguson, Chas. A. Kane, McNamara, Reynolds, Smith, and Todd—7.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Bulmer, Clark, Curtin, Duborg, Ellis, Folsom, Matt. Kane, Merten, Riddell, and Smail—14.

Assembly Bill No. 205 was placed on third reading.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Brandon, Assembly Bill No. 205 was considered engrossed.

On motion of Mr. Dodge, the bill was indefinitely postponed.

The House concurred in Senate amendments to Assembly Bill No. 180 by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Burke, Church, Conaway,

Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Winter, Woolcock, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Bulmer, Clark, Ellis, Todd, and Woolley—9.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 39, 83, 87, 92, 112, 147, 157, 173, 193, 207, and 220, and Assembly Joint and Concurrent Resolution No. 16 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

Assembly Bill No. 150 was placed on third reading.

On motion of Mr. Gallagher, the bill was considered engrossed, and passed as amended by the following vote:

YEAS—Messrs. Bergman, Brandon, Brogan, Brooks, Burke, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Smaill, Smith, Winter, and Woolcock—32.

NAYS—Messrs. Allen, Blake, Church, Conaway, Duborg, Schoer, Woolley, and Mr. Speaker—8.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Bulmer, Clark, Ellis, Matt. Kane, and Todd—8.

Mr. Bergman gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Assembly Bill No. 150 passed.

#### REPORTS OF COMMITTEES.

The Committee on Ways and Means reported Assembly Bill No. 242 with a substitute, with the recommendation that the substitute do pass.

Also, Assembly Bill No. 139 and Senate Bill No. 108, without recommendation.

Also, Assembly Bill No. 239 and Senate Bills Nos. 72 and 100 favorably, with the recommendation that they do pass.

Also, Senate Bill No. 117 unfavorably, with the recommendation that it do not pass.

The Committee on Corporations and Railroads reported Senate Bill 133 favorably, with the recommendation that it do pass.

The Committee on Education reported Senate Bills Nos. 113 and 134 favorably, with the recommendation that they do pass.

Assembly Bill No. 238, on motion of Mr. Curtin, was indefinitely postponed.

On motion of Mr. Brooks, Assembly Bill No. 222 was referred to Committee of the Whole.

On motion of Mr. Curtin, the House concurred in the Senate amendments to Assembly Bill No. 123 by the following vote:

YEAS—Messrs. Berry, Blake, Brandon, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Schoer, Smaill, Winter, Woolcock, Woolley, and Mr. Speaker—26.

NAYS—Messrs. Brooks, Gallagher, Pollard, Raycraft, and Smith—5.

Absent—Messrs. Allen, Aylesworth, Bergman, Bradshaw, Brogan, Bulmer, Clark, Ellis, Matt. Kane, McCafferty, Neill, Riddell, and Todd—13.

Not voting—Messrs. Ferguson, O'Brien, Reynolds, and Ross—4.



On motion of Mr. Smail, Senate Bill No. 89 was taken up, out of order, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Burke, Church, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, Merten, Neill, Pollard, Raycraft, Reynolds, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—30.

NAYS—Messrs. Berry, Brogan, Brooks, Conaway, Curtin, Dodge, Duborg, Hunter, McCafferty, McNamara, and Riddell—11.

Absent—Messrs. Aylesworth, Bradshaw, Bulmer, Clark, Ellis, O'Brien, and Todd—7.

Speaker pro tem. in the chair.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole for the purpose of the consideration of such business as might come before it, with Mr. Riddell in the chair.

### HOUSE IN SESSION.

Speaker pro tem. in the chair.

The Committee of the Whole reported Assembly Bill No. 241 favorably, with the recommendation that it do pass; also, Assembly Bills Nos. 65 and 214.

Assembly Bill No. 211 was reported unfavorably, with the recommendation that it do not pass.

Assembly Bill No. 189 was reported favorably, with the recommendation that it do pass; also, Assembly Bill No. 138.

A vote of thanks was extended to Governor Dickerson and State Engineer Nicholas for addressing the Committee of the Whole.

Senate Bill No. 105 was reported favorably, with the recommendation that it do pass.

Assembly Bills Nos. 222 and 225 were reported favorably, with the recommendation that they do pass.

Assembly Bill No. 31 was reported without recommendation.

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

On motion of Mr. Folsom, the House took a recess until 2 p. m.

### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth and Bradshaw.

### SPECIAL ORDER.

Assembly Bill No. 121, which was made a special order for this time, was taken up.

The Sergeant-at-Arms announced a message from the Senate.

On motion of Mr. Clark, Assembly Bill No. 121 was indefinitely postponed by the following vote:

YEAS—Messrs. Allen, Blake, Brogan, Burke, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McNamara, Merten, Neill, and Woolley—23.

NAYS—Messrs. Bergman, Berry, Church, Duborg, Matt. Kane, McIntosh, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Winter, and Mr. Speaker—17.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Bulmer, Chas. A. Kane, and Todd—7.

Not voting—Mr. Woolcock.

Substitute for Assembly Bill No. 242, on motion of Mr. Duborg, was referred to Committee of the Whole.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 134 was placed on third reading and final passage, and lost by the following vote:

YEAS—Messrs. Bergman, Berry, Brogan, Burke, Church, Clark, Conaway, Curtin, Dodge, Gallagher, Hunter, Matt. Kane, Leary, McCafferty, McIntosh, McNamara, Raycraft, Riddell, Smail, Smith, Winter, and Woolcock—22.

NAYS—Messrs. Allen, Blake, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Luke, Mer-ten, Neill, O'Brien, Pollard, Reynolds, Ross, Woolley, and Mr. Speaker—16.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Bulmer, Farnsworth, Chas. A. Kane, Lunsford, Schoer, and Todd—10.

Mr. O'Brien changed his vote from yea to nay, and gave notice that he would, on the next legislative day, ask for a reconsideration of the vote by which Senate Bill No. 134 was lost.

On motion of Mr. Folsom, Senate Bills Nos. 114, 115, and 116 were taken from the file and referred to the Committee of the Whole.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration: Senate Bill No. 93, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Substitute for Assembly Joint and Concurrent Resolution No. 11, relating to the free coinage of silver, which passed: Yeas, 17; nays, 1; absent, 1.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 7, which passed: Yeas, 12; nays, none; absent, 7.

Senate Bill No. 97, which passed: Yeas, 18; nays, none; absent, 1.

Senate Bill No. 118, which passed: Yeas, 18; nays, none; absent, 1.

Substitute for Senate Bill No. 130, which passed with amended title: Yeas, 16; nays, 2; absent, 1.

Senate Bill No. 132, which passed: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 136, which passed: Yeas, 15; nays, none; absent, 4.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 8, which passed: Yeas, 13; nays, none; absent, 6.

Also, returning Assembly Bill No. 119, which passed: Yeas, 18; nays, 1.

Assembly Bill No. 142, which passed: Yeas, 18; nays, none; absent, 1.

Assembly Bill No. 233, which passed: Yeas, 15; nays, none; absent, 4.

#### INTRODUCTION AND FIRST READING.

Senate Bill No. 136.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe Delegation.



Senate Bill No. 93.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt Delegation.

Senate Bill No. 132.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Substitute for Senate Bill No. 130.

On motion of Mr. Farnsworth, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 7.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 8.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 11.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 118.

On motion of Mr. Church, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

On motion of Mr. Curtin, the House resolved itself into Committee of the Whole for the consideration of Senate Bill No. 72, and such other business as might come before it.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Senate Bill No. 72 unfavorably, with the recommendation that it do not pass.

Senate Bill No. 38 reported favorably, with the recommendation that it do pass.

Assembly Substitute for Assembly Bill No. 242 reported favorably, with the recommendation that it do pass.

### GENERAL FILE AND THIRD READING.

Assembly Bill No. 241 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brogan, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary,

Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Bradshaw, Brandon, Brooks, Bulmer, Curtin, Chas. A. Kane, McCafferty, Pollard, Ross, Smail, and Todd—14.

The Committee on Fish and Game reported Assembly Bill No. 163 favorably, with the recommendation that it do pass, as amended: In Section 5, line 2, change date "March 1st" to "March 15th." In Section 9, line 2, change dates to read as follows: "November 1st to December 31st"; in line 7 leave out the word "female"; in Section 10, line 3, change date to "November 1st"; in line 6 change dates to "1st of November and 31st of December." Strike out Section 12 and insert following: "Catch of trout or black bass not to exceed twenty fish. Night fishing or hunting prohibited between sunset and sunrise. Open season for trout March 15th to September 15th."

On motion of Mr. Bergman, Assembly Bill No. 211 was indefinitely postponed.

Assembly Bill No. 217 was placed on third reading.

On motion of Mr. Smith, the bill was referred to Committee of the Whole.

On motion of Mr. Dodge, Assembly Bill No. 202 was referred to Committee of the Whole.

The Sergeant-at-Arms announced a message from the Senate.

Assembly Bill No. 238 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brooks, Bulmer, Curtin, Ellis, Fitzgerald, Chas. A. Kane, Lunsford, McCafferty, Ross, Smail, and Todd—13.

Assembly Bill No. 65 was placed on third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Berry, Chas. A. Kane, and Merten—3.

Absent—Messrs. Aylesworth, Bradshaw, Bulmer, Ellis, and Todd—5.

Assembly Bill No. 243 was placed on third reading.

On motion of Mr. Smail, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Berry, Chas. A. Kane, and Merten—3.

Absent—Messrs. Aylesworth, Bradshaw, Bulmer, Ellis, and Todd—5.



Assembly Bill No. 243 was placed on third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Ross, Smaill, Smith, Winter, Woolcock, and Woolley—35.

NAYS—Messrs. Berry, Duborg, Reynolds, and Mr. Speaker—4.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Bulmer, Ellis, Chas. A. Kane, Lunsford, Schoer, and Todd—9.

Assembly Bill No. 214 was placed on third reading.

On motion of Mr. Gallagher, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, McCafferty, McNamara, Neill, O'Brien, Pollard, Raycraft, Riddell, Ross, and Smaill—26.

NAYS—Messrs. Allen, Berry, Blake, Duborg, Ellis, Fitzgerald, Matt. Kane, Lunsford, McIntosh, Merten, Reynolds, Schoer, Winter, Woolcock, Woolley, and Mr. Speaker—16.

Absent—Messrs. Aylesworth, Bradshaw, Bulmer, Folsom, Smith, and Todd—6.

Assembly Bill No. 189 was placed on third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Mr. Duborg.

Absent—Messrs. Aylesworth, Bradshaw, Brooks, Bulmer, Folsom, Chas. A. Kane, Riddell, and Todd—8.

Not voting—Mr. Smith.

The Humboldt Delegation reported Senate Bill No. 93 favorably, with the recommendation that it do pass.

The Conference Committee on Assembly Bill No. 63 reported as follows: The Senate agrees to recede from amendment in regard to District Attorney. The Assembly agrees to concur in amendment in regard to County Treasurer. The District Attorney's salary to be \$1,500 per annum; the County Treasurer's salary to be \$1,800 per annum.

Assembly Bill No. 138 was placed on third reading.

On motion of Mr. Smaill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Brandon, Brogan, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Smaill, Smith, Winter, and Woolley—34.

NAYS—Messrs. Duborg, Reynolds, Schoer, Woolcock, and Mr. Speaker—5.

Absent—Messrs. Aylesworth, Blake, Bradshaw, Brooks, Bulmer, Chas. A. Kane, Riddell, Ross, and Todd—9.

Assembly Bill No. 225 was placed on third reading.

On motion of Mr. Neill, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brogan, Burke, Church, Clarke, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Winter, Woolcock, Woolley, and Mr. Speaker—32.

NAYS—Messrs. Berry and Matt. Kane—2.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Brandon, Brooks, Bulmer, Curtin, Folsom, Chas. A. Kane, McNamara, Ross, Smaill, Smith, and Todd—14.

Assembly Bill No. 235 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Messrs. Duborg and Pollard—2.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Bulmer, Chas. A. Kane, Lunsford, Smith, and Todd—8.

The committee appointed to investigate the University made a report, and two hundred and forty copies of the report were ordered printed.

#### REPORT OF COMMITTEE ON UNIVERSITY INVESTIGATION.

*To the Honorable Senate and Assembly of the State of Nevada.*

GENTLEMEN: Your Joint Committee for the investigation of the University of Nevada begs leave herewith to submit its report, including a brief summary of the results of its investigation, conclusions arrived at, and some recommendations:

#### REASONS FOR THE INVESTIGATION.

The appointment of your committee was brought about by reason of the following communication to the Senate and Assembly from the President and Board of Regents of the University:

OFFICE OF THE BOARD OF REGENTS,  
UNIVERSITY OF NEVADA,  
RENO, NEVADA, February 1, 1909.

*To the Honorable GEORGE D. PYNE, President of the Senate, Carson City, Nevada.*

DEAR SIR: The Regents of the University ask the honorable Senate to appoint either the Committee on Education, or the Library Committee, or the Committee on Public Morals, or, if the Senate sees proper, a special committee to thoroughly investigate the State University of Nevada, in cooperation with a like committee from the House. Owing to the number of petty charges that are being made against the University we believe that we are justified in making this demand of your honorable body.

In doing so we affirm:

First—That the system of checks upon the University expenditures is thorough, and we believe it would be difficult to make it any more complete by new legislation.

Second—That the books of the University are kept by a highly skilled bookkeeper, whose system has received the commendation annually of the Inspector from the Office of Experiment Stations of the Department of Agriculture at Washington, and from the annual examination of the Agricultural and Mechanical College expenditures by the Department of the Interior.

Third—In regard to the state funds, the law requires the claims to be certified by the President, passed and approved by the Board of Regents, examined and approved by the State Board of Examiners and audited by the State Controller, which, we believe, is satisfactory, and all other claims for expenditures are required to be certified by the President and approved by the Regents.

Fourth—That the charges of graft, maladministration, weak administration, and extravagance are false.

Fifth—We affirm that the money appropriated by the State has been wisely and economically expended.

Sixth—That the recent large gifts, which the Legislature has approved, have been secured by the straightforward, manly policy of the administration, and that the University of Nevada is not reproached by its President sitting around in the anterooms of men of wealth and begging them to come to the University's help.

Seventh—The administration stands, we believe, upon its record and can successfully maintain itself against all the charges, petty and otherwise, that have been made and can be made against it.

Eighth—In making this demand for an investigation we think you should empower the committee which you appoint to put the people who make these charges upon the witness stand, or to have them and any others make the charges in writing over their own names so that the University can see just what it has to meet.

Ninth—The President requests that he be allowed to appear before the Assembly and the Senate on any day after the 12th of February to answer any questions that may be presented to him by the members of the Senate, or by the members of the Assembly,



and that he be allowed to explain the value of the policy which he has carried out with regard to the course of study and the material improvements of the University.

Respectfully submitted,

(Signed) GEO. H. TAYLOR, *Secretary*.

(Signed) JOHN SUNDERLAND, *Chairman*.

As appears from the above, this request for investigation was made as a result of various adverse criticisms of the University, its conduct and management, coming from various sources.

#### SCOPE OF INVESTIGATION.

Considering the fact that the management of the affairs of the University is by law lodged in the Board of Regents, had this committee seen fit to restrict its investigation to matters directly concerning the Legislature it would have confined its investigation simply to the matter of ascertaining if the State had procured a reasonable and fair return for the moneys heretofore appropriated for the use and benefit of the University, and to ascertain if the funds appropriated had been honestly expended for the purposes for which appropriated.

Your committee, however, has taken a broader view of the situation and has endeavored, so far as possible, and with the time and means at its disposal, to investigate and examine into all of the larger and more important questions pertaining to the conduct and management of the University, its courses of instruction, its needs and its shortcomings, if any; in brief to ascertain, if possible, if the University of Nevada is fulfilling in the largest degree possible, under all conditions existing, the purpose for which it is maintained.

