

JOURNAL
OF THE
PROCEEDINGS OF THE ASSEMBLY
DURING THE
SPECIAL SESSION,
1867.

JOURNAL OF THE ASSEMBLY

OF THE

STATE OF NEVADA.

SPECIAL SESSION, 1867.

STATE OF NEVADA, CARSON CITY, }
Friday, March 15th, 1867. }

The Hon. C. N. Noteware, Secretary of State, pursuant to law, called the House to order, and read the Proclamation of his Excellency the Governor, convening the Legislature, as follows :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 12th, 1867. }

WHEREAS, the Legislature of this State, which convened on the 7th day of January, A.D. 1867, adjourned without adopting such amendments to existing laws as will assure the payment of interest on the State debt, and provide the means for defraying the necessary expenses of the State Government, which will be required before the next regular session of the Legislature; and,

WHEREAS, the pledged faith of the State to its creditors, and a proper administration of public affairs, imperatively demand that such constitutional enactments be passed as will supply these wants;

Now, therefore, I, H. G. Blasdel, in pursuant of the authority vested in me as Governor of the State of Nevada, by the Constitution and laws thereof, do hereby direct and authorize the Senate and Assembly, constituting the Legislature of this State, to convene in *Special Session*, at Carson City, at 12 o'clock, *κ.*, on Friday, the fifteenth day of March, A.D. 1867, for the purpose of considering and enacting needful amendments to "An Act to provide Revenue for the Support of the Government of the State of Nevada," approved March 9th, 1866, and the Acts amendatory thereof; and for the transaction of such other

legislative business as the Governor of this State may call to the attention of said Legislature, while in said Special Session.

In Witness whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Nevada. Done at Carson City, this 12th day of March, A.D. 1867.

H. G. BLASDEL.

By the Governor :
C. N. NOTEWARE,
Secretary of State.

STATE OF NEVADA, }
SECRETARY'S OFFICE, } ss.

I, C. N. Noteware, Secretary of the State of Nevada, do hereby certify, that the annexed and foregoing is a true copy of the original Proclamation on file, and of record, in my office.

In Witness whereof, I have hereunto set my hand and affixed the Great Seal of State. Done at Carson City, on this 14th day of March, A.D. 1867.

C. N. NOTEWARE,
Secretary of State.

On calling the roll, the following named members elect answered to their names, and a quorum was found to be present :

- From the County of Churchill*—James A. St. Clair, W. C. Grimes.
- Douglas County*—W. M. Cary.
- Esmeralda County*—John S. Mayhugh, A. M. Wingate, T. N. Browne, B. V. Poor.
- Humboldt County*—T. V. Julien, O. K. Stampley, P. J. Parmater.
- Lander County*—J. R. Jacobs, T. J. Tennant, J. M. Dorsey.
- Lyon County*—G. W. Walton, A. Koneman.
- Ormsby County*—George Munckton, H. H. Bence.
- Nye County*—W. T. Jones, J. M. Groves.
- Storey County*—M. N. Mitchell, John Welch, A. H. Lissak, S. E. Huse, Thomas Parker, J. L. Swaney, R. D. Ferguson, Geo. H. Dana, E. Strother, and A. K. Potter.
- Washoe County*—T. B. Prince, G. N. Folsom.

Mr. Munckton introduced the following :

WHEREAS, a doubt exists in the minds of some of the members of this body as to the Officers elect of the Third Session of the Nevada Legislature being the legal officers of the Special Session this day convened, by Proclamation of the Governor ; now therefore, be it

Resolved, That the following named persons be, and they are hereby declared the officers of this House for the present session :

- For Speaker*..... R. D. Ferguson
- " *Speaker pro tem*..... T. V. Julien
- " *Chief Clerk*..... A. Whitford
- " *Assistant Clerk*..... W. Darling
- " *Minute Clerk*..... T. S. Davenport
- " *Engrossing Clerk*..... R. L. Thomas
- " *Journal Clerk*..... R. P. Dayton

Which was adopted, and the above named persons came forward and took their respective positions.

RESOLUTION.

By Mr. Maylugh :

Resolved, That this House do now proceed to elect the following named officers, to wit: Sergeant-at-Arms, and Assistant Sergeant-at-Arms.

Adopted.

Nominations being in order for Sergeant-at-Arms, Mr. Tennant placed in nomination W. G. Gates.

Mr. Koneman placed in nomination, Wm. Woodhurst.

RESOLUTION.

By Mr. Mayhugh :

Resolved, That the office of Sergeant-at-Arms be declared vacant.

Ayes and noes were called for by the requisite number.

Roll called, and resolution lost by the following vote :

Yeas, 11 ; Nays, 19.

Nominations closed, and the roll being called, resulted as follows :

For Mr. Gates—Messrs. Browne, Dorsey, Grimes, Groves, Parmater, St. Clair, Stampley, Swaney, and Tennant—9.

For Mr. Woodhurst—Messrs. Bence, Cary, Caldwell, Dana, Folsom, Huse, Julien, Jones, Koneman, Lissak, Mayhugh, Munckton, Mitchell, Poor, Parker, Prince, Potter, Strother, Wingate, Walton, Welch, and Mr. Speaker—22.

Mr. Woodhurst having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the Assembly.

Nominations for Assistant Sergeant-at-Arms being in order, Mr. Munckton nominated Mr. John Cormack.

Mr. Browne nominated John E. Isaac.

Mr. Welch nominated D. C. Williams.

Mr. Mayhugh moved that the office of Assistant Sergeant-at-Arms be declared vacant.

Carried.

Nominations closed, and the roll being called, resulted as follows :

For D. C. Williams—Messrs. Cary, Caldwell, Grimes, Groves, Potter, St. Clair, Strother, Tennant, and Welch—9.

For John E. Isaac—Messrs. Browne, Bence, Dana, Folsom, Huse, Julien, Jones, Koneman, Lissak, Mayhugh, Parmater, Prince, Stampley, Swaney, Wingate, and Mr. Speaker—16.

For Mr. Cormack—Messrs. Dorsey, Munckton, Mitchell, Poor, Parker, and Walton—8.

Mr. John E. Isaac having received a majority of all the votes cast, was declared duly elected Assistant Sergeant-at-Arms of the Assembly.

RESOLUTIONS.

By Mr. Julien :

Resolved, That the Rev. A. F. White be, and is hereby declared elected Chaplain of the Assembly for the present session.

Adopted.

By Mr. St. Clair :

Resolved, That the rules of the last session be adopted for the government of this House until otherwise ordered.

Adopted.

By Mr. Mayhugh :

Resolved, That the Chief Clerk be directed to inform the Senate that the Assembly are now duly organized by the election of the following named officers :

For Speaker, R. D. Ferguson.

For Speaker *pro tem.*, T. V. Julien.

For Chief Clerk, A. Whitford.

For Sergeant-at-Arms, Mr. Woodhurst ;

And are now ready to proceed with the business of the session.

Adopted.

The Chair announced the appointment of B. F. Bartlett and H. M. Gorin as Pages, and Thomas Burns as Messenger, and John D. Ebaseta as Porter and Watchman.

RESOLUTIONS.

By Mr. Mayhugh :

Resolved, That the Speaker appoint a Committee of three to wait upon the Governor, and inform him that the Special Session of the Legislature is now organized, and ready to receive any communication that he may be pleased to make.

Resolved, That the Chief Clerk be directed to inform the Senate of the appointment of such Committee, and request that honorable body to appoint a like Committee to act in conjunction with the said Assembly Committee.

Adopted.

The Chair announced as the Committee, in accordance with said resolutions, Messrs. Mayhugh, Strother, and Walton.

The Chief Clerk announced the appointment of Messrs. Gates and Hyatt as Copying Clerks.

RESOLUTION.

By Mr. Julien :

Resolved, That William M. Gillespie be, and he is hereby allowed fifteen dollars per diem for this session for making reports of the proceedings of this House, and the Sergeant-at-Arms is hereby ordered to issue his warrant therefor, payable out of the Contingent Fund of the Assembly.

Mr. Munckton moved to amend by striking out fifteen dollars, and inserting ten dollars per diem.

Agreed to, and resolution adopted as amended.

On motion of Mr. St. Clair, at 12 o'clock and 55 minutes P.M. the House took a recess until 3 o'clock P.M.

AFTERNOON SESSION.

House reassembled at 3 o'clock P.M.

Mr. Speaker in the chair.

Roll called.

Quorum present.

REPORT OF SELECT COMMITTEE.

Mr. Speaker :

Your Select Committee of three, appointed to wait upon the Governor to inform him that the Assembly was duly organized, and ready to receive any communication that he might be pleased to make, beg leave to report that they have performed the duty assigned them, and were requested by the Governor to report back to this House that he would send in his Special Message during the afternoon of this day.

JOHN S. MAYHUGH,
Chairman.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 15th, 1867. }

To the Hon. the Assembly :

I am instructed to inform your honorable body, that the Senate has organized by the choice of the officers and attachés of the Senate of the Third Session of the Legislature of the State of Nevada, and is now ready to proceed to business.

Respectfully submitted,

JOHN R. KARDLEY,
Assistant Secretary.

RESOLUTIONS.

By Mr. Julien:

Resolved, That a Select Committee of three be, and are hereby ordered appointed to ascertain the amount of unpaid allowance against the Assembly Contingent Funds, and make an estimate of the Contingent expenses of this House during the present session. Also, to report the condition of the Legislative Fund, the amount it is necessary to increase the same in order to pay the mileage and per diem of members of the Legislature of this session.

Resolved, That said Committee be, and are hereby instructed to act conjointly with a like Committee from the Senate, and if proper, to report by bill.

Adopted, and Messrs. Julien, Welch, and Huse were appointed the Committee called for by the resolution.

By Mr. Jones:

Resolved, That in view of the circumstances under which this Special Session of the Legislature has been called, we hereby relinquish half our mileage fee to the State, and that the Committee on Mileage are hereby authorized to fix the compensation of the several members of this House in accordance herewith.

Laid on the table.

By Mr. Mayhugh:

Resolved, That the Attorney General of this State be, and he is hereby requested to give, on to-morrow, to this House, his opinion as to whether this Legislature has the power to pass a bill providing an appropriation necessary to pay the expenses, in case the amount already appropriated to the Legislative Fund by the last regular session should be inadequate, notwithstanding the same may not be recommended by the Governor.

Adopted.

By Mr. Munckton :

Resolved, That during this Special Session of the Legislature, the Assembly will not allow any extra pay to any attaché thereof.

Adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 16th, 1867.

Gentlemen of the Senate and Assembly :

The late Legislature, after authorizing a State Loan of five hundred thousand dollars, to bear interest at fifteen per cent. per annum, payable semi-annually, adjourned on the 7th instant, without providing means for the payment of the principal or interest of the debt so created; without providing adequate means to defray the expenses of the State Government for the ensuing two years; indeed, without enacting any revenue law whatever, of a beneficial character, in view of existing facts. It must be apparent that, unless this omission be promptly supplied by the enactment of a just and comprehensive revenue law, the faith of the State must be broken, its honor and credit destroyed, and the administration of its government seriously embarrassed, if not entirely obstructed. It is upon this "extraordinary occasion," and for the "purpose" of enacting a *Revenue Law*, I have convened you in "special session."

In enacting a new, or amending existing revenue laws, you will wisely keep prominently in view, Article Ten (10) of the State Constitution. *Uniformity* and *equality* of assessment and taxation are not only indispensable to the validity of the law, but are imperatively demanded in justice to the people. If the tax levied be not uniform and equal, collection by process is impossible. If you force the property of one class of our citizens to contribute to the support of the State Government, and exempt, or but partially tax the property of another, your legislation will become oppressive and obnoxious, and the State will derive, perhaps, no revenue from the measure. It is a universal maxim of political economy, that the citizens of a State shall contribute equally, according to their means, to its support. I know no just cause exempting Nevada from this rule. Nor is there any good reason why one individual should be made to bear the burdens or pay the taxes justly due from another. The absolute exemption of the mines (in value the most considerable interest in the State) from taxation, renders the assessment levied upon the limited taxable property, necessarily onerous. For this reason, and in order to relieve the people, every article of property, not exempt, should be made to contribute its just and equitable proportion to the support of the State Government.