In this investigation your committee has spent several days, has taken down the testimony of over fifty witnesses, has examined a large mass of documentary evidence, and has personally examined nearly all of the buildings and grounds of the University. Among the witnesses examined are some seventeen members of the Faculty, a dozen or more students, six or eight Regents and ex-Regents, two or three ex-professors, State and District Superintendents of Public Instruction, besides numerous prominent citizens of the State who, for one reason or another, were directly or indirectly interested in the work of the University. Many of these witnesses have been summoned before the committee, others have tendered their testimony of their own accord.

Besides the above, Professor S. B. Christy, Dean of the School of Mines in the University of California, appeared before your committee and gave important and valuable testimony.

Your committee has endeavored, so far as possible, to procure specific information and charges, if any. In the way of charges, with two or three exceptions, your committee has been unsuccessful in procuring anything very definite or specific. It has run down many rumors, on the contrary, that have been found wholly unfounded. The witnesses above mentioned, particularly those identified with the University, have been closely and thoroughly questioned on every possible aspect of the work of the University. Your committee has used its utmost endeavors to ascertain the facts, to place adverse criticism, if any, where it is deserving, and to do an injustice to no one.

#### THE ADMINISTRATION.

Considerable of the adverse criticisms of the University have been directed towards its head, Dr. J. E. Stubbs. In this connection your committee is fully aware that no man ever stood at the head of a large educational institution for a long period of years, as has Dr. Stubbs in this instance, without incurring the displeasure of somebody. Briefly, the unfavorable criticisms of Dr. Stubbs' methods and policies may be summarized as follows:

(a) A weak and vacillating policy with the students and professors, and a failure to back up the members of the Faculty in their efforts to maintain higher standards of scholarship.

(b) Periods of prolonged absence from the University during the college year.

(c) Undue activity in politics.

(d) Undesirable influences through the President of the Southern Pacific Company.

(e) Extravagance in expenditure of the University funds.



(f) Lack of growth in the student body in numbers, due to the President's policy.

(g) The sacrifice of everything to maintain the number of students in attendance at the University.

On the first point, the alleged vacillating policy of the President, your committee has listened to much conflicting testimony, not a little of which harks back a number of years to the time Professors Jackson and Phillips severed their connection with the University. Your committee is of the opinion that in years past conditions did exist, to a certain extent, more or less justifying this criticism, but, judging from the testimony taken by the committee, these conditions no longer obtain to an extent sufficient to merit serious consideration.

We find that the rules and regulations now enforced and approved by the Regents place in the hands of the Faculty and the Faculty Committees a much larger degree of authority than heretofore, and so far as we can ascertain the President and the various members of the Faculty are living up to these rules and regulations in all substantial particulars. In justice to the President, on the other hand, it should be stated that he is in a position where he is called upon to harmonize many conflicting interests, the members of the Faculty all being zealous, and we believe properly, for the development of their own respective departments.

The President took charge of the University some fifteen years ago when, in point of scholarship, it was little more than a high school, and in point of buildings and equipment exceedingly limited. The public school system of the State was deficient all along the line. There were only one or two high schools in the entire State deserving of the name. The University was compelled to accept students from all over the State possessed in many instances of the most meager preparation, or else deny these students the privilege of doing what they could to better their condition. From this small beginning a real university, giving substantial university courses in the various departments—Liberal Arts, Science, Mining and Metallurgy, etc.—has been developed.

The University has a far superior equipment in the way of buildings, apparatus and facilities to what it had when Doctor Stubbs took charge. Some of the finest of these buildings, and some of its most valuable equipment, have been secured largely through Dr. Stubbs' personal efforts, and not as a result of liberality on the part of the State.

As regards the criticism of "periods of prolonged absence from the University during the college year," we find no sufficient foundation for the charge. True, Dr. Stubbs has been away many times, and probably for some weeks at a time, but it has generally been in the interest of the University, and there is no denying the fact that the head of an institution of this character can frequently do it more good by properly representing it at other educational institutions, societies and organizations than he can by staying continually in his office.

As regards Doctor Stubbs' "political activity," we were absolutely unable to find where Doctor Stubbs has been unduly active, or at all active, except, perhaps, in getting appropriations for the University, which, in our judgment, should be considered a virtue rather than a fault.

As regards the baleful influence of the Southern Pacific Company on the University through its President, the most we have been able to ascertain is that the fact that Doctor Stubbs is personally related to one of the high officials of this company has, in many instances, been a decided advantage to the University, particularly in the way of procuring reduced rates for students on many occasions.

With respect to extravagance in the expenditure of the University funds, we failed to find such extravagance. True, the University may have been mulcted at various times by contractors, as is frequently the case in the construction of public buildings and other structures; but we believe that it has been due to no lack of effort on the part of the President and others in authority to procure a reasonable and fair consideration for the public money expended.

Under this head it has been called to your committee's attention that certain persons were drawing salary from the University under an assumed name. Your committee did its best to run down this rumor, and so far as can be ascertained the rumor probably originated from the fact that a person by the name of Anderson, who was employed by the University to supervise the construction of the Mackay Building, was placed on the regular Faculty pay-roll, as a matter of practical necessity, with the full consent and approval of the Board of Regents



and Board of Examiners. It seems that after the money had been given by Mr. Mackay some difficulty arose in carrying out the plans and specifications for the building, and it became necessary for the University, in order to properly take advantage of the Mackay gift, to employ a competent man to supervise the construction of the Mackay Building and see that the plans and specifications were carried out. The University got value received for the money expended. We think that that is all there is to this rumor.

As to the lack of growth in the University, we have to say that in the first place statistics show that in proportion to the population of this State the University of Nevada has more students in the University proper than any other state university in the country. Nevertheless it is a fact, on the other hand, that, while the State has increased in population very rapidly in the past few years, the number of students has remained about the same. A great majority of the witnesses who testified on this point stated emphatically that the moral conditions obtaining in the City of Reno, and the reputation of the city in this respect, had much to do with keeping away students, some witnesses going so far as to say that more than one hundred students had gone to other educational institutions for this reason during the past four years.

Another reason for the lack of increase in students is the fact that the entrance requirements have been gradually stiffened and made more exacting. Again, it must be remembered that on all sides of this State, and particularly on the Coast, there are some of the best equipped educational institutions in the world, and doubtless many families of means have considered that they might give their sons and daughters better social and educational facilities and more congenial conditions of living in these outside institutions. We believe all of these causes have conspired to hold down the number of students in this University.

Briefly, considering everything, your committee cannot, at this time, recommend a change in the head of the University. We believe that such a change would not be conducive to the best interests of the University.

On the matter of President Stubbs sacrificing everything to maintain the number of students, we are inclined to think that in past years there was, perhaps, a tendency in that direction, which is now largely eliminated. However, it must be remembered that the President is the "middle man," so to speak, between the Faculty and their desire for high standards on the one hand, and the citizens of the State on the other making insistent demands that their sons and daughters be allowed to enter, regardless of scholarship. Aside from this, the President is obliged to meet the frequent criticism that the student body is not increasing rapidly enough, and between these contending forces your committee is not prepared to say that President Stubbs has not handled this rather delicate and trying situation as well as anyone could in the same position.

#### EXPENDITURE OF FUNDS.

Sufficient on this point has been said above, except as to the investigation of the University accounts, which has been most cursory by your committee, for the reason that it expected and intended that the State Auditor would make an examination of the University books and accounts in time for his report to be made a part of this report. So far this has not been done, but we hope to be able to submit same in the shape of a supplementary report before the end of the session. From what investigation your committee has made, however, it is of the opinion that the accounts of the University will be found in a very satisfactory condition.

#### THE GREATEST NEED OF THE UNIVERSITY.

Judging from the testimony of practically every member of the Faculty, your committee has concluded that the greatest present need of the University is better Library facilities. The University needs a more commodious, more convenient and better ventilated Library Building, and it needs *books*. Of the two, it needs *books* most. We find that the different departments, different students and members of the Faculty have in many instances been seriously handicapped in their work owing to the very marked lack of necessary books, so much so that a great many books have been borrowed from time to time from other libraries to meet the absolute needs of the students and Faculty.

We therefore recommend that the Legislature appropriate not less than ten



thousand dollars to be expended for books and for no other purpose during the next two years, this expenditure to be under the general supervision of the Librarian, and distributed among the different departments substantially as recommended in the President's biennial report for 1908. As regards the University Library Building, the President informed us that the prospects are bright for securing this building from private sources. This, too, it might be added, should be credited to the President.

#### THE MINING SCHOOL.

Owing to the fact that some of the most severe and persistent adverse criticisms of the University have been directed toward this department, your committee determined to investigate it thoroughly in every possible aspect. These criticisms may be said to have crystallized in the regular report of the Honorary Board of Visitors for 1908, and in the report of the Committee on Public Institutions of the last Legislature—the former of which directly and the latter by implication were to the effect that this department was quite inefficient, the instruction lacking in thoroughness, and practical instruction being sadly neglected.

Professor Young has been in charge of this department for some nine years. He came to the department under rather inauspicious circumstances, in that his predecessor was very popular with his students, and when he left the institution it was with the strong disapproval of students and alumni.

Under Professor Young the new Mining Building has been built, and unexcelled facilities are now offered for instruction in these lines. Briefly, your committee is unanimously and absolutely of the opinion that the adverse criticisms of this department are for most part unjust, unfair, undeserved and uncalled for, that this department is in far better condition than it ever was before, that its facilities and courses of instruction, and the opportunities offered the students are far better than ever before, and that Professor Young personally is an able, hard-working and exacting professor, and that many of the criticisms have resulted from the fact that he has insisted upon his students doing good, substantial work.

The reports above referred to have recommended that some noted mining engineer of high attainments and wide reputation be secured to take the head of this department. As to this we believe that no man can be secured for any sum the University can afford to pay that can do any better work in this department than Professor Young is doing for his students, particularly on the theoretical and scholastic part of the instruction. True, there may have been shortcomings in Professor Young's work, particularly on the practical side; but it should be remembered that the character of timber that a man has to work with is quite a material element to be considered, also that Professor Young's graduates have been as uniformly successful on the average as the graduates of any other mining school, and many are now holding responsible positions.

Professor Young recommends, as does your committee, that at least one summer vacation be required of students in this course to be devoted to field work, one month in underground and surface surveying, and one month in practical mining. In connection with the work in this department we desire to quote from a communication to your committee by Mr. Emmet D. Boyle, a graduate of the Mining Department of this University under Professor Young's predecessor, and now a mining engineer of high standing in this State, as follows:

I believe the Mining School to-day to be very much more efficient than at any time in the history of the institution. At one time I strongly advocated a course of study less technical and more practical in its scope for this department, but I have become fully converted to the generally accepted idea among engineering educators that the four years spent in the University should be devoted exclusively to the study of the principles and theory of engineering in suitable laboratories. The school now has the laboratories and ample equipment to permit of the very best of work. I am not personally acquainted with the Mining Faculty outside of the head of the department, Professor Young, whom I know to be an exceptionally able and scholarly engineer and a most excellent instructor.

There has been little or no cooperation between the alumni of the Mining School and the department, in fact there is a spirit of strong antagonism to the school on the part of the older alumni, which is nothing more than a survival of the bitterness that grew out of the severing of Professor Jackson's connections with the Mining School. Mr. Jackson was a man of exceptionally pleasing personality and was uniformly respected



and esteemed by his students. I am not overstating when I say that his successor, however competent, would have had to possess particularly lovable qualities before the alumni or students would accept him as the man to supplant Jackson. Whatever progress Professor Young has made in the esteem of the older students has been directly in the face of this prejudice, and I think it safe to say that the very few older students who have taken the trouble to investigate his work and his department will concur in the statement that his course is exceptionally thorough, up-to-date and practical; his students trained in precision and possessing a thorough foundation for a professional career; and the man himself an indefatigable worker who gives his students the benefit of an extraordinary compilation of data on the subject of mining and metallurgy.

Briefly, your committee summarizes its opinion of Professor Young and his department by recommending that his salary be increased to three thousand dollars per year, believing that this is none too much for the high standard of technical training he is offering to his students, and the earnest, sincere and systematic effort he has devoted to the Mining School and its best interests for a period of years. In this connection your committee has had the advantage of extensive and detailed testimony of Professor Christy, under whom both Professor Young and his predecessor graduated.

#### THE NORMAL SCHOOL.

During the past few years the Normal School course has been only one year, and, so far as we can learn from the testimony of the District Superintendents of Public Instruction, and others, it has, generally speaking, been a marked failure in producing the character of teachers needed for the public schools of the State. Your committee is pleased to note that beginning with next year this course has been extended to two years, and this we hope will result in so strengthening it as to make it more effective and productive of desired results.

Your committee believes that as soon as practicable this course should be still further extended to three and possibly four years, to the end that eventually teachers' certificates granted to University students shall be only of the highest grade, and only on the completion of a regular University course of which the Normal portion shall be a major. This Normal School, in the opinion of your committee, could eventually produce the teachers (which it now fails to do) for the State of Nevada. Furthermore, at the present time these one-year Normal graduates are, in many instances, in open competition with other young men and young women who have completed the University course, and who have devoted time, energy, and four years of hard study to properly prepare themselves for the work of teaching. We hope that every effort will be made to make the Normal course stronger and more efficient.

#### THE UNIVERSITY HIGH SCHOOL.

Your committee is inclined to look upon this department as a sort of "necessary evil." We believe that in the past the High School has been of immense value in giving students an absolutely necessary preparation to enter the University at all, and we are inclined to think it expedient to continue the High School for two or three and possibly four years longer, and making it as strong as possible in the mean time. The High School has been a necessity in the past by reason of the absence of efficient preparatory schools throughout the State; but with the establishment of numerous county high schools throughout the State, together with the improved methods of school supervision now in operation, we believe that in the matter of two or three years the necessity of the University High School will be eliminated.

It brings to the University a considerable number of very young students which, in many instances, has not been conducive to the improved morale of the student body, and we hope that at an early date the University High School will cease to be a necessity and can be abandoned.

#### THE DOMESTIC SCIENCE DEPARTMENT.

This department seems to be quite popular with the women students. The department has been run more or less on a shoestring, however, and we recommend that an appropriation be made for the improvements asked in the President's report for this department. We find, however, that the courses in this department are looked upon by the students as "snap" courses, taken largely for

credit, hence we recommend that, so far as possible, this feature be eliminated, and some exact and positive requirements be made of students taking this course.

#### DEPARTMENT OF MECHANICAL ENGINEERING.

This department and its head, Professor Scrugham, have received such high compliments from all sources of information that your committee has had access to, that we feel that it should not be passed by without very favorable mention, together with the recommendation that the department needs, and is deserving of, any improvements asked in the President's report.

#### DEPARTMENT OF PHYSICS.

This department we find has been entirely reorganized and placed on university footing during the past two or three years, with a very competent professor at its head. The department is housed in the old mining building, and the building needs a few further alterations and repairs to properly adapt it for the Department of Physics. There is also needed for the electrical engineering students some two or three thousand dollars worth of apparatus, the purchase of which we recommend, when the Department of Physics will be fully on a par with that of any other university.

#### DEPARTMENT OF BIOLOGY.

This department was gone into pretty thoroughly, for the reason that the University authorities are asking the Legislature for an appropriation for new quarters. We find that the professor in charge is doing as well as can be done under difficulties in the shape of very cramped quarters, insufficient apparatus and insufficient accommodations for the students he has to handle. This department is now occupying the top floor in Hatch Station, all of the rooms of which are needed for the Experiment Station. We are fully convinced of the necessity of the new building. Plans and specifications have been submitted. As to the necessary appropriation therefor, it will be touched upon under the title of "Desired Improvements."