Under the present law, three-fourths only of the property designated in the Constitution as the "proceeds of the mines," after deducting twenty dollars per ton from the value thereof, is taxed for *State and county purposes*, one dollar on each one hundred dollars' valuation, while all the other property is taxed at its full valuation, one dollar and twenty-five cents on each one hundred dollars' valuation, for State and Territorial purposes alone.

I do not hesitate to say, that the taxes levied by this law are not uniform nor equal, and that their payment cannot be enforced by legal process. Nor do I hesitate to express the opinion, that if the existing *Revenue Law* is not amended so as to conform to the requirement of Article Ten of the Constitution, no property tax can, or will be collected, for the current fiscal year. In view of these considerations, I earnestly hope that some measure of taxation, just to the people, and equal and uniform in its operation throughout the State, will be devised, by the instrumentality of which, the necessary means may be realized, to

enable the State to promptly meet the existing liabilities and current expenses for the next two years.

H. G. BLASDEL,
Governor.

Mr. Mayhugh moved that the subject matter of the Governor's Message be referred to the Committee of the whole House.

Agreed to.

Mr. Dana, by leave, introduced Assembly Bill No. 1, entitled "An Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, as amended by an Act entitled an Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, approved February 24th, 1866."

Read first time; rules suspended; read second time by title; and, on motion of Mr. Julien, referred to a Special Committee of two from Storey County, and one from each of the other counties, with instructions to report on to-morrow at 11 o'clock A.M.

Upon suggestion, the Chair announced the Committee as follows:

Mr. Stampley, from Humboldt County.
Mr. Koneman, from Lyon County.
Messrs. Dana and Huse, from Storey County.
Mr. Jones, from Nye County.
Mr. Grimes, from Churchill County.
Mr. Cary, from Douglas County.
Mr. Browns, from Esmeralda County.
Mr. Folsom, from Washoe County.
Mr. Munckton, from Ormsby County; and
Mr. Tennant, from Lander County.

On motion of Mr. Welch, the bill was ordered printed.

On motion of Mr. St. Clair, at 4 o'clock P.M. the House adjourned to 11 o'clock A.M. to-morrow.

Approved,

R. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
Clerk.

SECOND DAY.

SATURDAY, March 16th, 1867.

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

Mr. Speaker in the chair.

Roll called.

All present except Mr. Mayhugh.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

COMMUNICATION FROM THE ATTORNEY GENERAL.

STATE OF NEVADA, OFFICE OF THE ATTORNEY GENERAL, }
 Carson City, March 16th, 1867. }

To the Hon. Assembly of the State of Nevada :

In answer to your resolution of the 15th instant, requiring my opinion as to whether the Legislature has the power to pass a bill providing an appropriation necessary to pay its expenses in case the amount already appropriated to the Legislative Fund by the last regular session shall be inadequate, notwithstanding the same may not be recommended by the Governor, I have to say that the Legislature has the power to pass a bill appropriating money necessary to the payment of its legitimate expenses, notwithstanding it may not be recommended by the Governor. In virtue of the Constitution of this State, members of the Legislature, and attachés legally employed, are entitled to receive compensation for their services rendered at any session, whether regular or special. No money can be drawn from the State Treasury as compensation for services rendered "but in consequence of appropriations made by law."

The convocation of the Legislature in Special Session carries with it the right of organization, compensation to members and attachés, and of every contingency indispensable to legislation. As a necessary incident to this right, exists the power of its complete execution.

The power to effect an organization of the Legislature cannot be doubted. The organization cannot be effected without the employment of attachés. The right to employ carries with it the power to compensate; and as compensation can only be made by appropriation, the right to appropriate must follow.

Any other interpretation would render nugatory explicit provisions, defeat the plain intent of the Constitution, and make the rights of members to the compensation guaranteed them by the Constitution, contingent upon the pleasure of the Governor.

Very respectfully,

Your obedient servant,

ROBERT M. CLARKE,
 Attorney General.

Mr. Browne asked leave of absence for Mr. Mayhugh for one day.
 Leave granted.

REPORT OF SELECT COMMITTEE.

Mr. Speaker :

Your Select Committee, consisting of two from Storey and one from each of the other counties, to whom was referred Assembly Bill No. 1, entitled "An Act to amend an Act to provide Revenue for the Support of the Government of the State of Nevada," approved March 9th, 1865, as amended by an Act entitled "An Act to provide Revenue for the Support of the Government of the State of Nevada," approved March 9, 1865, approved February 24, 1866," beg leave to report that they have had the same under consideration, and directed their chairman to report the same back to the House with the following amendments, and recommend its passage as amended:

Amendments: Section 2, line 10, after the word "cost" and before the word "of," insert the words "or expense." Same section, line 12, after the word "cost" and before the word "of," insert the words "or expense." Strike out

section three. Section 6, lines 51 and 52, strike out the word "reducing," and insert the word "extracting."

O. K. STAMPLEY,
Chairman.

On motion, the House resolved itself into the Committee of the Whole, Mr. Speaker in the chair, for the consideration of Assembly Bill No. 1, entitled "An Act to amend an Act to provide Revenue for the Support of the Government of the State of Nevada, approved March 9, 1865, as amended by an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9, 1865, approved February 24, 1866."

In time the Committee rose, and reported the same back to the House amended, and recommended its passage.

Report received, and Committee discharged.

On motion of Mr. Julien, the bill was ordered engrossed.

Mr. Julien, by leave, introduced Assembly Bill No. 2, entitled "An Act to create certain Funds."

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

REPORT OF COMMITTEE ON MILEAGE.