#### ATHLETICS.

Owing to the magnificent gifts of Mr. Clarence Mackay, the men students will soon have the advantage of a first-class training quarters and athletic field. The University is rather unfortunate in being a long distance from every university of its own class with which it can enter into competing field sports. The students maintain an Athletic Association, of which practically every college student is a member, and pays for the support thereof the sum of four dollars per semester, or eight dollars per year. This money, however, together with the income from the sports for which an admission fee is charged, is insufficient for the proper support of athletics at the University, largely by reason of the heavy expense entailed in procuring visiting teams, or by the home team traveling to other universities. We find that the student body is making an earnest and enthusiastic effort to help out their athletic fund, and they deserve much credit in this respect.

We find that there are no required courses in gymnasium work for the women students, which we believe is very unfortunate. For the reasons above stated we recommend that a regular coach and director be employed, say at a salary of eighteen hundred dollars per year, and that a lady be employed at a salary of, say, twelve hundred dollars per year, who shall have charge of the college women in gymnasium courses, and that gymnasium courses of at least three hours per week be absolutely required of all women students not physically incapacitated. If this recommendation is carried out, it will be necessary to install some women's dressing rooms and lockers in the gymnasium, and the gymnasium should be absolutely given up to the women on certain days for the purpose above described. We recommend that one thousand dollars be appropriated this year for necessary alterations in the gymnasium, and that this be added to as rapidly as the State can afford. On the whole, your committee is absolutely convinced that no one thing will tend more to increase the student body than a well-conducted gymnasium and athletic department.

#### OTHER DEPARTMENTS.

Without going into detail, suffice it to say that your committee has investigated



all departments of the University with almost the same thoroughness as it has the departments above described. So far as your committee has been able to ascertain they are all in satisfactory condition, and the various professors are competent and doing satisfactory work.

DESIRED IMPROVEMENTS.

The principal improvements for which the President and Board of Regents request appropriations this year are:

- (a) Completion of the central heating plant, and the installation of radiation in all the buildings on the campus.
- (b) A Bacteriological Laboratory.
- (c) A greenhouse in connection with the Bacteriological Laboratory.
- (d) An addition to Manzanita Hall.
- (e) A dam across the gulch just below Manzanita Hall.

Briefly, we find that all of these improvements are needed and are quite necessary to enable the University to do the best work, and to give to the earnest young men and women composing the student body the best educational advantages, except, perhaps, the dam across the gulch below Manzanita Hall, which can be easily done without for the present. In the President's report he estimates the cost of these various improvements as follows:

Biological Building with equipment.....	\$35,000
Greenhouse .....	3,000
Dam .....	5,000
Addition to Manzanita Hall.....	25,000
Completion of central heating plant.....	31,000

In this connection your committee has had the advantage of the technical advice and opinion of the State Engineer on the necessary cost of these buildings and improvements. His estimates are set forth in the following report:

CARSON CITY, NEVADA, March 3, 1909.

HON. CLAY TALLMAN, *Carson City, Nevada.*

DEAR SIR: In accordance with your request of recent date, I herewith submit approximate estimate covering amounts required for improvements at the State University, which will include the following:

Addition to Manzanita Hall to accommodate thirty-five additional students, as suggested by President Stubbs: Brick addition to present building, same general features and plan.....	\$17,000.00
Hot-water heating, lighting, sewerage and water supply, including furnishings..	4,700.00
Repairs and returnings for present building .....	700.00
Completion of present hot-water heating plant, which will include an additional set of boilers, hot-water mains to Lincoln Hall, Manzanita Hall, old Physics Building and all buildings on campus which are not at present connected, and including, in addition thereto, new Biological Building.....	23,000.00
New Biological Building, 49x90 .....	22,000.00
Cost of equipment and interior furnishings .....	5,087.00
Water plant and supply for drinking purposes, tank, steel tower, centrifugal pump, motor and distribution system to all buildings on campus, one or two taps for each building.....	3,500.00
A proposed dam, concrete core, concrete wing walls on the Orr Ditch, and six-foot cement walk on crest of dam with pipe handrails from Manzanita Hall to east side of gulch.....	8,500.00
Improvements to grounds and construction of stone fence along north line of Ninth Street.....	2,000.00
Roadway to Lincoln Hall on Sierra Street entrance at same point.....	350.00
Cement sidewalks, University campus.....	2,500.00
Total .....	\$89,337.00

Respectfully submitted,

FRANK R. NICHOLAS,  
*State Engineer.*

It will be noted that the estimates made by the State Engineer are uniformly lower than those found in the President's report, and we recommend that appropriations be made in accordance with the State Engineer's report for the addition to Manzanita Hall, and in heating, lighting and furnishing same; for repairing and refurbishing the present Manzanita Hall; for the completion of the present heating plant and installation of radiation in all the buildings; for

the Biological Building and equipping same, and for the greenhouse in connection with the Biological Department, making a total of \$75,487, against \$94,000 in the President's report—a difference of over fifteen thousand dollars.

We further recommend that the respective buildings be built for these prices, and if contracts for the construction thereof at these prices cannot be secured, that the buildings be not built.

We further recommend that the State Engineer be employed without charge (as your committee understands he is willing to do) as supervising architect for the construction of each of these buildings.

#### OTHER EXPENSES.

So far as your committee can ascertain, the estimates made by the President in his report for the cost of administration, maintenance of buildings and grounds, salaries and maintenance of the various departments, etc., are approximately correct, and an appropriation should be made therefor in addition to the special improvements and added facilities herein recommended.

#### RELIEF OF PROFESSOR T. W. COWGILL.

The President asks that the Legislature appropriate a reasonable sum for the assistance of Professor T. W. Cowgill, who became Professor of English Language and Literature in the University in 1891 and so remained for some ten or twelve years, and whose name is now on the University Register as Professor Emeritus.

It seems that Professor Cowgill gave his best service and efforts to the University, and lost his health in this work. He is now in straitened financial circumstances and unable to earn anything. Your committee prefers to call the attention of the Legislature to this matter without recommendation, except to say that if the Legislature can see its way clear to appropriate an amount, say, of fifty dollars per month for the next two years to apply toward the support of Professor Cowgill, it would be an act of commendable generosity.

#### THE MACKAY GIFTS.

While nearly everyone is aware of the splendid generosity of Mr. Clarence Mackay toward the University of Nevada, your committee cannot refrain from again mentioning the matter, and expressing its thanks and appreciation in behalf of the Legislature and of the State of Nevada for the magnificent gifts of Mr. Mackay, amounting in all to approximately two hundred thousand dollars. Truly Mr. Mackay could not have constructed a more useful or more enduring monument in honor of his father, who was prominently identified with the early development of this State.

#### CONCLUSION.

In conclusion, we desire to impress upon the people of this State that in our opinion in the University of Nevada there is presented to the young men and young women of Nevada educational advantages and opportunities too frequently underestimated. We believe the professors in their various departments will average up as well as those in any other state or private university. At the present time, with the improvements and additions recommended in this report, the University will be in a position to give as thorough and complete instruction in all of the lines in which it attempts to give instruction at all, as any educational institution of like character.

The comparatively small student body renders possible a personal interest and contact on the part of the Faculty with each individual student that is a physical impossibility in larger schools. We consider this a decided advantage. The necessary expenses of a student at the University are positively lower than those of any other school of like standing on the Coast. On the whole, we believe that the University is deserving of the strongest possible support from all quarters, to the end that it may fulfil the purpose for which it is intended, in giving the youth of our State the very best facilities and opportunities for higher education.

At the outset your committee was met by the too frequent assertion that this investigation would simply be another dose of "whitewash." As to this, suffice it to say that your committee has made an earnest and unprejudiced effort to ascertain the truth, to find defects and shortcomings in the University conduct and management, if there were such, and to ascertain whether or not the various adverse criticisms were well founded. It will be noted in the main that this



report is favorable; but we believe none too favorable, and we believe is no more than fair justice to all connected with the University.

Respectfully submitted,

CLAY TALLMAN,  
F. J. BROSSEMER,  
M. MACK.

*Senate Committee.*

LEM ALLEN,  
T. A. BRANDON,  
W. H. CURTIN.

*Assembly Committee.*

#### REPORT OF COMMITTEE APPOINTED UNDER AND BY AUTHORITY OF ASSEMBLY JOINT AND CONCURRENT RESOLUTION NO. 14.

*To the Senate and Assembly of the State of Nevada:*

We, your committee appointed under and by virtue of Substitute for Assembly Joint and Concurrent Resolution No. 14, have investigated and made inquiry into the matters referred to us by said Joint and Concurrent Resolution, and beg leave to submit our report as follows:

Owing to the exceedingly limited time given your committee and to the great mass of work to be performed in said investigation, especially that in relation to the affairs of the State Bank and Trust Company, your committee feels that it is unable to report fully upon the matters referred to it, and at best the report is very meager and not such as the committee feels could be made in the premises, especially in regard to the manner of conducting the State Bank and Trust Company and its administration of affairs.

Under the resolution referred, four specific questions were submitted to your committee and we beg leave to report the facts as nearly as we were able to find them.

The first question propounded was: "The action of the State Bank Commission in connection with the closing of the State Bank and Trust Company." In reply will state that shortly after the closing of the State Bank and Trust Company, on October 23, 1907, the State Bank Commissioners appointed M. H. Miller, Esq., to be Bank Examiner, and directed him to immediately proceed to investigate the affairs of the said State Bank and Trust Company. On November 16th the said M. H. Miller made his report to the State Bank Commission and by said report showed that the State Bank and Trust Company's liabilities exceeded its assets in the sum of \$2,873.25, but on examination before the Commission informed them that he was compelled to guess at some of the figures.

The report not proving satisfactory to the Commission, they directed him to further investigate the affairs of the State Bank and Trust Company and to report to them, which he did, making his second report March 5, 1908. That report shows the bank to be solvent, and, excluding the liability due the stockholders, the bank to be able to pay off all liability and then have a surplus of \$524,575.10 to be applied to the liability due the stockholders.

The Commission took no further steps after this report, but merely held the matter in abeyance, awaiting some steps to be taken upon promises made them by the reorganization, or rehabilitating committee of the said State Bank and Trust Company. The reorganization committee did not succeed in carrying out its plans, and on the 23d day of April, 1908, the Bank Commission directed that a receiver be appointed and a Mr. Frank L. Wildes was appointed receiver.

In answer to your second query: "Ascertain whether or not said Commission obeyed the law in regard to securing the appointment of a receiver for said bank," if the first report of M. H. Miller was correct the Commission did not obey the law. If we assume the second report, made upon a later investigation, to be correct, the Commission did obey the law.

In answer to your third question: "Whether or not said Commission permitted the officers of said bank to trade accounts," the committee answers yes.

In answer to your fourth question: "If so, whether or not said trading reduced the assets of said bank." Your committee will state that it has had the State Auditor and receiver of the bank and has made diligent inquiry into said cause, but feel at this time unable to state fully, but from the records produced we can only state that neither the bank nor the depositors suffered any loss by such trading. The assets were reduced by such trading, as were also the liabilities.

In regard to the State having money on deposit in the State Bank and Trust Company at the time of its failure, we beg to report the facts, as nearly as we can find them, to be as follows:

That W. G. Douglass, Secretary of State, in making his quarterly settlement October 1, 1907, with the Treasurer, gave him a check for the sum of \$37,000; that after receiving the check, D. M. Ryan presented that check for payment to the State Bank and Trust Company and was informed at that time that they had not sufficient money to take up the check, but expected a large sum of money, about thirty thousand dollars, from Denver, and would then pay the check. Mr. Ryan immediately informed Mr. Douglass that he would hold him responsible for the check; thereafter, the State Bank and Trust Company made payments of various amounts on the check, giving Mr. Ryan certificates of deposit for the same until the check was nearly paid by the State Bank and Trust Company, and W. G. Douglass paid the balance to Mr. Ryan. No money was taken out of the State Treasury, but whatever money that was in the bank was money due the State from W. G. Douglass, and about \$21,000 of such money was in the bank at the time of its closing.

The time at our disposal has not been sufficient to trace out the ramifications of these transactions sufficiently to permit of a definite report on them, other than that we are convinced that they should be the subject of the closest investigation and scrutiny upon the part of duly constituted authority. To this end, we recommend that this Legislature take such action as will result in some permanent investigating body empowered to ferret out the several transactions that have been brought to our attention, to the end that justice be accomplished.

Referring to the particular causes for that failure, we have found ample grounds for believing that it was particularly due to several large loans, overdrafts and other transactions of an illegal and fraudulent nature,

The conclusions reached by your committee, as given above, are largely drawn from the statement of State Auditor W. B. Ligon, which is herewith submitted to your honorable body, as a part hereof, and marked "Exhibit A."

Respectfully submitted,

JAMES T. BOYD,  
WM. EASTON,  
JNO. W. BROOKS,  
CHAS. A. KANE,  
T. A. BRANDON.

#### REPORT OF STATE AUDITOR.

HON. JAMES T. BOYD, *Chairman Committee appointed under and by authority of Substitute for Assembly Joint and Concurrent Resolution No. 14.*

DEAR SIR: After deliberate and diligent investigation regarding the various reports submitted by Bank Examiners to the State Board of Bank Commissioners; also, the reports furnished through Mr. F. L. Wildes for the State Bank and Trust Company, I beg to submit the following report:

First—In taking up the general statement of conditions of the State Bank and Trust Company, including all its branches, at close of business October 23, 1907, I find the available resources according to book value (meaning value at which they are represented on the books) subject to disposal for the general benefit of all depositors, creditors, etc., to be the sum of \$2,652,474.66. This sum is represented in the accounts as follows:

Loans and discounts.....	\$2,186,163.30
Bonds.....	59,945.00
Real estate and banking houses.....	205,865.24
Cash on hand.....	109,129.86
Cash in other banks (excluding its branches).....	38,433.00
Collections.....	13,468.10
Office furniture.....	36,262.43
Stocks.....	3,125.00
Sundry accounts.....	82.73
Total.....	\$2,652,474.66

On the other hand, the statement shows that in order to liquidate its indebtedness to its creditors in full, it must disburse the sum total of \$2,268,376.13. This does not include the amount of capital stock, surplus and undivided profits and dividends



unpaid, amounting to \$388,071.10, the same being generally considered by banks as part of its liabilities, when in a solvent condition. The liabilities of the said bank are shown and scheduled as follows:

Due individual depositors, subject to check .....	\$2,047,746.58
Due other banks, excluding its branches.....	154,350.35
Certified checks.....	16,175.17
Bills payable.....	50,000.00
Sundry accounts.....	104.03
<b>Total .....</b>	<b>\$2,268,376.13</b>

According to this statement, October 23, 1907, the bank had a surplus of resources over its liabilities in the sum of \$384,098.53, which amount represents the stockholders' investment and earnings. The figures presented in this statement of October 23, 1907, shows the bank to be solvent.

I have gone into this statement thoroughly, and I trust explicitly, for the purpose of showing the condition of the State Bank and Trust Company on October 23, 1907, as compared with the last report filed by Bank Examiner, Mr. Miller, some four and one-half months later, dated March 5, 1908; also, the report of State Bank Examiner T. R. Hofer, Sr., dated April 24, 1908, which is the last report filed prior to appointment of a receiver.