Mr. Speaker:

Your Committee on Mileage, having had the same under consideration, beg leave to submit the following report, with the accompanying table, showing the distances traveled by the several members of the Assembly from their respective places of residence in coming to and returning from the capital of this State, together with the amount due each member in accordance with the provisions of the seventeenth article, third section, and ninth clause, of the Constitution, which provides for the payment of mileage of the members of the Legislature:

	Miles.	Amounts.
Storey County, M. N. Mitchell	80	\$ 12 00
" " A. K. Potter	80	12 00
" " S. E. Huse	80	12 00
" " Geo. H. Dana	80	12 00
" " A. H. Lissak	80	12 00
" " G. I. Lammon	80	12 00
" " Thos. Parker	80	12 00
" " J. L. Swaney	80	12 00
" " John Welch	80	12 00
" " E. Strother	80	12 00
" " J. P. Wheeler, and	80	12 00
" " R. D. Ferguson	80	12 00
Emeralda County, J. S. Mayhugh	220	80 00
" " T. N. Browne	220	80 00
" " B. V. Poor, and	220	80 00
" " A. M. Wingate	220	80 00
Humboldt County, T. V. Jullen	360	144 00
" " P. J. Parmater, and	300	120 00
" " O. K. Stampley	390	156 00
Lander County, T. J. Tennant	460	184 00
" " J. R. Jacobs	400	160 00
" " Robt. Cullen, and	400	160 00

	Miles.	Amounts.
Lander County, J. M. Dorsey	40	160 00
Lyon County, A. Koneman	24	9 60
“ “ J. F. Roney, and	78	31 20
“ “ G. W. Walton	48	19 20
Churchill County, J. A. St. Clair, and	220	88 00
“ “ W. C. Grimes	220	88 00
Washoe County, Thos Prince	40	16 00
“ “ W. Caldwell, and	50	20 00
“ “ G. N. Folsom	25	10 00
Nye County, James Groves, and	580	232 00
“ “ W. T. Jones	562	224 80
Douglas County, E. Mallory, and	26	10 40
“ “ W. Cary	84	18 60

Messrs. Jacobs and Cullen will, in the opinion of your Committee, not be present, and therefore should not be entitled to mileage (unless they should appear before the close of the session).

All of which is respectfully submitted.

P. J. PARMATER,
Chairman,
J. M. GROVES.

RESOLUTIONS.

By Mr. Welch :

Resolved, That in view of the straitened financial condition of the State, and as very few of the members of this House have been beyond the limits of the capital, therefore be it resolved, that each member of this House do donate to the State the full amount of their mileage.

Lost.

On motion of Mr. Browne, report of Committee adopted.

By Mr. Mitchell :

WHEREAS, The Committee appointed to investigate into the matter of alleged frauds in the late Senatorial election failed to report the testimony taken before them, in consequence of the absence of Wheelhouse, who acted as Clerk of said Committee, who disappeared on the last day of the late session with the testimony in his possession, and who could not be found by the Sergeant-at-Arms; and the said Wheelhouse having since refused to hand over the said testimony to members of the Committee; now, therefore, be it

Resolved, That the said Committee be invested with the same power as was given to them during the late session, in order that they may take all necessary steps to procure the attendance of the said Wheelhouse, and enforce the return of said papers, and, if necessary, re-examine witnesses touching the subject of their investigations, in order that the testimony may be laid before this House.

Mr. Bence moved to indefinitely postpone the preamble and resolution, upon which the ayes and noes were called for by the requisite number, roll called, and the House refused to indefinitely postpone the resolution by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Horton, Julien, Munckton, Parmater, and Wingate—9.

NAYS—Messrs. Dorsey, Dana, Folsom, Groves, Huse, Jones, Koneman, Lisak, Mallory, Mitchell, Poor, Parker, Potter, Roney, St. Clair, Stampley, Swaney, Strother, Tennant, Walton, Welch, Wheeler, and Mr. Speaker—23.

And preamble and resolution adopted.

Mr. Jones moved to take a recess until 8 o'clock P.M.

Mr. Browne moved as a substitute, that the House do now adjourn.

Lost, and original motion agreed to.

AFTERNOON SESSION.

House reassembled at 8 o'clock P.M.

Mr. Speaker in the chair.

Roll called—quorum present.

Mr. Mallory offered the following preamble and resolution :

WHEREAS, A daily public journal published in the City of Virginia, known as the *Territorial Enterprise*, whose editorial columns have teemed with the most vile and filthy slanders upon the members of this Assembly, and clothed with language too indecent for repetition, and marked with so low and sordid a disposition, lacking dignity and self-respect on the part of its editors, and tending to vitiate the public taste by pandering to the lowest instincts of human nature, thus rendering it unfit for ingress into the family circle ; therefore, be it

Resolved, That on and after this day, the said *Territorial Enterprise* be, and the same is hereby excluded from within the bar of this House, and the Messenger and Sergeant-at-Arms are hereby instructed not to deliver the same to any member within the bar during this session.

Mr. Koneman moved that the preamble and resolution be indefinitely postponed, pending which, on motion of Mr. Mitchell, a call of the House was ordered.

Roll called.

Absent—Messrs. Grimes, Prince, St. Clair, Stampley, Tennant, and Welch.

Messrs. Welch and Prince appearing at the bar of the House, were excused.

On motion of Mr. Julien, the further call of the House was dispensed with.

On the adoption of the resolution, the ayes and noes were called for by the requisite number, and adopted by the following vote :

YEAS—Messrs. Browne, Bence, Cary, Dana, Groves, Horton, Huse, Jones, Lammon, Mallory, Munkton, Mitchell, Poor, Parmater, Parker, Prince, Potter, Strother, Wingate, Walton, Welch, and Mr. Speaker—23.

NAYS—Messrs. Caldwell, Dorsey, Folsom, Julien, Koneman, Lissak, Roney, St. Clair, and Swaney—9.

On motion of Mr. Browne, the proceedings relating to the *Daily Territorial Enterprise* were ordered published in the *Virginia Daily Tresspass*, *Gold Hill News*, *Carson Appeal*, and the *San Francisco Times*.

On motion of Mr. Horton, at 3 o'clock and 55 minutes P.M. the House adjourned.

Approved,

E. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
Clerk.

FOURTH DAY.

MONDAY, March 18th, 1867.

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

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Mayhugh, Welch, and Swaney.

Prayer by the Chaplain.

Journal of Saturday, March 16th, was read and approved.

Mr. Browne asked leave of absence for Mr. Mayhugh for two days.

Leave granted.

Mr. Lammon asked leave of absence for Mr. Welch for one day.

Leave granted.

Mr. Potter asked leave of absence for Mr. Swaney for one day.

Leave granted.

REPORT OF STANDING COMMITTEE.

Mr. Speaker:

Your Standing Committee on Engrossment beg leave to report that they have examined the following Assembly Bills, and found the same correctly engrossed, viz:

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,' approved March 9, 1865, as amended by an Act entitled an Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, approved February 24, 1866."

Also, Assembly Bill No. 2, "An Act to create certain Funds."

T. V. JULIEN,
Chairman.

Assembly Bill No. 1, entitled "An Act to amend an Act entitled an Act to provide Revenue for the Support of the Government of the State of Nevada, approved March 9, 1865, as amended by an Act entitled an Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9, 1865, approved February 24, 1866."

Read third time, and passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Callen, Caldwell, Dana, Folsom, Groves, Huse, Julien, Jones, Mallory, Munckton, Poor, Parmater, Prince, Potter, Roney, St. Clair, Stampley, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—26.

NAYS—Messrs. Grimes, Horton, Lissak, Lammon, and Mitchell—5.

Assembly Bill No. 2, entitled "An Act to create certain Funds."

Read third time, and on motion, referred to a Special Committee of one, consisting of Mr. Julien, with instructions to strike out in section 2, after the word "resolution," the following words: "And the Controller of State is authorized and required to draw his warrants in accordance therewith. Said funds are hereby exempted from the operation of an Act entitled 'An Act relating to the

Board of Examiners, to define their Duties and Powers, and to impose certain Duties on the Controller and Treasurer,' approved February 7, 1865."

The Committee reported the bill back to the House, amended as per instructions.

Report received, and Committee discharged.

Roll called, and the bill passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dorsey, Folsom, Grimes, Groves, Julien, Jones, Lissak, Mallory, Munckton, Poor, Parmater, Prince, Potter, Roney, Stampley, Strother, Tennant, Walton, Wheeler, and Mr. Speaker—24.

NAYS—Messrs. Huse and Lammon—2.

Mr. Jones introduced a preamble and resolutions relating to the enforcement of the Monroe Doctrine, and repeal of certain Neutrality Laws.

Read first time.

Mr. Stampley in the chair.

Mr. Julien raised the point of order that the resolutions were not in order.

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

Mr. Julien appealed from the decision, pending which, on motion of Mr. Tennant, at 12 o'clock and 5 minutes P.M. the House adjourned.

R. D. FERGUSON.

Attest—A. WHITFORD,
Clerk.

FIFTH DAY.

TUESDAY, March 19th, 1867.

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

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Koneman, Mallory, Roney, Swaney, and Welch.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Walton asked for indefinite leave of absence for Mr. Roney.

Leave granted.

On motion of Mr. Browne, at 11 o'clock and 10 minutes A.M. the House took recess until 1 o'clock P.M.

AFTERNOON SESSION.

House reassembled at 1 o'clock P.M.

Mr. Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Browne, a call of the House was ordered.

Absent—Messrs. Cary, Callen, Caldwell, Dorsey, Dana, Folsom, Groves,

Horton, Koneman, Lissak, Mallory, Munckton, Poor, Prince, Swaney, Welch, and Wingate.

On motion of Mr. Walton, Mr. Cary was excused for the day.

Mr. Potter asked leave of absence for Mr. Swaney.

Leave granted.

Messrs. Poor, Wingate, and Cullen appearing at the bar of the House, were excused.

On motion of Mr. Huse, Mr. Robert Hannigan was appointed temporary Assistant Sergeant-at-Arms to assist in bringing in members.

Mr. Horton appearing at the bar, was excused.

On motion of Mr. Browne, Mr. Samuel Hyatt was appointed as temporary Assistant Sergeant-at-Arms, to compel the attendance of members.

Messrs. Dorey, Dana, Munckton, and Lissak appearing at the bar of the House, were excused.

Mr. Speaker moved, that if the absent members did not appear within thirty minutes, the Clerk should issue a summons for their arrest.

Agreed to.

Mr. Groves appearing at the bar of the House, was excused.

Mr. Munckton asked leave of absence for Mr. Mallory for one day.

The House refused to grant it.

Messrs. Folsom, Caldwell, and Prince appearing at the bar of the House, were excused.

On motion, the further call was dispensed with.

On motion of Mr. Julien, Mr. Lewis, (editor of the *Eastern Slope*) was invited to a seat within the bar.

Mr. Huse rose to a question of privilege, and sent up the following :

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 19, 1867. }

I, S. E. Huse, hereby charge A. H. Lissak, member elect from Storey County, with disorderly conduct as such member, in this :

That the said Lissak did, on the 19th day of March, 1867, falsely write, utter, and cause to be published over his own signature, a communication in a public journal of this State known as the *Territorial Enterprise*, wherein is contained certain contemptuous language, disgraceful in itself, false in its representations, reflecting dishonor upon this House, and intended to injure and insult the members thereof, by disgraceful mention of the motives governing them in their official conduct.

I, therefore, pray that this body take such action in the premises as in its judgment it may deem proper.

Mr. Lissak acknowledged that he was the author of the letters referred to in the charges, and asked leave to have counsel, and called for Messrs. Baldwin and Seely.

Mr. Julien moved that all discussions relating to the charges against A. H. Lissak be confined to the members of the House.

Agreed to.

By Mr. Lissak :

Mr. Speaker :

I desire and wish to have entered upon the Journal a request for counsel ; also, time (two hours) to prepare my defense.

Mr. Lissak withdrew his plea of "guilty" to the charges alleged.

The Speaker asked the question of Mr. Lissak, whether he signed and authorized the publication of the letter referred to in the charges.

On motion of Mr. St. Clair, all persons not entitled to seats within the bar were excluded therefrom.

On motion of Mr. Julien, the Chair was requested to ask Mr. Lissak whether he was the author of, and authorized the publication of the letter referred to in the charges.

Mr. Lissak pleaded "not guilty."

On motion of Mr. Jones, Mr. Lissak was allowed to modify his plea.

Mr. Julien moved, as an amendment, that the whole subject matter be postponed until 12 o'clock *m.* to-morrow.

Carried.