For convenience of comparison, and in order to avoid too much detail, following below will be found a tabulated statement showing the resources and liabilities as I found them in the statement of condition dated October 23, 1907, and statement of condition as shown by Bank Examiner Miller's last report to the State Board of Bank Commissioners, dated March 5, 1908, and the statement of condition as shown by Bank Examiner Hofer's report, dated April 24, 1908. The figures used by me in this tabulated statement do not include such liabilities as that represented by the stockholders' investment under the head of capital, surplus, undivided profits and dividends unpaid:

*Comparative Tabulated Statement of the State Bank and Trust Company, and all Branches, under dates of October 23, 1907, March 5, 1908, April 24, 1908:*

<i>Resources:</i>	Report of condition October 23, 1907.	Miller's last report to Bank Commission March 5, 1908.	Hofer's report to Bank Commission April 24, 1908.
Loans, discounts and overdrafts .....	\$2,186,163.30	\$1,362,263.48	\$1,117,177.36
Bonds and stocks .....	63,070.00	60,070.00	60,070.00
Real estate, banking houses, furniture and fixtures..	242,127.67	238,949.21	237,418.68
Due from banks* (including its branches).....	38,433.00	22,528.13	*742,467.52
Sundry accounts, etc. ....	82.73	.....	12,085.99
Cash on hand .....	109,129.86	78,605.25	58,655.86
Collection account .....	13,468.10	3,191.58	.....
New building expense.....	.....	15,075.08	.....
<b>Totals .....</b>	<b>\$2,652,474.66</b>	<b>\$1,780,682.73</b>	<b>\$2,227,875.41</b>
	871,791.93		447,192.68
<i>Liabilities:</i>			
Individual deposits .....	\$2,047,746.58	\$793,546.73	\$652,977.93
Certificates of deposit.....	.....	285,782.29	270,990.82
Certified checks.....	16,175.17	15,320.16	15,135.86
Savings deposits.....	.....	52,350.03	50,888.61
Bills payable .....	50,000.00	19,402.40	19,402.40
Due to banks* (including its branches).....	154,350.35	72,639.30	792,853.58
Sundry accounts.....	104.03	.....	862.12
All other liabilities .....	.....	17,066.12	.....
<b>Totals .....</b>	<b>\$2,268,376.13</b>	<b>\$1,256,107.63</b>	<b>\$1,803,111.32</b>
<b>Difference:</b>	<b>384,098.53</b>	<b>524,575.10</b>	<b>424,764.09</b>

It can readily be seen that the resources as shown in report of October 23, 1907, have depreciated in the sum of \$871,791.93 as compared with the resources of Miller's report of March 5, 1908, while the liabilities as shown in report of October 23, 1907, having depreciated in the sum of \$1,012,268.50, as compared with the liabilities of Miller's report of March 5, 1908. If the conclusion can be reached that this is a result of so-called trading of accounts, the bank seems to have profited in

the sum of \$140,476.57. It is necessary to bear in mind that the statements do not account for the liabilities to stockholders under head of capital, surplus, undivided profits and dividends unpaid.

When comparing the total resources of Miller's report with that of Hofer's, please note that the Hofer report in the accounts of "due from banks" and "due to banks" carries such amounts as is due to and from its own branches, which fact accounts for the totals being larger than in the Miller report; however, should the difference in these two accounts in Hofer's report, viz.: "due from banks" and "due to banks" be struck, the account "due to banks" would show only under the head of liabilities, and reduce the totals in the sum of \$742,467.52, which would bring them lower than in the report of Mr. Miller.

In connection with this matter, I would call your attention to the corresponding items in Mr. Miller's report, which show that the difference between the accounts of "due from banks" and "due to banks," and in which its own branches are not considered, is approximately \$50,000. Now, refer to these same accounts in the report of Mr. Hofer and you will also see that the difference is approximately \$50,000. This justifies my belief that it would not be unjust to Mr. Hofer's report to deduct at least \$720,000, round figures, from the totals of resources and liabilities, which in substance is practically the comparative difference in the two accounts of the Miller and the Hofer reports.

When the totals of the Hofer report have been reduced \$720,000, you will see that since the initial report, the totals have gradually decreased. This fact must show conclusively one of two things: First, that the trading of accounts was indulged in; or, second, that the bank collected its resources and paid the same out to preferred creditors. There is no other known method by which the gradual decline in the totals could have been brought about.

Below will be found a condensed statement of the resources and liabilities of the State Bank and Trust Company, as estimated by Mr. F. L. Wildes, Receiver, July 6, 1908, and published in the Carson City News, July 21, 1908:

<i>Resources.</i>		<i>Liabilities.</i>	
Loans and discounts.....	\$315,400.00	Deposits.....	\$989,330.89
Bonds.....	42,000.00	Due other banks.....	71,535.47
Real estate.....	130,000.00	Claims.....	20,000.00
Cash in banks.....	10,000.00	Bills payable.....	5,503.90
Office furniture.....	5,000.00		
Stocks.....	1,250.00		
Cash in banks.....	58,704.47		
Total.....	\$562,354.47	Total.....	\$1,086,370.26

This report, as estimated by Mr. Wildes, shows the liabilities to be in excess of the resources to the extent of \$524,015.79.

Respectfully submitted,

W. B. LIGON,  
*State Auditor.*

#### SUPPLEMENTARY REPORT.

HON. JAMES T. BOYD, *Chairman Committee appointed under and by authority of Substitute for Assembly Joint and Concurrent Resolution No. 14.*

DEAR SIR: In filing with this committee a supplementary report, I beg to call its attention to a matter whereby the State Bank and Trust Company indulged in the trading of accounts, and more especially wherein said State Bank and Trust Company liquidated its indebtedness on January 24, 1908, to the Farmers and Merchants National Bank, Reno, Nevada.

On October 23, 1907, the account of the Farmers and Merchants Bank, Reno, Nevada, as shown by the books of the State Bank and Trust Company, Carson City, had a credit balance of \$3,165.11. In order to show more fully the dates, character of transactions and amounts, an itemized statement of the account of the Farmers and Merchants Bank, Reno, Nevada, taken from the books of the State Bank and Trust Company, Carson City, here follows:

	<i>Credits.</i>
Oct. 23, 1907—Balance (F. & M. Natl. Bank, Reno).....	\$3,165.11
Nov. 30, 1907—Interest for October.....	19.80
Nov. 30, 1907—Interest for November.....	5.27
Dec. 31, 1907—Interest for December.....	5.33
Carried forward.....	\$3,195.51



Brought forward .....	\$3,195.51
Jan. 24, 1908—Check of R. Crow on S. B. & T. Co.....	548.83
Jan. 24, 1908—Check of M. A. Downey, S. B. & T. Co.....	218.94
Jan. 24, 1908—Time certificate of deposit No. 5,174.....	1,000.00
Jan. 24, 1908—Time certificate of deposit No. 2,838 (issued by State Bank and Trust Company) .....	407.35
Jan. 24, 1908—Kirman & Lewis account.....	30.11
Jan. 24, 1908—Winter & Lewis account.....	369.97
Jan. 24, 1908—H. E. Kattleman account.....	1,600.00
Jan. 24, 1908—Check issued by S. B. & T. Co., on Anglo-California Bank, favor of F. & M. Bank, Reno.....	15,000.00
<b>Total</b> .....	<b>\$22,370.71</b>
Liquidated as follows:	<i>Debits.</i>
Jan. 24, 1908—Walley Hot Springs Co., overdraft (secured by joint note for \$12,500) .....	\$12,539.75
Note W. G. Douglass (secured by Spring Valley Water Co. stock) ..	4,053.15
Note of F. M. Ish (secured by Goldfield Consolidated Water bonds) .....	5,718.14
Remittance .....	59.70
<b>Total</b> .....	<b>\$22,370.73</b>

By carefully looking through this statement you will see the credits in this account were made to the extent of \$19,175.20 on January 24, 1908, the date of liquidation. In this amount of \$19,175.20 is included a check issued by the State Bank and Trust Company prior to October 23, 1907, on the Anglo-California Bank of San Francisco, for \$15,000, and which for some reason was returned to the State Bank and Trust Company for payment. It also shows that the State Bank and Trust Company accepted for credit, on account of the Farmers and Merchants National Bank, Reno, its own time certificate of deposit, and assignments of personal accounts.

The manner of liquidating this indebtedness to the Farmers and Merchants National Bank was brought about as is shown in the statement of debits in that account. (Note debits in F. & M. National Bank statement.) As to the intrinsic value of the accounts and notes traded to the Farmers and Merchants National Bank, you can be the judge, as I have shown in the statement the security of the overdraft and notes. The item of \$59.70 was either cash or checks or checks on some bank other than the State Bank and Trust Company.

A credit balance of two cents (2c) appears to be due the Farmers and Merchants National Bank. Why, or how, they overlooked this when they were getting theirs, is beyond me.

Respectfully submitted,

W. B. LIGON,  
*State Auditor.*

CERTIFICATE.

CARSON CITY, NEVADA, March 17, 1909.

I hereby certify that the printed reports of the Joint Committees of the Senate and Assembly, appointed to investigate the Nevada State University, and the State Bank and Trust Company, are true and correct copies of the original reports handed to me.

J. G. MCCARTHY,  
*Superintendent of State Printing.*

Two hundred and forty copies of the report of the Special Committee appointed to investigate the State Board of Bank Commissioners were ordered printed.

On motion of Mr. Folsom, the House took a recess until 7 p. m.

HOUSE IN SESSION

At 7 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Bradshaw, Leary, and Todd, who were excused.

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 31 was placed on third reading.

On motion of Mr. Duborg, the bill was considered engrossed.

On motion of Mr. Lunsford, the bill was considered engrossed as amended and placed on final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Leary, and Todd—4.

Assembly Bill No. 222 was placed on third reading.

On motion of Mr. Curtin, the bill was indefinitely postponed.

Assembly Bill No. 239 and Assembly Bill No. 139 were referred to Committee of the Whole.

Assembly Bill No. 224 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Mr. Allen.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Farnsworth, Leary, and Todd—6.

On motion of Mr. Brooks, the Clerk read the report of the Investigating Committee into the conduct of the State Bank and Trust Company.

Mr. Brooks was given permission to introduce a resolution.

Assembly Joint and Concurrent Resolution No. 18:

*Resolved by the Assembly, the Senate concurring,* That a committee of one Senator and two members of the Assembly shall be appointed by the Lieutenant and Acting Governor of the State of Nevada to investigate and examine into the causes of the failure and suspension of the State Bank and Trust Company, a corporation organized under the laws of the State of Nevada, and to report the result of such investigation to the Governor on or before the 1st day of September, A. D. 1909; that said committee shall also investigate and examine into the conduct and proceedings of the Board of Bank Commissioners relative to said State Bank and Trust Company, and any and all other matters pertaining thereto, or connected therewith.

*Be it further resolved,* That said committee is hereby authorized and empowered to hold its sessions at such places and times as it may determine, to prepare and enforce its rules of procedure, to administer oaths, swear and examine witnesses, to take possession of, or order to be produced before it, and examined, any books, papers, documents, contracts, or memoranda which it may deem necessary for the proper conduct of such investigation and examination; and

*Be it further resolved,* That said committee is hereby authorized and empowered to employ a stenographer for its use during the investigation and examination hereinbefore provided for, and to fix his compensation.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Substitute for Assembly Bill No. 242.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Winter, Woolcock, Woolley, and Mr. Speaker—43.



NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Leary, and Todd—5.

On motion by Mr. Dodge, Assembly Bill No. 154 was indefinitely postponed.

Substitute for Assembly Bill No. 185, on motion of Mr. Berry, was indefinitely postponed.

Assembly Bill No. 163 was placed on its third reading.

On motion of Mr. Farnsworth, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Folsom, Matt. Kane, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Smith, and Todd—10.

On motion of Mr. Curtin, Assembly Bill No. 165 was taken up out of order.

On motion of Mr. Winter, the resolution declaring St. Patrick's Day a legal holiday was ordered expunged from the Journal.

On motion of Mr. Curtin, Substitute for Assembly Bill No. 165 was adopted.

On motion of Mr. Bergman, the House resolved itself into Committee of the Whole for the consideration of Substitute for Assembly Bill No. 165. Mr. Folsom in the chair.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Substitute for Assembly Bill No. 165 favorably, with the recommendation that it do pass.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Curtin, Substitute for Assembly Bill No. 165 was taken up out of order and placed on third reading.

On motion of Mr. Folsom, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Curtin, Ellis, Farnsworth, Folsom, Gallagher, Hunter, Chas. A. Kane, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Ross, Smail, Smith, Winter, Woolley, and Mr. Speaker—28.

NAYS—Messrs. Allen, Church, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Luke, Lunsford, McIntosh, Pollard, Reynolds, Schoer, and Woolcock—14.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Matt. Kane, Leary, and Todd—6.

On motion of Mr. Curtin, the Journal Clerks were allowed to use certified copies of reports of University investigation and State Bank and Trust Company in lieu of longhand.

On motion of Mr. Folsom, the House adjourned until Wednesday, March 17, 1909, at 9:30 a. m.

Approved:

R. LESLIE SMAILL,  
*Speaker Pro Tem. of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

## THE FIFTY-NINTH DAY.

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CARSON CITY (Wednesday), March 17, 1909.

House convened at 9:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth, Bradshaw, and Ellis.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

On motion of Mr. Smaill, the Journal of the previous day was approved as written.

### REPORTS OF COMMITTEES.

The Committee on Judiciary reported Assembly Bill No. 200 favorably, with the recommendation that it do pass as amended: Change word "three" in line 3, page 2, to read "one."

Also, Assembly Bill No. 236 favorably, with the recommendation that it do pass as amended: In Section 1, line 13, of printed bill, strike out words "most likely to give notice" and insert words "published in city, town or township wherein such sale is to take place." Strike out all of Section 2, except the words "Section 2" and substitute the following: "Out of the proceeds of said sale the bailee may pay all just claims against the property sold, including the bailee's charges for storage. If there be any surplus after all just claims are satisfied, the bailee shall pay the same to the bailor if his address be known; if not, then the bailee shall deposit the same with the County Treasurer of the county wherein said sale was made. He shall hold the same for one year for the benefit of the owner, and if no owner appears to claim the said surplus, it shall be paid over to the State Treasurer for the benefit of the State School Fund."

The Committee on Mines and Mining reported Senate Bill No. 80 favorably, with the recommendation that it do pass with the following amendment: Add to Section 4 "and it shall be the duty of the Inspector of Mines to establish a uniform code of signals."

The Committee on Ways and Means reported Senate Bill No. 60 favorably, with the recommendation that it do pass.

The Committee on Judiciary reported Senate Substitutes for Assembly Joint and Concurrent Resolutions Nos. 7, 8, and 11, Senate Substitute for Assembly Bill No. 36, Senate Bills Nos. 88, 96, 109, 130, and 132, and Assembly Bills Nos. 182, 212, 213, and 244 favorably, with the recommendation that they do pass.

Also, Senate Bills Nos. 74, 97, 101, and 119 unfavorably, with the recommendation that they do not pass.

Also, Assembly Bills Nos. 192 and 221 without recommendation.

The Committee on Fish and Game reported Assembly Bill No. 223 favorably, with the recommendation that it do pass.

The Sergeant-at-Arms announced a message from the Senate.

The Washoe Delegation reported Senate Bill No. 92 favorably, with



the recommendation that it do pass as amended: In line 25, where the words "50 cents" occur, change to read "two dollars." Add Section 3: "This Act shall go into effect January 1, 1911." Change figure in Section "3" to "4."

Also, Senate Bill No. 136 favorably, with the recommendation that it do pass.

MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration: Senate Bill No. 138, which passed the Senate: Yeas, 11; nays, none; absent, 8.

Senate Bill No. 141, which passed: Yeas, 13; nays, none; absent, 6.

Senate Bill No. 128, which passed as amended: Yeas, 16; nays, none; absent, 3.

Senate Bill No. 129, which passed as amended: Yeas, 13; nays, 3; absent, 3.

Substitute for Senate Bill No. 61, which passed: Yeas, 11; nays, none; absent, 7; not voting, 1.

Also, returning Substitute for Assembly Bill No. 215, which passed: Yeas, 17; nays, none; absent, 2.

Assembly Substitute for Assembly Bill No. 77, which was indefinitely postponed.

Assembly Bill No. 30, which passed: Yeas, 17; nays, none; absent, 2.

Assembly Bill No. 143, which passed: Yeas, 11; nays, none; absent, 5.

Assembly Bill No. 184, which passed: Yeas, 12; nays, none; absent, 6.

Assembly Bill No. 197, which passed: Yeas, 12; nays, 3; absent, 4.

Assembly Bill No. 190, which passed: Yeas, 12; nays, 1; absent, 6.

Assembly Bill No. 188, which passed as amended: Yeas, 14; nays, 2; absent, 3.

Assembly Bill No. 137, which was postponed indefinitely.

Assembly Joint and Concurrent Resolution No. 17, which passed: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 151, which passed: Yeas, 14; nays, 1; absent, 4.

Assembly Bill No. 187, which passed as amended: Yeas, 15; nays, none; absent, 4.

On motion of Mr. Pollard, Senate Substitute for Assembly Bill No. 215 was taken up out of order.

Senate Substitute for Assembly Bill No. 215.

On motion of Mr. Pollard, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lyon Delegation.

On motion of Mr. O'Brien, the vote by which Senate Bill No. 134 was lost was reconsidered in accordance with notice given on the previous day.

An amendment was offered by Mr. O'Brien, and adopted.

The roll was called and the bill was passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brogan, Ellis, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, McNamara, Ross, and Smith—12.

## INTRODUCTION AND FIRST READING.

Senate Bill No. 128.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 129.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 141.

On motion of Mr. Duborg, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Substitute for Senate Bill No. 61.

On motion of Mr. Farnsworth, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 138.

On motion of Mr. Curtin, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Esmeralda Delegation.

## REPORTS OF COMMITTEES.

*Mr. Speaker:*

Your Committee on Contingent Expenses has examined all bills hereto attached and found same correct, and beg leave to report favorably on the same; therefore be it

*Resolved*, That the sum of \$1,238.71 is hereby appropriated out of the Legislative Fund for the payment of claims of parties set forth, in the statement hereto attached, and being for the sum of \$1,238.71.

PETER J. BURKE,  
*Chairman.*

## MESSAGE FROM THE SECRETARY OF STATE.

STATE OF NEVADA,  
CARSON CITY, NEVADA, March 17, 1909.

*To the Honorable the Assembly:*

I beg leave to inform your honorable body that clearance receipts are to be had in the office of the Secretary of State upon the return of Statutes, Journals, etc., taken out by the different members and attachés during the session.

W. G. DOUGLASS,  
*Secretary of State.*

## GENERAL FILE AND THIRD READING.

Assembly Bill No. 206 was placed on third reading.

On motion of Mr. McCafferty, the bill was considered engrossed as amended, placed on final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Bulmer, Burke, Church, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Brooks, Clark, Curtin, Duborg, Ellis, Chas. A. Kane, Matt. Kane, Pollard, Ross, and Smaill—12.

## MESSAGES FROM THE SENATE.

A message was received from the Senate returning Assembly Bill No. 74, which passed the Senate, as amended: Yeas, 19; nays, none.



On motion of Mr. Brandon, Assembly Bill No. 130 was indefinitely postponed.

Assembly Bill No. 240 was placed on third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Bradshaw, Brandon, Brogan, Ellis, Farnsworth, Ferguson, Gallagher, Matt. Kane, McCafferty, and Riddell—12.

The Esmeralda Delegation reported Senate Bill No. 138 favorably, with the recommendation that it do pass with the following amendment: That in line 2 of paragraph 3 of Section 1, the word "two" before "thousand" be stricken out, and the word "three" inserted.

The Lyon Delegation reported Senate Substitute for Assembly Bill No. 215 favorably, with the recommendation that it do pass.

Assembly Bill No. 218 was placed on its third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Ellis, Gallagher, Chas. A. Kane, Matt. Kane, Leary, and McCafferty—9.

Assembly Bill No. 231 was placed on third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Mr. Duborg.

Absent—Messrs. Aylesworth, Bergman, Bradshaw, Ellis, Gallagher, Chas. A. Kane, Matt. Kane, Leary, and McCafferty—9.

On motion of Mr. Allen, the House concurred in Senate amendment to Assembly Bill No. 63, relating to salary of County Treasurer, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Clark, Ellis, Gallagher, Matt. Kane, McCafferty, and Smith—8.

On motion of Mr. Duborg, Assembly Substitute for Senate Bill No. 111 was referred to Committee of the Whole.

On motion of Mr. Brooks, Assembly Joint and Concurrent Resolution No. 18 was taken up out of order.

On motion of Mr. Brooks, the resolution was considered engrossed, and passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—44.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Ellis, and Matt. Kane—4.

Substitute for Senate Bill No. 130 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Duborg, Pollard, and Woolcock—3.

Absent—Messrs. Aylesworth, Bradshaw, Ellis, Matt. Kane, and Ross—5.

On motion of Mr. Berry, Assembly Bill No. 74 was made a special order for 2 o'clock this afternoon for the purpose of determining whether the House concur in Senate amendments.

Senate Bill No. 75 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Bulmer, Burke, Church, Clark, Conaway, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Leary, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Riddell, Ross, Schoer, Small, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—32.

NAYS—Messrs. McNamara, Reynolds, and Smith—3.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Brooks, Curtin, Duborg, Ellis, Gallagher, Chas. A. Kane, Matt. Kane, McCafferty, Merten, and O'Brien—13.

#### REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

WHEREAS, The sum of \$1,238.71 has been contracted for materials and supplies for the Assembly, and is now owing and unpaid, as shown by the report of the Committee on Contingent Expenses; therefore, be it

*Resolved*, That the State Controller be, and he is hereby authorized, to draw his warrant in favor of the Sergeant-at-Arms of the Assembly, Edward Ryan, for said sum of \$1,238.71, and the Treasurer shall pay the same, and said Sergeant-at-Arms shall pay said bills, and take receipts therefor, and deliver same receipts to said State Controller.

J. B. GIFFEN,

*Speaker of the Assembly.*

HARRY J. COOGAN,

*Chief Clerk of the Assembly.*

A. J. Millard, supplies.....	\$22.40
Sierra Nevada Wood and Lumber Company, lumber.....	6.28
Meyers Mercantile Company, coal.....	550.40
Meyers Mercantile Company, supplies.....	7.70
Carson Furniture Company, new desks.....	125.00
Carson City Coal Gas Company, gas.....	239.65
E. J. Walsh, supplies.....	21.60
J. Porterfield, labor.....	22.50
W. Anderson, labor.....	10.50
Nevada Press Company, supplies.....	73.75
C. H. Maish, supplies.....	11.00
W. Hall, labor and supplies.....	20.41
W. G. Hall, labor and carpenter work in Assembly.....	24.00
D. E. Morton, labor.....	1.50
C. F. Cutts, supplies.....	3.95
F. W. Day, supplies.....	.50
F. W. Day, supplies.....	.25
Meyers Mercantile Company, supplies.....	1.15
E. J. Walsh, supplies.....	.50
Western Union Telegraph Company, messages to Washington.....	33.97
Meyers Mercantile Company, supplies.....	1.00
Nevada Press Company, supplies.....	6.00
E. C. Mulcahy, rubber stamps.....	15.20
J. M. Benton, ice.....	28.50
T. J. Salter, rent of typewriter.....	10.00
Total.....	\$1,238.71



On motion of Mr. Smail, the House took a recess until 1:30 p. m.

### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth and Bradshaw.

The Sergeant-at-Arms announced a message from the Senate.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 93 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

ABSENT—Messrs. Aylesworth, Berry, Bradshaw, Brogan, Brooks, Curtin, Lunsford, and Neill—8.

On motion of Mr. Chas. A. Kane, Assembly Bill No. 197 was taken up and the House concurred in the Senate amendments by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Curtin, McCafferty, Pollard, Smail, and Winter—7.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole for the purpose of considering such business as might come before it.

Mr. Neill in the chair.

### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Senate Bill No. 112 favorably, with the recommendation that it do pass, as amended.

Assembly Bills Nos. 139, 202, and 239 were reported favorably, with the recommendation that they do pass.

Assembly Bill No. 203 was reported with the recommendation that it be indefinitely postponed.

Assembly Bill No. 217 was reported favorably, with the recommendation that it do pass as amended, and Assembly Substitute for Senate Bill No. 111 was reported favorably, with the recommendation that it do pass.

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

On motion of Mr. Berry, Assembly Bill No. 74, which was made a special order for 2 p. m., was taken up.

On motion of Mr. Allen, the House concurred in Senate amendments to Assembly Bill No. 74 by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher,

Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Brogan, Dodge, Farnsworth, McCafferty, and McNamara—5.

Absent—Messrs. Aylesworth and Bradshaw—2.

Messrs. Allen, Bergman, Blake, Brooks, Clark, Ellis, Folsom, and Neill, changed their votes from nay to yea.

Mr. Brooks was given unanimous consent to introduce a bill.

By Mr. Brooks:

Assembly Bill No. 245—An Act making an appropriation for expenses of the Joint Committee to investigate and examine into the causes of the failure and suspension of the State Bank and Trust Company.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 60, 97, 119, 142, 146, 169, 227, and 233 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Gallagher, Senate Bill No. 80 was taken up out of order, placed on third reading and final passage, and passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Lunsford, McCafferty, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Schoer, Smail, Smith, Todd, Winter, Woolley, and Mr. Speaker—35.

NAYS—Mr. Bulmer.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Duborg, Ellis, Matt. Kane, Luke, McIntosh, Reynolds, Riddell, Ross, and Woolcock—12.

The Committee on Judiciary reported Assembly Bill No. 245, Substitute for Senate Bill No. 61, and Senate Bill No. 128 favorably, with the recommendation that they do pass.

On motion of Mr. Brooks, Assembly Bill No. 245 was taken up out of order, and referred to Committee of the Whole.

Assembly Bill No. 192 was placed on third reading.

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

YEAS—Messrs. Bergman, Berry, Brandon, Brogan, Bulmer, Church, Conaway, Dodge, Ferguson, Fitzgerald, Chas. A. Kane, Matt. Kane, Luke, Lunsford, McIntosh, McNamara, O'Brien, Pollard, Riddell, Schoer, Smail, Smith, Todd, Winter, and Woolcock—25.

NAYS—Messrs. Allen, Blake, Brooks, Duborg, Farnsworth, Folsom, Hunter, Leary, Neill, Raycraft, Reynolds, Woolley, and Mr. Speaker—13.

Absent—Messrs. Aylesworth, Bradshaw, Burke, Clark, Curtin, Ellis, Gallagher, McCafferty, Merten, and Ross—10.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 11, relating to the free coinage of silver, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Bulmer, Burke, Church, Conaway, Curtin, Ellis, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolley and Mr. Speaker—36.

NAYS—Messrs. Dodge, Duborg, Matt. Kane, Luke, Lunsford, and Woolcock—6.

Absent—Messrs. Aylesworth, Bradshaw, Brooks, Clark, Farnsworth, and Gallagher—6.



Assembly Bill No. 212 was placed on third reading, and, on motion of Mr. Allen, the bill was laid on the table.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 7 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—41.

NAYS—Messrs. Dodge and Luke—2.

Absent—Messrs. Aylesworth, Bradshaw, Burke, Ellis, and Gallagher—5.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 8 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Farnsworth, Ferguson, Hunter, Chas. A. Kane, Leary, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—Messrs. Dodge, Duborg, Fitzgerald, Matt. Kane, Luke, and Reynolds—6.

Absent—Messrs. Aylesworth, Bradshaw, Burke, Ellis, Folsom, Gallagher, and McCafferty—7.

Assembly Bill No. 236 was placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Matt. Kane, Luke, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Burke, Ellis, Gallagher, Chas. A. Kane, Leary, Lunsford, and McCafferty—9.

On motion of Mr. Brooks, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 245, and such other business as might come before it.

Mr. Allen was called to the chair.

The Committee of the Whole reported Assembly Bill No. 245, and Senate Bills Nos. 68, 87, 103, 114, 115, and 116 favorably, with the recommendation that they do pass.

The report of the Committee of the Whole was adopted.

Assembly Bill No. 245 was placed on third reading.

On motion of Mr. Brooks, the rules were suspended, the bill was considered engrossed and placed on final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Farnsworth, Gallagher, Chas. A. Kane, Matt. Kane, McNamara, Merten, and Schoer—10.

Assembly Bill No. 213 was placed on third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Clark,

Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Church, Farnsworth, Gallagher, Matt. Kane, McCafferty, and Merten—9.

On motion of Mr. McNamara, Senate Bill No. 72 was taken up, placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—Messrs. Ellis and Smith—2.

Absent—Messrs. Aylesworth, Allen, Brandon, Bradshaw, Curtin and Merten—6.

On motion of Mr. Folsom, the House took a recess until 7 p. m.

### HOUSE IN SESSION

At 7 p. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Aylesworth, Bradshaw, Berry, and Ross.

### GENERAL FILE AND THIRD READING.

Assembly Bill No. 223 was placed on third reading.

On motion of Mr. Smith, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Bradshaw, Brandon, Brogan, Brooks, Bulmer, Clark, Ellis, Folsom, Hunter, Chas. A. Kane, O'Brien, and Ross—15.

The Sergeant-at-Arms announced a message from the Senate.

Assembly Bill No. 200 was placed on third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Clark, Ellis, Folsom, Hunter, Chas. A. Kane, Neill, and Ross—11.

Assembly Bill No. 244 was placed on third reading.

On motion of Mr. Winter, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—39.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Ellis, Folsom, Hunter, Chas. A. Kane, Ross, and Smith—9.



Assembly Bill No. 221 was placed on third reading.

On motion of Mr. Church, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Matt. Kane, Luke, McIntosh, McNamara, Neill, Pollard, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Woolley—27.

NAYS—Messrs. Allen, Brogan, Brooks, Gallagher, Leary, McCafferty, Merten, O'Brien, Raycraft, Smaill, and Mr. Speaker—11.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Curtin, Ellis, Hunter, Chas. A. Kane, Lunsford, Reynolds, and Ross—10.

Assembly Bill No. 202 was placed on third reading.

On motion of Mr. Dodge, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—Mr. Brooks.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Curtin, Ellis, Hunter, Lunsford, Reynolds, and Ross—9.

Assembly Bill No. 239 was placed on third reading.

On motion of Mr. Bergman, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Brogan, Brooks, Burke, Church, Clark, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Leary, Luke, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, and Woolcock—28.

NAYS—Messrs. Blake, Brandon, Bulmer, Conaway, Gallagher, Chas. A. Kane, Matt. Kane, McCafferty, McIntosh, McNamara, O'Brien, Woolley, and Mr. Speaker—13.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Curtin, Hunter, Lunsford, and Ross—7.

Assembly Bill No. 139 was placed on third reading.

On motion of Mr. Lunsford, the bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brogan, Brooks, Chas. A. Kane, McCafferty, and Ross—8.

On motion of Mr. Bergman, Senate Bill No. 112 was taken up, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Burke, Church, Conaway, Dodge, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, McCafferty, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—34.

NAYS—Messrs. Allen, Bulmer, and Duborg—3.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brooks, Clark, Curtin, Ellis, Farnsworth, Lunsford, McNamara, and Ross—11.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received transmitting for consideration:

Senate Bill No. 125, which passed the Senate, as amended.

Senate Bill No. 131, which passed: Yeas, 19; nays, none.

Senate Bill No. 139, which passed, as amended: Yeas, 14; nays, none; absent, 5.

Also, returning Assembly Bill No. 129, which passed, as amended: Yeas, 15; nays, 2; absent, 2.

Assembly Bill No. 241, which passed: Yeas, 16; nays, none; absent, 3.

Assembly Bill No. 243, which passed as amended: Yeas, 15; nays, none; absent, 4.

#### INTRODUCTION AND FIRST READING.

Senate Bill No. 125.

On motion of Mr. Smith, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Senate Bill No. 139.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 131.

On motion of Mr. Allen, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Assembly Bill No. 129.

Amendments offered by the Senate were concurred in by the following vote:

YEAS—Messrs. Allen, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Ellis, Farnsworth, Ferguson, Hunter, Leary, McCafferty, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Schoer, Smaill, Todd, Woolley, and Mr. Speaker—27.

NAYS—Messrs. Dodge, Duborg, Fitzgerald, Folsom, Luke, Lunsford, McIntosh, Pollard, Reynolds, Winter, and Woolcock—11.