On motion, Message from the Governor was taken up, and read as follows :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 18, 1867. }

Gentlemen of the Senate and Assembly :

By reference to sections 8 and 9 of the Enabling Act, (page 37, Statutes of 1864 and 5) you will see that unless an Act be passed during your special session on the subject of the selection, location, and sale of Public Lands, granted to this State by the United States, forty entire sections, or 25,600 acres, will be wholly lost to the State. Nor is this all the material loss the State would sustain if such measure fail of consummation. Before the convening of the Legislature again in regular session, much of the first class agricultural lands would be disposed of under the laws of Congress, so that the State could never get them. Whereas, if you pass an Act to meet the emergency, you may save much to the State, and hasten the settlement of those lands by desirable population, and greatly increase the amount and value of taxable property. I call your attention to this matter of legislation, that you may take such action in the premises, and pass such Act as will subserve the interests of the State.

H. G. BLASDEL,
Governor.

On motion of Mr. Munchton, the Message was referred to the Committee on Public Lands.

On motion of Mr. Huse, at 3 o'clock and 35 minutes P.M. the House adjourned.

T. V. JULIEN,
Speaker *pro tem.*

Attest—A. WHITFORD.

SIXTH DAY.

WEDNESDAY, March 20th, 1867.

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

Mr. Stampley in the chair.

Roll called.

All present.

The Journal of yesterday was read and approved.

Speaker *pro tem.* in the chair.

Under the head of Unfinished Business, the preamble and resolutions relating to enforcement of the Monroe Doctrine, and the repeal of certain Neutrality Laws, were taken up and read.

Mr. St. Clair raised to a point of order, and moved that the Sergeant-at-Arms be ordered to take possession of a copy of the *Daily Territorial Enterprise*, now in the possession of Mr. Grimes, within the bar of this House.

The Chair ruled that any member had the right to bring any newspaper within the bar.

Mr. St. Clair appealed from the decision of the Chair.

The question being: Shall the decision of the Chair stand as the judgment of the House? the House refused to sustain the decision of the Chair.

Mr. Welch offered the following amendment to the preamble and resolution :
Resolved, That we earnestly urge on the Senate of the United States the passage of the bill introduced by Mr. Banks, and passed by the House of Representatives at its last session, providing amendments to the existing Neutrality Laws, the same being in our estimation an eminently just and proper one.
 Amendment adopted, and preamble and resolutions ordered engrossed.

Mr. Browne, by leave, introduced Assembly Bill No 8, entitled "An Act to provide for the Selection and Sale of Lands granted by the United States to the State of Nevada."

On motion of Mr. Browne, the further reading of the bill was dispensed with.

Rules suspended; read second time by title; ordered printed; and referred to the Committee of the Whole.

On motion of Mr. Munkton, at 11 o'clock and 40 minutes A.M. the House took a recess until 12 o'clock M.

House reassembled at 12 o'clock M.

Speaker *pro tem.* in the chair.

Roll called.

Quorum present.

On motion of Mr. Lammon, a call of the House was ordered.

Roll called.

Absent—Messrs. Browne, Bence, Horton, Koneman, Mallory, Poor, Parmater, and Welch.

Messrs. Bence, Poor, Welch, and Browne appearing at the bar of the House, were, on motion, excused.

On motion of Mr. Jones, the further call of the House was dispensed with.

Special order for 12 o'clock M., the charges against Mr. A. H. Lissak.

Mr. Jones moved that the order be postponed until the day after to-morrow, March 22d, at 12 o'clock M.

Carried.

Mr. Mitchell sent up a resolution.

Mr. Swaney raised the point of order, that there was no business before the House.

The Chair ruled the point of order not well taken.

Mr. Swaney appealed from the decision of the Chair.

The question being: Shall the decision of the Chair stand as the judgment of the House? upon which the House sustained the decision of the Chair.

RESOLUTION.

By Mr. Mitchell:

Resolved, That D. C. Williams be, and he is hereby duly elected the General Clerk of all the Standing Committees of the Assembly, at the rate of six dollars per diem, from the commencement of and during this session.

On motion of Mr. Horton, the resolution was indefinitely postponed.

On motion of Mr. Julien, at 12 o'clock and 50 minutes P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
Clerk.

SEVENTH DAY.

THURSDAY, March 21st, 1867.

House met pursuant to adjournment, at 11 o'clock A.M., Mr. Parmater in the chair.

Roll called—all present.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Julien moved to take a recess until 12 M.

Lost.

Mr. Munckton moved that the House resolve itself into the Committee of the Whole for the consideration of the Land Bill.

Mr. Julien moved as an amendment, that the House take a recess until 2 o'clock P.M.

Lost, and motion to go into Committee of the Whole withdrawn.

Mr. Speaker moved that his Excellency the Governor be invited to a seat within the bar, and that a Committee of one be appointed to escort him to a seat.

The Chair appointed Mr. Speaker as such Committee, who escorted the Governor within the bar.

On motion of Mr. Speaker, the House returned to the order of business: Messages from the Governor and other State Officers.

Agreed to.

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
Carson City, March 21, 1867.

To the Hon. the Assembly of Nevada:

In accordance with the provisions of Section thirty-five of Article four of the Constitution of this State, I have the honor to transmit the following bills and Executive Messages relating thereto, viz: Assembly Bill No. 126, Assembly Bill No. 77, Assembly Bill No. 164.

These bills originated in the Assembly at the Third Session of the Nevada

Legislature, and the return of which by the Governor was prevented by the final adjournment of the Legislature.

Assembly Bills Nos. 126 and 77 were filed in this office, with the objections of the Governor, on the 18th day of March, 1867, and Assembly Bill No. 164, with objections, was filed March 19th, 1867.

Very respectfully,

C. N. NOTEWARE,
Secretary of State.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 18th, 1867.

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

I herewith deposit with you Assembly Bill No. 126, entitled "An Act authorizing the County of Lyon to Fund the Outstanding Indebtedness against the General Fund of said county, to pay the Interest thereon, and for gradual Liquidation of the same."

This bill was presented to me on the second day of March, 1867. After the final adjournment of the Legislature (late session) I discovered the bill had not been signed by the Secretary of the Senate. He afterwards (on the 13th instant) signed the bill as Secretary of the Senate, as appears on the face of the bill. Believing this omission would be fatal to the bill, even if approved, I cannot act upon it.