Absent—Messrs. Aylesworth, Bergman, Berry, Bradshaw, Brandon, Gallagher, Chas. A. Kane, Matt. Kane, Ross, and Smith—10.

Assembly Bill No. 243.

Amendments offered by the Senate were concurred in by the following vote:

YEAS—Messrs. Allen, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Berry, Bradshaw, Brandon, Gallagher, Chas. A. Kane, Matt. Kane, Ross, and Smith—10.

Assembly Substitute for Senate Bill No. 111 was adopted and placed on third reading.

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

YEAS—Messrs. Allen, Bergman, Blake, Brogan, Brooks, Burke, Church, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smaill, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Bulmer, Clark, Curtin, Ellis, Gallagher, Matt. Kane, McCafferty, McNamara, Ross, Smith, and Woolley—15.

Assembly Bill No. 217 was placed on third reading.

On motion of Mr. Folsom, the bill was considered engrossed and placed on final passage, and passed with amendments by the following vote:

YEAS—Messrs. Allen, Blake, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft,



Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—36.  
 NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Berry, Bradshaw, Brandon, Bulmer, Ellis, Chas. A. Kane, Matt. Kane, Merten, Ross, and Woolley—12.

Senate Substitute for Assembly Bill No. 215 was adopted and placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, Woolley, and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Brogan, Ellis, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, McCafferty, McNamara, and Ross—13.

Assembly Bill No. 188.

Amendments offered by the Senate were concurred in by the following vote:

YEAS—Messrs. Bergman, Blake, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Woolley—30.

NAYS—Messrs. Duborg, Reynolds, and Mr. Speaker—3.

Absent—Messrs. Allen, Aylesworth, Berry, Bradshaw, Brandon, Brogan, Brooks, Ellis, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Pollard, Riddell, and Ross—15.

#### REPORTS OF COMMITTEES.

The Committee on Ways and Means reported Senate Bills Nos. 129, 139, and 141 favorably, with the recommendation that they do pass.

The Committee on Education reported Senate Bill No. 125 favorably, with the recommendation that it do pass, with the following amendments: That Sections 27, 45, 46, 47, 48, 49, 50, and 56 of the original and printed bill, struck out by the Senate, be reinserted in the same order as in the original bill, and that the other sections be numbered accordingly. That the balance of the bill be passed as amended in the Senate, with the exception of Section 5, which shall be amended as follows: To read as in the original or printed bill with the addition provided in "Exhibit A," hereto attached, to be inserted in line 15 after the words "National bank," and the balance of Section 5 is approved as amended in the Senate: Exhibit A—Amend Section 5 by inserting after the words "National bank," in line 15, the following: "*provided, further,* that if any of the above qualified persons, when appointed, shall refuse to act upon such board, the Governor may appoint any competent person or persons to act upon said board."

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 187.

Amendments offered by the Senate were concurred in by the following vote:

YEAS—Messrs. Bergman, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Blake, Bradshaw, Brandon, Duborg, Folsom, Matt. Kane, McCafferty, Pollard, Ross, Smail, Winter, Woolcock, and Woolley—16.

Senate Bill No. 92 was placed on third reading and final passage, and passed with amendments by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Berry, Bradshaw, Burke, Ellis, Chas. A. Kane, Matt. Kane, Pollard, Ross, Woolcock, and Woolley—12.

Mr. Folsom was appointed a committee of one to accompany the Chief Clerk to the Senate, and have the history on Senate Bill No. 125 corrected.

On motion of Mr. Folsom, all rules were suspended, and Senate Bill No. 125 was taken up.

On motion of Mr. Folsom, Senate Bill No. 125 was referred to Committee of the Whole.

On motion of Mr. Folsom, House resolved itself into Committee of the Whole, for the purpose of considering Senate Bill No. 125, Mr. Folsom in the chair.

#### HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Senate Bill No. 125 favorably, with the recommendation that it do pass, with amendments offered by Committee on Education.

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

#### GENERAL FILE AND THIRD READING.

On motion of Mr. Folsom, all rules of the House were suspended, and Senate Bill No. 125 was placed on third reading.

On motion of Mr. Folsom, the amendments as offered by the Committee of the Whole were adopted, and the bill passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Curtin, Ellis, Farnsworth, Ferguson, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—35.

NAYS—Messrs. Church, Dodge, Duborg, Fitzgerald, Luke, Lunsford, and Reynolds—7.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Matt. Kane, Ross, and Woolley—6.

On motion of Mr. Folsom, the House adjourned until Thursday, March 18, 1909, at 9:30 a. m.

Approved:

R. LESLIE SMAILL,  
*Speaker Pro Tem. of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*



## THE SIXTIETH DAY.

CARSON CITY (Thursday), March 18, 1909.

House convened at 9:30 a. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth, Bradshaw, Ellis, and Woolley, who were excused.

Prayer by the Chaplain, Rev. W. H. D. Hornaday.

On motion of Mr. Farnsworth, the Journal of the previous day was approved as written.

The Sergeant-at-Arms announced a message from the Senate.

### MESSAGES FROM THE SENATE.

Messages from the Senate were read transmitting for consideration:

Senate Bill No. 137, which passed the Senate: Yeas, 13; nays, none; absent, 6.

Senate Bill No. 144, which passed: Yeas, 11; nays, none; absent, 8.

Also, returning Assembly Bill No. 238, which passed: Yeas, 11; nays, none; absent, 8.

Assembly Bill No. 210, which passed: Yeas, 12; nays, none; absent, 7.

Assembly Bill No. 65, which passed: Yeas, 13; nays, none; absent, 6.

Assembly Bill No. 170, which was killed: Yeas, 6; nays, 6; absent, 7.

Assembly Bill No. 115, which passed: Yeas, 10; nays, 2; absent, 7.

Assembly Bill No. 107, which was lost: Yeas, 9; nays, 1; absent, 8; not voting, 1.

Assembly Bill No. 196, which was killed: Yeas, 3; nays, 8; absent, 8.

Assembly Bill No. 206, which passed: Yeas, 12; nays, none; absent, 7.

### REPORTS OF COMMITTEES.

The Committee on Judiciary reported Senate Bill No. 147 favorably, with the recommendation that it do pass.

### INTRODUCTION AND FIRST READING.

Senate Bill No. 144.

On motion of Mr. McCafferty, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 137.

On motion of Mr. Brooks, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

## GENERAL FILE AND THIRD READING.

Senate Bill No. 105 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Blake, Brandon, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Raycraft, Reynolds, Riddell, Ross, Schoer, Todd, Winter, and Woolcock—31.

NAYS—Messrs. Berry, Matt. Kane, Neill, and Mr. Speaker—4.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Brogan, Clark, Ellis, Folsom, Hunter, Chas. A. Kane, Pollard, Smail, Smith, and Woolley—13.

On motion of Mr. Farnsworth, Senate Bill No. 108 was referred to Committee of the Whole.

Substitute for Senate Bill No. 40 was placed on third reading and final passage, and was lost by the following vote:

YEAS—Messrs. Bergman, Brandon, Brooks, Bulmer, Burke, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Gallagher, Luke, Lunsford, McCafferty, McNamara, Schoer, Todd, Winter, and Mr. Speaker—19.

NAYS—Messrs. Allen, Berry, Blake, Church, Duborg, Fitzgerald, Matt. Kane, Leary, McIntosh, Merten, Neill, O'Brien, Raycraft, Reynolds, and Woolcock—15.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Clark, Ellis, Folsom, Hunter, Chas. A. Kane, Pollard, Riddell, Ross, Smail, Smith, and Woolley—14.

Mr. Ferguson changed his vote from nay to yea.

Senate Bill No. 91 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Clark, Curtin, Ellis, Farnsworth, Folsom, Chas. A. Kane, McNamara, Pollard, Riddell, Ross, Smail, Smith, and Woolley—15.

Senate Bill No. 131 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, O'Brien, Raycraft, Reynolds, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—Mr. Allen.

Absent—Messrs. Aylesworth, Bradshaw, Ellis, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, McNamara, Pollard, Riddell, Ross, Smail, Smith, and Woolley—14.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 30, 63, 103, 123, 143, 180, 184, and 190, and Assembly Joint and Concurrent Resolution No. 17 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

Senate Bill No. 138 was placed on third reading and final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Bradshaw, Brandon, Ellis, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, McCafferty, McNamara, Pollard, Ross, Smail, Smith, and Woolley—16.

On motion of Mr. Farnsworth, Senate Bill No. 60 was referred to Committee of the Whole.



Senate Bill No. 132 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Curtin, Ellis, Chas. A. Kane, Matt. Kane, Pollard, Ross, Smith, and Woolley—10.

On motion of Mr. Duborg, Senate Bill No. 100 was referred to Committee of the Whole.

Senate Bill No. 97 was placed on third reading.

On motion of Mr. Brandon, the bill was indefinitely postponed.

Senate Bill No. 128 was placed on third reading and final passage, and passed as amended by the following vote:

YEAS—Messrs. Allen, Berry, Brandon, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Folsom, Gallagher, Leary, Luke, Lunsford, McNamara, Neill, O'Brien, Raycraft, Reynolds, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—27.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bergman, Blake, Bradshaw, Brogan, Brooks, Clark, Ellis, Fitzgerald, Hunter, Chas. A. Kane, Matt. Kane, McCafferty, McIntosh, Merten, Pollard, Riddell, Ross, Smail, Smith, and Woolley—21.

The rules were suspended, and Mr. Folsom was given unanimous consent to introduce a bill.

By Mr. Folsom:

Assembly Bill No. 246—An Act appropriating one hundred and ninety-two dollars for extra help for enrolling the Senate and Assembly Bills of the Twenty-fourth Session of the Nevada Legislature and providing for payment thereof.

On motion of Mr. Folsom, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

Senate Bill No. 139 was referred to Committee of the Whole.

On motion of Mr. Folsom, the House resolved itself into Committee of the Whole, for the consideration of such business as might come before it.

Mr. Allen in the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 246, Senate Bills Nos. 60, 100, 108, and Senate Bill No. 139, as amended, favorably, with the recommendation that they do pass.

On motion of Mr. Folsom, the House adopted the report of the Committee of the Whole.

### GENERAL FILE AND THIRD READING.

On motion of Mr. Folsom, all rules were suspended, and Assembly Bill No. 246 was taken up out of regular order and placed on third reading.

On motion of Mr. Chas. A. Kane, the bill was considered engrossed, and placed on final passage, and passed by the following vote:

YEAS—Messrs. Alien, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Leary, Luke, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Ellis, Hunter, Matt. Kane, Lunsford, Merten, Ross, Smith, and Woolley—10.

#### MOTIONS AND RESOLUTIONS.

By Mr. McCafferty:

Assembly Joint and Concurrent Resolution No. 22.

Referred to Committee of the Whole.

By Mr. Smail:

Assembly Joint and Concurrent Resolution No. 23.

Resolution adopted.

On motion of Mr. Folsom, the House took a recess until 2 p. m.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth, Bradshaw, and Woolley, who were excused.

The Sergeant-at-Arms announced a message from the Senate.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were read presenting for consideration:

Senate Bill No. 146, which passed the Senate: Yeas, 17; nays, none; absent, 2.

Senate Bill No. 143, which passed: Yeas, 13; nays, 4; absent, 2.

Senate Bill No. 140, which passed: Yeas, 15; nays, none; absent, 4.

#### INTRODUCTION AND FIRST READING.

Senate Bill No. 140.

On motion of Mr. Dodge, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of the Whole.

Senate Bill No. 143.

On motion of Mr. Folsom, the bill was indefinitely postponed.

Senate Bill No. 146.

On motion of Mr. Winter, duly seconded, rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko Delegation.

Senate Bill No. 139 was placed on third reading and final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—39.

NAYS—None.

ABSENT—Messrs. Allen, Aylesworth, Bradshaw, Clark, Ellis, Hunter, McNamara, Ross, and Woolley—9.



The Sergeant-at-Arms announced a message from the Senate.

Mr. Folsom offered the following resolution, out of order:

WHEREAS, Wide publicity has been given to charges against the State University and its management; and

WHEREAS, A Joint Committee of the Assembly and Senate has thoroughly investigated all matters pertaining thereto; therefore

Resolved, That two thousand (2,000) copies of the report of the Joint Committee on Investigation of University be printed for general distribution.

On motion of Mr. Curtin, the resolution was adopted.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were read returning:

Assembly Bill No. 245, which was indefinitely postponed by the Senate.

Assembly Bill No. 200, which was killed in the Senate: Yeas, 6; nays, 11; absent, 2.

Substitute for Assembly Bill No. 165, which was indefinitely postponed.

Assembly Bill No. 219, which passed: Yeas, 16; nays, 1; absent, 2.

The House refused to recede from its amendments to Senate Bill No. 125.

The Speaker appointed a Conference Committee consisting of Messrs. Brandon, Brooks, and Folsom to confer with a like committee from the Senate relative to Senate Bill No. 125.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 151, 187, 188, 198, and 241 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 142 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brogan, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Folsom, Matt. Kane, Luke, Lunsford, McCafferty, McIntosh, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—31.

NAYS—None.

ABSENT—Messrs. Allen, Aylesworth, Bradshaw, Brandon, Brooks, Clark, Ellis, Farnsworth, Gallagher, Hunter, Chas. A. Kane, Leary, McNamara, Pollard, Ross, Smail, and Woolley—17.

Senate Bill No. 133 was placed on third reading and final passage; and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bradshaw, Curtin, Duborg, Ellis, Folsom, Hunter, Ross, Smail, and Woolley—10.

Senate Bill No. 88 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Curtin, Ellis, Folsom, Hunter, McCafferty, Ross, and Woolley—10.

The Sergeant-at-Arms announced a message from the Senate.

#### MESSAGES FROM THE SENATE.

Messages from the Senate were received returning Assembly Bill No. 31, which passed: Yeas, 15; nays, none; absent, 4.

Assembly Bill No. 66, which passed: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 138, which passed: Yeas, 15; nays, 1; absent, 3.

Assembly Bill No. 189, which passed: Yeas, 16; nays, none; absent, 3.

Assembly Bill No. 221, which passed: Yeas, 12; nays, 1; absent, 6.

Assembly Bill No. 223, which passed: Yeas, 14; nays, 1; absent, 3; not voting, 1.

Assembly Bill No. 225, which passed: Yeas, 15; nays, none; absent, 3; not voting, 1.

Assembly Bill No. 231, which passed: Yeas, 15; nays, none; absent, 4.

Assembly Bill No. 235, which was killed: Yeas, 8; nays, 7; absent, 4.

Assembly Bill No. 236, which passed: Yeas, 13; nays, 1; absent, 5.

Assembly Bill No. 240, which passed: Yeas, 17; nays, none; absent, 2.

Substitute for Assembly Bill No. 242, which passed: Yeas, 16; nays, none; absent, 3.

Also, returning Senate Bill No. 125, with the information that the Senate refused to concur in the Assembly amendments.

Also, informing the Assembly that Assembly Bills Nos. 80 and 191 were laid on the table by the Senate.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 96 was placed on its third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Church, Clark, Conway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Bergman, Bradshaw, Brogan, Hunter, McCafferty, Ross, and Woolley—8.

#### MOTIONS AND RESOLUTIONS.

By Washoe Delegation:

*Resolved*, That the thanks of the Assembly be, and are hereby, extended to all the good people of Carson City, to all the state officials and their deputies, and to the Sagebrush Club in particular, for the many courtesies, unbounded hospitality, kindness and good cheer extended to all the members of the Twenty-fourth Session, their families and friends; also to the ever-patriotic and useful press of the State of Nevada, for the advice and suggestions in aid of the performance of our public duties.

Resolution adopted.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 115 was placed on third reading, and passed by the following vote:

YEAS—Messrs. Allen, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conway, Curtin, Dodge, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—Mr. Berry.