H. G. BLASDEL,
Governor.

Assembly Bill No. 126, (as per Message) entitled "An Act authorizing the County of Lyon to Fund the Outstanding Indebtedness against the General Fund of said County, to pay the Interest thereon, and for the gradual Liquidation of the same," with Veto Message of the Governor taken up and read; and the question being: Shall the bill pass, notwithstanding the objections of the Governor?

Roll called, and the bill passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Cullen, Caldwell, Dorsey, Dana, Folsom, Grimes, Groves, Horton, Huse, Julien, Koneman, Lammon, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Potter, St. Clair, Stampley, Swaney, Strother, Tennant, Walton, Welch, Wheeler, and Mr. Speaker—38.

NAYS—Mr. Jones—1.

Assembly Bill No. 77, (as per Message) with Veto Message of the Governor, read and made the special order for Friday at 12 n.

Assembly Bill No. 164, (as per Message) with Veto Message of the Governor.

Reading of Message commenced, and, on motion of Mr. Mayhugh, the further reading was suspended and made the special order for to-morrow at 2 o'clock P.M.

Mr. Julien (Chairman of the Engrossing Committee) reported back to the House Assembly Joint Resolution No. 4, relating to the enforcement of the Monroe Doctrine, and repeal of certain Neutrality Laws, as correctly engrossed.

On motion of Mr. Tennant, at 12 o'clock and 45 minutes P.M. the House took a recess until 2 P.M.

AFTERNOON SESSION.

House reassembled at 2 o'clock P.M., Mr. Browne in the chair.

Roll called—no quorum present.

On motion of Mr. Stampley, a call of the House was ordered.

Roll called.

Absent—Messrs. Caldwell, Dorsey, Folsom, Groves, Horton, Jones, Koneman, Lissak, Mallory, Prince, St. Clair, Wingate, and Mr. Speaker.

On motion of Mr. Bence, Mr. Lissak was excused for the day.

Messrs. Mallory, Jones, Dorsey, Groves, and Mr. Speaker appearing at the bar of the House, were, on motion, excused.

Mr. Mallory moved that the further call of the House be dispensed with.

Lost.

Messrs. Horton, Koneman, Caldwell, and Folsom appearing at the bar of the House, were, on motion, excused.

On motion of Mr. Parmater, the further call of the House was dispensed with.

Mr. Lammon introduced the following preamble and resolution :

STATE OF NEVADA, ASSEMBLY CHAMBER, }
Carson City, March 20th, 1867. }

WHEREAS, A. H. Lissak, member elect from Storey County, did on the 19th day of March inst. falsely write, utter and cause to be published over his own signature, in a public journal of this State, known as the "Territorial Enterprise," wherein is contained certain contemptuous language, disgraceful in itself, false in its representations, reflecting dishonor upon this House, and intended to injure and insult the members thereof by disgraceful mention of the motives governing them in their official conduct; and whereas, the said Lissak, on being arraigned before this body and charged with the above, did in a public manner, standing in his place, acknowledge writing the offensive article, and caused, by false representations, certain members of this body to ask for him further time in order that he might make due reparation for the insult given; and whereas, his letter of this morning being indicative of the motives which prompted him from the beginning; therefore

Resolved, That the said A. H. Lissak be expelled from this body, and his seat is hereby declared vacant; and the Sergeant-at-Arms is instructed to carry into immediate effect the purpose and intent of this resolution.

Mr. St. Clair moved that the vote by which the whole subject matter relating to Mr. Lissak was, on yesterday, postponed until to-morrow, at 12 M., be reconsidered.

Mr. Mayhugh moved, as a substitute, that the preamble and resolution be made the special order for to-morrow, at 12 o'clock M.

Substitute lost, and motion to reconsider agreed to.

Mr. Mayhugh moved that the whole subject matter be laid upon the table.

Lost.

Question recurring upon the original motion, the ayes and noes were called for by the requisite number.

Roll called, and, on motion of Mr. Potter, the announcement of the vote was postponed until to-morrow, at 12 o'clock M.

Mr. Jones (by leave) introduced Assembly Bill No. 5, entitled "An Act supplementary to an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865; and providing for Levying and Collecting Revenue for County purposes, and further prescribing the Powers and Duties of the Board of County Commissioners of the several Counties of this State relative thereto."

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

On motion of Mr. Munchton, the House resolved itself into the Committee of the Whole, Mr. Speaker in the chair, for the consideration of Assembly Bill No. 3, entitled "An Act to provide for the Selection and Sale of Lands granted by the United States to the State of Nevada."

In time the Committee rose, and reported progress, and asked leave to sit again.

Report received, and leave granted.

On motion of Mr. Mayhugh, at 4 o'clock and 40 minutes P.M. the House adjourned.

T. V. JULIEN,
Speaker *pro tem.*

Attest—A. WHITFORD,
Clerk.

EIGHTH DAY.

FRIDAY, March 22d, 1867.

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

Speaker *pro tem.* in the chair.

Roll called—all present except Mr. Mallory.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

RESOLUTION.

By Mr. Horton :

Resolved, That the Sergeant-at-Arms be instructed to furnish the Reporter with such lead pencils and stationery as he may require in making reports.

Lost.

Assembly Concurrent Preamble and Resolutions No. 4, relating to the enforcement of the Monroe Doctrine, and the repeal of certain Neutrality Laws.

Read third time.

On motion, Mr. Tennant was appointed a Special Committee of one, with instructions to strike out after the word "Federal," and before the word "to," the word "rulers," and insert the word "officers."

The Committee reported the bill back, amended as per instructions.

Report received, and Committee discharged.

Roll called, and resolutions passed by the following vote : Yeas, 31 ; Nays, 0.

Mr. Cary asked leave of absence for Mr. Mallory, for one day.
Leave granted.

On motion of Mr. Jones, the House resolved itself into the Committee of the Whole, Mr. Browne in the chair, for the consideration of the Land Bill.

In time the Committee rose, and asked leave to sit again.

Leave granted.

On motion of Mr. Mayhugh, the special orders for 12 M., to-day, were made the special orders for to-morrow at 12 o'clock M.

On motion of Mr. Mayhugh, the House resolved itself into the Committee of the Whole for the further consideration of the Land Bill.

In time the Committee rose, and reported that they had made some progress therein, and asked leave to sit again.

Leave granted.