Absent—Messrs. Aylesworth, Bergman, Blake, Bradshaw, Duborg, Matt. Kane, McCafferty, Ross, Small, and Woolley—10.

On motion of Mr. Allen, Senate Bill No. 38 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Small, Todd, Winter, Woolcock, and Mr. Speaker—40.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Ferguson, Folsom, Smith, and Woolley—8.

The Sergeant-at-Arms announced a message from the Governor.

SPECIAL MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,  
CARSON CITY, NEVADA, March 17, 1909.

To the Honorable Senate and Assembly of the State of Nevada:

I feel that it is incumbent upon me to again call your attention to the necessity of placing the power of fixing taxable valuations on railroads and other property of like character in the hands of a different board from the one now exercising that power—the State Board of Assessors. The fixing of valuations for taxable purposes is a most important matter. It should be the aim of the board to whom is delegated this important duty to exert every effort of which it is capable to so fix valuations that the expense of maintaining the government will fall as nearly alike upon all classes of property as it is possible for the board, with all the data before it that can be obtained, to make it.

In managing his private affairs the business man has no hesitancy in discharging an employee who after thorough trial has proven incompetent to perform the duties assigned to him. It is a good business principle in private affairs and is equally good in public affairs. If the State Board of Assessors has, by its official acts, proven competent to discharge the duties imposed upon it by the State, it should be continued in the performance of those duties; if, on the other hand, the record shows it to have been incompetent, it should be relieved of those duties and the power entrusted to it placed in the hands of another board.

I submit that the State Board of Assessors has not proven itself competent to deal with the matters entrusted to it by the State. In my message to the Legislature of January 19th I called attention to the disparity between the valuations placed by the board on different kinds of property. I now desire to call your attention to some of the valuations placed on the same kind of property, which are not only unequal but unjust.

In fixing valuations on the properties of the different railroad companies in the State for the year 1909 the Board of Assessors either did not know what the value of the different railroads was, or was not actuated by a desire to fix an equitable valuation on each road, as the following figures taken from the sworn statements of the officers of the various railroad companies operating in this State, together with the valuation fixed by the Board of Assessors, will attest:

*Central Pacific.*

Cost or cash value per mile .....	\$146,936.73	Paid \$897.24 taxes per
Assessed valuation .....	18,500.00	mile in California, and
Per cent of actual value .....	12.59	\$500 in Nevada.
Net operating revenue, \$15,399.59 on each mile of road in Nevada.		

*Nevada-California, Broad-Gage.*

Cost .....	\$24,336.00
Assessed valuation .....	15,000.00
Per cent of value .....	61.637
Net revenue of \$1,116,414.97, or \$5,009.49 per mile.	

*Nevada Northern.*

Cost .....	\$15,289.25
Assessed valuation .....	9,000.00
Per cent of value .....	58.86
Net revenue, \$568,535.85.	

<i>San Pedro, Los Angeles, and Salt Lake.</i>	
Cost .....	\$72,330.84
Assessed valuation .....	9,000.00
Per cent of value .....	12.4
Net revenue, \$80,125.30.	
<i>Hazen and Fallon.</i>	
Cost .....	\$20,075.55
Assessed valuation .....	8,000.00
Per cent of value .....	39.8
<i>Tonopah and Tidewater.</i>	
Cost .....	\$24,066.81
Assessed valuation .....	6,000.00
Per cent of value .....	24.8
Net revenue, \$127,652.13.	
<i>Las Vegas and Tonopah.</i>	
Cost .....	\$16,434.04
Assessed valuation .....	6,000.00
Per cent of value .....	36.5
Net revenue, \$52,876.87.	
<i>Virginia and Truckee.</i>	
Cost .....	\$73,624.49
Assessed valuation .....	8,250.00
Per cent of value .....	11
Net revenue, \$99,488.54.	
<i>Tonopah and Goldfield.</i>	
Cost .....	\$37,162.66
Assessed valuation .....	12,000.00
Per cent of value .....	32
Net revenue, \$433,766.62.	
<i>Nevada, California and Oregon.</i>	
Cost .....	\$18,070.68
Assessed valuation .....	3,000.00
Per cent of value .....	16.60
Net revenue, \$167,103.15.	

It will be seen at a glance that in fixing the valuations on the different railroads, a hit-or-miss policy was pursued throughout. The valuations range from 61 per cent of the actual cost of constructing and repairing the roads to 11 per cent, and this, too, without any regard whatever to the volume of business done or the revenue derived from the operation of the roads. It would be manifestly unjust to adhere to a hard-and-fast rule that the cost of constructing and keeping the roads in repair should be the basis for fixing valuations without taking into account the earning power of the road. It might cost as much per mile for the construction of a road ten miles in length as it would for a trans-continental line, yet the earning power of the one must be infinitely greater than the other.

The most equitable method of fixing valuations, it appears to me, would be to base the valuations on the earning power of the different roads. But whether the valuations are to be based on the earning power of the roads or the cost of their construction is of less importance than that some regular and defined method should be adopted for the fixing of valuations that will result in all the roads receiving the same treatment at the hands of the board fixing the valuations.

The Board of Assessors has never done either. The Southern Pacific is valued by its Auditor at \$146,936.73 per mile for each mile of road in the State of Nevada. The net operating revenue of this road for the year ending June 30, 1907, was \$15,399.59 for each mile of road in this State. The road was valued this year by the Board of Assessors at \$18,500 per mile—a trifle more than the net earnings for each mile of road for one year, or 12.59 per cent of the cash value.

The Nevada and California cost to construct and maintain up to June 30, 1908, \$24,336 per mile. For the year ending June 30, 1908, its net operating revenue amounted to \$5,009.49 for each mile of road. The valuation fixed by the State Board of Assessors on this road for the current year is \$15,000, or 61.63 per cent of its actual value.

I am firmly convinced that it will be the means of increasing, by thousands of dollars, the revenue of the State, and a more equitable distribution of the cost of maintaining the government for the duties that have heretofore been exercised



by the State Board of Assessors to be transferred to the State Board of Revenue, and I earnestly urge the Legislature to make such transfer.

Respectfully submitted,

D. S. DICKERSON,  
*Lieutenant and Acting Governor.*

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 68 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Curtin, Ferguson, Folsom, Ross, Smail, Smith, and Woolley—11.

Senate Bill No. 61 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Farnsworth, Fitzgerald, Chas. A. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Todd, and Winter—29.

NAYS—Messrs. Curtin, Gallagher, Hunter, Matt. Kane, Luke, Merten, and Mr. Speaker—7.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Brooks, Ellis, Ferguson, Folsom, Ross, Smail, Woolcock, and Woolley—11.

Not voting—Mr. Smith.

Senate Substitute for Assembly Bill No. 36 was placed on third reading, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brogan, Bulmer, Burke, Church, Clark, Conaway, Curtin, Duborg, Farnsworth, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Aylesworth, Berry, Bradshaw, Brandon, Brooks, Dodge, Ellis, Ferguson, Folsom, Chas. A. Kane, McCafferty, Riddell, Ross, Smail, and Woolley—15.

The Sergeant-at-Arms announced a message from the Governor.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,  
CARSON CITY, NEVADA, March 18, 1909.

*To the Honorable the Senate and the Assembly:*

There is now before the Legislature a banking measure known as the "Tallman Bill," prepared with a great deal of care and embracing the best features in the banking Acts of five different States. The provisions of the bill are framed with the guarantee plan as the basic principle. To eliminate the guarantee feature would be to practically nullify the other provisions of the bill. There is no other banking bill before the Legislature that will meet the conditions in this State.

It is imperative that some banking measure be passed at this session. The platforms of both the Democratic and Republican parties in this State at the last election declared unequivocally for the passage of a strong banking Act. The Democratic platform declared for the salient features of the Oklahoma banking Act.

With the present makeshift banking law on our statute books, the Legislature must recognize the necessity of passing some measure that will afford relief from existing banking conditions. The people of Nevada are looking to this Legislature for this relief. They have every right to expect such relief. Platform pledges are just as binding on a political party as the pledged word of an individual is on a man of honor, and that political party or individual whose promises

are not sacredly kept forfeits the confidence and esteem of all decent men, and cannot hope to escape the penalty their perfidy merits.

The men of both political parties in this Legislature are bound by their platform pledges to enact a banking law that will throw some safeguards around the depositors as well as protect the bankers.

In the closing hours of the session it will be impossible to draft a measure to take the place of the one now before the Legislature with that degree of care which should characterize the preparation of a law of this kind.

There remains now but one thing to do, and that is to pass the Tallman Bill and redeem the pledges that both the Democratic and Republican parties gave to the people of Neyada, and which the members of both political parties in this Legislature are in duty bound to respect and keep.

Respectfully submitted,

D. S. DICKERSON,  
*Lieutenant and Acting Governor.*

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 119 was placed on third reading and final passage, and passed, as amended, by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Fitzgerald, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—34.

NAYS—Messrs. Gallagher, O'Brien, and Smail—3.

Absent—Messrs. Aylesworth, Bradshaw, Brooks, Clark, Ellis, Ferguson, Folsom, Matt. Kane, McCafferty, Ross, and Woolley—11.

Senate Bill No. 101 was placed on third reading.

On motion of Mr. Lunsford, the bill was indefinitely postponed.

Report of Committee on Conference submitted by Mr. Brandon.

#### REPORTS OF COMMITTEES.

The Committee on Conference reported that they had refused to recede from the position taken by the Assembly on Senate Bill No. 125, and could not agree with the committee appointed by the Senate.

#### GENERAL FILE AND THIRD READING.

Senate Bill No. 77, on motion of Mr. Farnsworth, was indefinitely postponed.

Senate Bill No. 113 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Farnsworth, Fitzgerald, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Riddell, Smail, Smith, Todd, Winter, and Woolcock—33.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Clark, Curtin, Ellis, Ferguson, Folsom, Hunter, Matt. Kane, Pollard, Reynolds, Ross, Schoer, Woolley, and Mr. Speaker—15.

On motion of Mr. Lunsford, Senate Bill No. 20 was taken up, placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Farnsworth, Fitzgerald, Gallagher, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Smith, Todd, and Winter—33.

NAYS—Mr. Woolcock.

Absent—Messrs. Aylesworth, Bradshaw, Brogan, Clark, Ellis, Ferguson, Folsom, Hunter, Matt. Kane, Neill, Pollard, Ross, Woolley, and Mr. Speaker—14.

Assembly Bill No. 194 was laid on the table.

Mr. Speaker in the chair.



Senate Bill No. 108 was placed on third reading and final passage, and passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—34.

NAYS—Mr. Smith.

ABSENT—Messrs. Aylesworth, Bradshaw, Brandon, Clark Duborg, Ellis, Hunter, Chas. A. Kane, Matt. Kane, Merten, Pollard, Ross, and Woolley—13.

LETTER FROM MRS. SPARKS.

RENO, NEVADA, March 18, 1909.

*The Honorable the Assembly, Carson City:*

I wish to extend to your honorable body my sincere and heartfelt thanks and appreciation for the kind consideration of my welfare and the honor shown to my late husband by your efforts extended during the session of this Legislature.

Very sincerely,

MRS. NANCY ELNORA SPARKS.

GENERAL FILE AND THIRD READING.

The Speaker appointed the House a Committee of Free Conference to confer with a like one from the Senate, relative to Senate Bill No. 125.

Senate Bill No. 60 was placed on its third reading and final passage, and was lost by the following vote:

YEAS—Messrs. Brandon, Brogan, Clark, Curtin, Gallagher, Leary, McCafferty, Neill, O'Brien, Raycraft, Riddell, Schoer, Smail, Todd, Winter, and Mr. Speaker—17.

NAYS—Messrs. Berry, Blake, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Lunsford, Reynolds, Smith, and Woolcock—14.

ABSENT—Messrs. Allen, Aylesworth, Bergman, Bradshaw, Brooks, Ellis, Farnsworth, Folsom, Hunter, Chas. A. Kane, Matt. Kane, McIntosh, McNamara, Merten, Pollard, Ross, and Woolley—17.

Senate Bill No. 100 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Berry, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Curtin, Dodge, Duborg, Ferguson, Fitzgerald, Folsom, Gallagher, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Raycraft, Reynolds, Riddell, Schoer, Todd, Winter, Woolcock, and Mr. Speaker—32.

NAYS—None.

ABSENT—Messrs. Aylesworth, Bergman, Blake, Bradshaw, Brandon, Clark, Ellis, Farnsworth, Hunter, Chas. A. Kane, Matt. Kane, Pollard, Ross, Smail, Smith, and Woolley—16.

The committee, consisting of Messrs. Folsom, Brooks, and Brandon, appointed to inform the Senate of the action of the House in regard to the appointment of a Free Conference Committee, reported that the Senate refused to appoint a Free Conference Committee.

On motion of Mr. Folsom, House took a recess until 8 p. m.

HOUSE IN SESSION

At 8 p. m.

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Aylesworth and Bradshaw.

The Sergeant-at-Arms announced a message from the Senate.

MESSAGES FROM THE SENATE.

Messages from the Senate were read transmitting:

Assembly Bill No. 160, which passed the Senate: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 217, which passed: Yeas, 11; nays, 1; absent, 7.  
 Assembly Substitute for Senate Bill No. 111, which passed: Yeas, 11; nays, none; absent, 8.

Assembly Bill No. 204, which passed: Yeas, 13; nays, none; absent, 6.  
 Assembly Bill No. 192, which passed: Yeas, 15; nays, none; absent, 4.  
 Assembly Bill No. 239, which passed: Yeas, 13; nays, none; absent, 6.  
 Assembly Bill No. 201, which passed: Yeas, 11; nays, 2; absent, 6.  
 Assembly Bill No. 246, which passed: Yeas, 12; nays, none; absent, 7.  
 Assembly Bill No. 202, which passed: Yeas, 13; nays, none; absent, 6.  
 Assembly Bill No. 244, which passed: Yeas, 14; nays, none; absent, 5.  
 Assembly Bill No. 213, which passed: Yeas, 15; nays, none; absent, 4.  
 Substitute for Assembly Bill No. 57, which passed: Yeas, 13; nays, 1, absent, 5.

Assembly Bill No. 163, which passed, as amended: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 224, which passed: Yeas, 14; nays, none; absent, 5.

Assembly Bill No. 139, which passed: Yeas, 14; nays, 1; absent, 4.

#### REPORTS OF COMMITTEES.

The Committee on Judiciary reported Assembly Bill No. 199 unfavorably, with the recommendation that it do not pass.

Also, Senate Bills Nos. 137 and 144 favorably, with the recommendation that they do pass.

The Elko Delegation reported Senate Bill No. 146 favorably, with the recommendation that it do pass.

#### GENERAL FILE AND THIRD READING.

Assembly Bill No. 189 placed on third reading, and, on motion of Mr. Bergman, was indefinitely postponed.

Senate Bill No. 114 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—41.

NAYS—Messrs. Berry and Matt. Kane—2.

Absent—Messrs. Aylesworth, Bradshaw, Folsom, Ross, and Woolley—5.

Senate Bill No. 109 was placed on third reading and final passage, and passed as amended by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Schoer, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—42.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Folsom, Riddell, and Woolley—6.

Senate Bill No. 116 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—39.

NAYS—Messrs. Berry and Matt. Kane—2.



Absent—Messrs. Aylesworth, Bradshaw, Curtin, Chas. A. Kane, Ross, Small, and Woolley—7.

On motion of Mr. Folsom, a committee, consisting of Messrs. Folsom, Brooks, and Riddell, was appointed by the Speaker to wait upon the President of the Senate and demand Senate Bill No. 125.

Senate Bill No. 139 returned from the Senate with amendments 95, 94, 80½, and 98 not concurred in, and roll called on Senate rejection of amendment 80½ by which the House refused to withdraw amendments:

YEAS—Messrs. Allen, Bergman, Blake, Brandon, Brogan, Bulmer, Burke, Clark, Conaway, Curtin, Dodge, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Matt. Kane, Leary, Lunsford, McCafferty, McIntosh, McNamara, Merten, Pollard, Raycraft, Reynolds, Schoer, Small, Smith, Todd, and Winter—31.

NAYS—Messrs. Berry, Church, Duborg, Ellis, Folsom, Luke, Neill, O'Brien, Riddell, Woolcock, and Mr. Speaker—11.

Absent—Messrs. Aylesworth, Bradshaw, Brooks, Chas. A. Kane, Ross, and Woolley—6.

Vote on amendment 94—Assembly do not recede:

YEAS—Messrs. Allen, Bergman, Berry, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Raycraft, Reynolds, Ross, Schoer, Small, and Winter—31.

NAYS—Messrs. Blake, Church, Ellis, Gallagher, Merten, Neill, O'Brien, Pollard, Riddell, Todd, Woolcock, and Mr. Speaker—12.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Smith, and Woolley—5.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 31, 66, 115, 138, 223, 238, and 240, and Assembly Substitute for Assembly Bill 242, with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

Senate Bill No. 139.

Vote on amendment 95.

The Assembly concurred in Senate amendment by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ellis, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Neill, Pollard, Raycraft, Reynolds, Schoer, Small, Todd, Winter, and Mr. Speaker—36.

NAYS—Messrs. Clark, Chas. A. Kane, Merten, O'Brien, and Woolcock—5.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Riddell, Smith, and Woolley—6.

Not voting—Mr. Ross.

Senate amendment 98.

The Assembly did not concur in Senate amendment by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Ross, Small, Smith, Todd, Winter, Woolcock, and Mr. Speaker—40.

NAYS—Messrs. Church, Ellis, and Schoer—3.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Riddell, and Woolley—5.

On motion of Mr. Duborg, the House resolved itself into Committee of the Whole for the purpose of considering such business as might come before it, Mr. Folsom in the chair.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

The Committee of the Whole reported Assembly Bill No. 186 favorably,

with the recommendation that it do pass; also, Senate Bills Nos. 129 and 140.

The report of the Committee of the Whole was adopted.

Report from Committee on Enrollment.

The Assembly concurred in the Senate amendments to Assembly Bill No. 163 by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—36.

NAYS—Mr. Duborg.

Absent—Messrs. Aylesworth, Bradshaw, Curtin, Farnsworth, Chas. A. Kane, Matt. Kane, McCafferty, McNamara, Ross, Smith, and Woolley—11.

The Assembly receded from its position on the amendments to Senate Bill No. 125, and passed the bill by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Clark, Conaway, Ellis, Folsom, Hunter, Leary, Lunsford, McIntosh, Merten, Neill, Raycraft, Riddell, Schoer, Smail, Todd, Winter and Mr. Speaker—25.

NAYS—Messrs. Church, Dodge, Duborg, Ferguson, Fitzgerald, Gallagher, Luke, O'Brien, Pollard, Reynolds, and Woolcock—11.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Curtin, Farnsworth, Chas. A. Kane, Matt. Kane, McCafferty, McNamara, Ross, Smith, and Woolley—12.

Messrs. Brooks, Riddell, and Folsom were appointed a committee of three by the Speaker to correct the history of Senate Bill No. 125.

Assembly Bill No. 224.

Amendments offered by the Senate were concurred in by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Blake, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Gallagher, Hunter, Leary, Luke, Lunsford, McIntosh, Merten, Neill, O'Brien, Pollard, Raycraft, Schoer, Smail, Todd, Winter, Woolcock, and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Aylesworth, Bradshaw, Brandon, Farnsworth, Folsom, Chas. A. Kane, Matt. Kane, McCafferty, McNamara, Reynolds, Riddell, Ross, Smith, and Woolley—14.

Messrs. Brandon, Riddell, and Duborg were appointed a Conference Committee by the Speaker to meet a like committee of the Senate and discuss the amendments to Senate Bill No. 139.

All rules were suspended, and Assembly Bill No. 186 was placed on third reading.

The bill was considered engrossed, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Brandon, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Bradshaw, Brogan, Brooks, Curtin, Farnsworth, Folsom, Gallagher, Chas. A. Kane, Matt. Kane, McCafferty, Riddell, Ross, and Woolley—15.

Senate Bill No. 117 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Brandon, Bulmer, Burke, Church, Clark, Conaway, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Hunter, Leary, Luke, Lunsford, McIntosh, McNamara, Neill, Pollard, Raycraft, Reynolds, Schoer, Smail, Winter, and Woolcock—27.

NAYS—Messrs. Gallagher, Merten, O'Brien, Smith, and Mr. Speaker—5.

Absent—Messrs. Aylesworth, Bergman, Blake, Bradshaw, Brogan, Brooks, Curtin, Farnsworth, Folsom, Chas. A. Kane, Matt. Kane, McCafferty, Riddell, Ross, Todd, and Woolley—16.



On motion of Mr. Gallagher, Senate Bill No. 74 was indefinitely postponed.

Senate Bill No. 103 was placed on third reading and final passage, and was lost by the following vote:

YEAS—Messrs. Bergman, Brandon, Burke, Church, Dodge, Fitzgerald, Gallagher, Hunter, Luke, Lunsford, McIntosh, Neill, O'Brien, Raycraft, Schoer, and Winter—16.

NAYS—Messrs. Berry, Bulmer, Clark, Conaway, Duborg, Ellis, Ferguson, McCafferty, McNamara, Merten, Pollard, Reynolds, Smith, Todd, Woolcock, and Mr. Speaker—16.

Absent—Messrs. Allen, Aylesworth, Blake, Bradshaw, Brogan, Brooks, Curtin, Farnsworth, Folsom, Chas. A. Kane, Matt. Kane, Leary, Riddell, Ross, Smail, and Woolley—16.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 129, 189, 197, 221, 225, 231, 236, and 243 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

The committee appointed to straighten out the history of Senate Bill No. 125 reported that they had performed their duty and were discharged.

The committee appointed to investigate the University and State Bank and Trust Company were discharged.

Senate Bill No. 140 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Brooks, Bulmer, Burke, Church, Clark, Conaway, Dodge, Ellis, Ferguson, Fitzgerald, Folsom, Leary, Luke, Lunsford, McIntosh, Neill, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolcock, and Mr. Speaker—30.

NAYS—Messrs. Brandon, Brogan, Gallagher, Hunter, McCafferty, McNamara, Merten, and O'Brien—8.

Absent—Messrs. Aylesworth, Blake, Bradshaw, Curtin, Duborg, Farnsworth, Chas. A. Kane, Matt. Kane, Smail, and Woolley—10.

On motion of Mr. Brooks, Assembly Bill No. 182 was indefinitely postponed.

The following message was received from the Senate:

SENATE CHAMBER,  
CARSON CITY, NEVADA, March 18, 1909.

To the Honorable the Assembly:

This is to inform your honorable body that the Senate failed to concur in Section 93, Senate Bill No. 139. Same was overlooked in previous notification.

W. M. GRIMES,  
Secretary of the Senate.

The House concurred in the Senate amendment by the following vote:

YEAS—Messrs. Bergman, Berry, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Conaway, Dodge, Duborg, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Reynolds, Riddell, Ross, Schoer, Smith, Todd, Winter, Woolley, and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Blake, Bradshaw, Clark, Curtin, Ellis, Farnsworth, Chas. A. Kane, Matt. Kane, Smail, and Woolley—12.

Senate Bill No. 129 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brogan, Brooks, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, O'Brien, Pollard, Raycraft, Riddell, Ross, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—Mr. Bulmer.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Brandon, Ellis, McCafferty, Neill, Reynolds, and Woolley—9.

On motion of Mr. Lunsford, Senate Bill No. 87 was indefinitely postponed.

On motion of Mr. Smail, Assembly Bill No. 126 was indefinitely postponed.

On motion of Mr. Smail, Senate Bill No. 137 was indefinitely postponed.

Senate Bill No. 144, on motion of Mr. Lunsford, was indefinitely postponed.

Senate Bill No. 146 was placed on third reading and final passage, and passed by the following vote:

YEAS—Messrs. Bergman, Berry, Blake, Brandon, Brogan, Brooks, Bulmer, Burke, Church, Clark, Conaway, Curtin, Dodge, Duborg, Farnsworth, Ferguson, Fitzgerald, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McIntosh, McNamara, Merten, Neill, O'Brien, Pollard, Raycraft, Schoer, Smail, Smith, Todd, Winter, Woolcock, and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Allen, Aylesworth, Bradshaw, Ellis, Folsom, McCafferty, Reynolds, Riddell, Ross, and Woolley—10.

The Committee on Conference reported that they had met with a like committee from the Senate, and had agreed to strike out Sections 80 and 98 of Senate Bill No. 139, and the Senate Committee had concurred in the adoption of Section 94 of said bill.

On motion of Mr. Folsom, the House adopted the report of the Conference Committee by the following vote:

YEAS—Messrs. Allen, Bergman, Berry, Brandon, Brogan, Brooks, Church, Clark, Conaway, Curtin, Dodge, Duborg, Ellis, Ferguson, Fitzgerald, Folsom, Gallagher, Hunter, Chas. A. Kane, Matt. Kane, Leary, Luke, Lunsford, McCafferty, McIntosh, McNamara, Merten, Neill, Pollard, Raycraft, Reynolds, Riddell, Schoer, Smith, Todd, Woolcock, and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Aylesworth, Blake, Bradshaw, Bulmer, Burke, Farnsworth, O'Brien, Ross, Smail, Winter, and Woolley—11.

The following resolution was adopted unanimously:

*Mr. Speaker:*

Your committee appointed by authority of Assembly Joint and Concurrent Resolution No. 14, to investigate and make inquiry into the actions of the State Bank Commissioners and of the causes of the failure and suspension of the State Bank and Trust Company and other matters, begs to place in the minutes of the Assembly its protest against the action of the Senate Committee in distorting and changing the report of the Joint Committee as submitted to the Senate by the insertion of the following clause:

Your committee cannot but express its regret at the limited time in which to investigate the State Bank itself.

Such clause was never a part of the report as agreed upon by the Joint Committee, and the inference necessarily to be drawn from it is that the committee had the time to and did complete its investigation according to the purport and spirit of the resolution so far as the State Bank Commissioners were concerned, and that the report submitted should therefore be accepted by the Legislature as final to the extent of obviating the necessity for further research and inquiry. The limited time at the disposal of the committee was sufficient only to convince us of the great importance of following and tracing out all of the transactions between the State Bank Commissioners and the institution above referred to—a banking corporation whose flagrant disregard of the most elemental principles of honesty has brought such widespread distress to many of our people.

Your committee is further convinced that the investigation should without delay be continued with zeal and vigor, and that all of the affairs of this corporation, especially its relations with the State Bank Commissioners, should be completely unfolded. We cannot consent to nor connive at any effort or attempt to thus stealthily and summarily dispose of the matters contained in the resolution under which we were appointed, but urge, as a matter of vital interest to the State, that the Legislature should exert its full



powers to pursue in good faith, and without the intention of shielding any malefactor, the inquiry upon which we were merely enabled to enter, but were unfortunately, by lack of time, prevented from completing.

Respectfully submitted,

J. W. BROOKS,  
T. A. BRANDON,  
CHAS. A. KANE.

On motion of Mr. Folsom, Senate Bill No. 21 was indefinitely postponed.

The following resolutions were adopted:

*Resolved*, That the Democratic majority hereby unanimously extends to the minority members an expression of our appreciation of the efficient aid they have given in promoting beneficial and needed legislation during the Twenty-fourth Session, and the courtesy and general good feeling extended by said minority.

*Resolved*, That the thanks of this Assembly be and the same are hereby extended to the Honorable J. B. Giffen, Speaker of the Assembly, for the uniform courtesy, dignified ability and unvarying fairness with which he has presided over the deliberations of this body.

*Resolved*, That the thanks of the House be and the same are hereby extended to Hon. R. L. Smalls, Speaker pro tem., for the able and courteous manner in which he has discharged his duties during the present session.

*Resolved*, That the thanks of the Assembly be and are hereby extended to Honorable Harry J. Coogan, Chief Clerk of the House, for the able and gentlemanly manner in which he has performed his duties, and the kindly favors granted to members of this body.

*Resolved*, That that the thanks of the members of this Assembly be extended to the attachés for the efficient, courteous and able manner in which they have discharged their duties. Acquaintances made at this Twenty-fourth Session will ever be a memory of pleasantness and good-will of the members toward each and every one of said attachés.

*Resolved*, That the thanks of the Assembly be and the same are hereby extended to the state officers and their deputies for the many courtesies, the aid, the information and suggestions which they each and all have extended to us in our work during this Twenty-fourth Session, and especially do we appreciate the promptness and correctness with which the State Printer, Hon. J. G. McCarthy, has printed and delivered to this chamber the bills and resolutions herein produced.

The Sergeant-at-Arms announced a Conference Committee from the Senate, for the purpose of conferring with a like one from the Assembly on Senate Bill No. 139.

House took a recess until 11:15 p. m.

## HOUSE IN SESSION.

Mr. Speaker in the chair.

Roll called.

All present.

## REPORTS OF COMMITTEES.

The Committee on Enrollment reported that they had carefully compared Assembly Enrolled Bills Nos. 57, 65, 74, 111, 139, 160, 163, 192, 201, 202, 204, 206, 213, 217, 219, 224, 239, 244, and 246 with the engrossed copies, found the same correctly enrolled, and had delivered the same to the Governor.

On motion of Mr. Folsom, a committee, consisting of Messrs. Folsom, O'Brien, and Berry, was appointed to wait upon the Governor and inform him that the Assembly had completed its work and was ready to adjourn *sine die*.

A committee, consisting of Messrs. Allen, McCafferty, and Woolcock, was appointed to wait upon the Senate for the same purpose.

The House adjourned *sine die* at 12 o'clock midnight.

Approved:

R. LESLIE SMAILL,  
*Speaker Pro Tem. of the Assembly.*

Attest: HARRY J. COOGAN,  
*Chief Clerk of the Assembly.*

Approved:

R. LESLIE SMAILL,  
J. A. RAYCRAFT,  
THOMAS LEARY,  
(Ormsby County Delegation)  
*Committee of Approval.*



## ASSEMBLY OFFICERS AND ATTACHÉS.

Name.	Official position.	Address.
Coogan, Harry J.....	Chief Clerk.....	Goldfield
Reber, F. L.....	Assistant Clerk.....	Gold Circle
Gartland, Rev. Father.....	Chaplain.....	Carson City
Hornaday, Rev. W. H. D.....	Chaplain.....	Carson City
McCreery, Rev. H. H.....	Chaplain.....	Carson City
Powell, Rev. Chas. H.....	Chaplain.....	Carson City
Pike, Rev. Robt. G.....	Chaplain.....	Carson City
Ryan, Edgar.....	Sergeant-at-Arms.....	Goldfield
Sawyer, Forrest.....	Assistant Sergeant-at-Arms.....	Reno
Guinan, Guy J.....	Minute Clerk.....	Carson City
Macnichol, W. M.....	Assistant Minute Clerk.....	Ely
McMullen, Miss M.....	Journal Clerk.....	Elko
Sullivan, Miss F.....	Assistant Journal Clerk.....	Virginia City
Deveny, Mrs. M.....	Engrossing Clerk.....	Virginia City
McCafferty, F. A.....	Assistant Engrossing Clerk.....	Mazuma
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Jordan, M. F.....	Assistant Copying Clerk.....	Reno
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Corkhill, C. C.....	Committee Clerk.....	Las Vegas
Connella, J. W.....	Committee Clerk.....	Rawhide
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Burke, John.....	Committee Clerk.....	Reno
Harris, Normand B. <sup>1</sup> .....	Bill Clerk.....	Pioche
Raycraft, Mrs. Jos.....	Bill Clerk.....	Carson City
McCarty, Miss Ida.....	Copying Journal Clerk.....	Carson City
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