On motion of Mr. Browne, at 1 o'clock and 15 minutes P.M. the House took a recess until 2 P.M.

AFTERNOON SESSION.

House reassembled at 2 o'clock P.M.

Mr. Browne in the chair.

Roll called.

No quorum present.

On motion of Mr. Strother, a call of the House was ordered.

Roll called.

Absent—Messrs. Bence, Dorsey, Caldwell, Folsom, Groves, Huse, Koneman, Lissak, Munckton, St. Clair, and Wingate.

Messrs. Wingate, Groves, Dorsey, Koneman, Bence, Munckton, and Lissak appearing at the bar of the House, were, on motion, excused.

On motion of Mr. Jones, the further call of the House was dispensed with.

Special order for 2 o'clock P.M., as per communication from Secretary of State, Assembly Bill No. 164, entitled "An Act for the organization of a Board of Education, in Counties that polled three thousand votes or more at the General Election in the State of Nevada in November, A.D. 1866, or that may thereafter, at any General Election, cast that number of votes or more; and amendatory of and supplemental to 'An Act to provide for the maintenance and support of Public Schools,' approved March 20th, 1865," and Veto Message of the Governor, was read as follows:—

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 19th, 1867.

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

I herewith deposit with you Assembly Bill No. 164, entitled "An Act for the organization of a Board of Education in Counties that polled three thousand votes or more at the General Election in the State of Nevada in November, A.D. 1866, or that may hereafter, at any General Election, cast that number of votes or more; and amendatory of and supplemental to 'An Act to provide for the maintenance and support of Public Schools,' approved March 20th, 1865," without approval. This bill was presented to me on the 6th day of March, 1867.

Its title furnishes an index to its provisions, from which can be readily dis-

covered that it is in direct conflict with section 2 of article 11 of the Constitution, wherein it is provided that "the Legislature shall provide for a uniform system of common schools." This mandate was observed by the passage of the Act referred to in the title of the bill under consideration, and another amendatory thereof, approved March, 1867. This bill can in no sense be deemed in its operations uniform, for it cannot, by its own terms, be effective outside of Storey County; at least, not until after the general election of 1868. Thus would a general uniform School Law be contravened by a special one, the plain letter and spirit of the Constitution to the contrary notwithstanding. Again, the bill proposes to amend the Public School Act, approved March 20th, 1865, but in no manner refers to the Act of later date, March 8th, 1867, amendatory thereof; wherefore, if the bill were to become a law in no way amending any portion of the last named Act, the latter would still be in force, and so far as in opposition to each other, this *special* Act would be neutralized, and school trustees *would have to be* elected in Storey as well as other counties on the first Tuesday of April proximo. I might stop here, deeming these objections to the intended operation of the bill sufficient; but it will perhaps be well to notice some other points in which the bill is defective. The first section provides for the displacement of all the school trustees of Storey County at an early day, to be supplied by appointed directors. When the electors and patrons of the public schools there would, under that section, have an opportunity to elect directors, is not fixed or settled. Upon this point I invite special attention to the section of the bill above cited. The bill gives almost plenary powers to the Board of Directors in relation to borrowing money, and in some respects the limitations as to amount, or rate of interest, are not sufficiently restrictive, especially in subdivision fifteen of section 4 there is no expressed limitation. It compels the Board of County Commissioners to pay the salary of the Superintendent, thus making them in that case disbursing officers instead of the County Treasurer. Subdivision fifteen of section 3, proposes to confer upon the Board of Education judicial powers, which is forbidden by the Constitution. Because of these and other serious objections I might urge, I cannot consistently approve the bill.

You will dispose of it as directed by section 35 of article 4 of the Constitution.

H. G. BLASDEL,
Governor.

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

On motion of Mr. Mitchell, a call of the House was ordered.

Roll called.

Absent—Messrs. Caldwell, Prince, and St. Clair.

Mr. St. Clair appeared at the bar of the House, and, on motion of Mr. Browne, was fined five dollars.

Mr. Munckton moved that the fine be remitted.

Agreed to.

Mr. Caldwell appearing at the bar of the House, was, on motion, excused.

On motion, the further call of the House was suspended.

The question recurring upon the passage of the bill, roll called, and bill passed by the following vote:

YEAS—Messrs. Browne, Cary, Cullen, Caldwell, Dorsey, Dana, Grimes, Groves, Horton, Huse, Julien, Jones, Koneman, Lammon, Mayhugh, Munck-

ton, Mitchell, Poor, Parmater, Parker, Potter, St. Clair, Stampley, Strother Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—29.

NAYS—Messrs. Bence, Lissak, Swaney, and Welch—4.

On motion of Mr. Browne, the House resolved itself into the Committee of the Whole, Mr. Browne in the chair, for the further consideration of the Land Bill.

In time the Committee rose, and asked leave to sit again.

Leave granted.

RESOLUTION.

By Mr. Horton:

Resolved, That in the future, all members who are absent at roll call shall be fined in the sum of five dollars, and the Sergeant-at-Arms is hereby required to deduct the same from the pay of such members.

Mr. St. Clair moved to amend, as follows: Unless a reasonable excuse was offered.

Lost.

And original resolution indefinitely postponed.

On motion of Mr. Munckton, the House resolved itself into the Committee of the Whole, Mr. Browne in the chair, for the further consideration of the Land Bill.

In time the Committee rose, and reported that they had made some progress, and asked leave to sit again.

Leave granted.

On motion of Mr. St. Clair, at 5 o'clock and 10 minutes P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
Clerk.

NINTH DAY.

SATURDAY, March 23d, 1867.

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

Mr. Speaker in the chair.

Roll called.

Absent—Mr. Browne.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Mayhugh asked leave of absence for Mr. Browne for one day.

Leave granted.

On motion of [Mr.] Munckton, the House resolved itself into the Committee of the Whole for the further consideration of the Land Bill, Mr. Strother in the chair.

In House, Mr. Speaker in the chair.

Special order for 12 M., postponed for 15 minutes.

In Committee of the Whole, Mr. Strother in the chair.

In time the Committee rose, reported the bill back to the House, with amendment, and recommended its engrossment.

Report received.

Committee discharged, and bill ordered engrossed.

Special order for 12 o'clock and 15 minutes P.M., the announcement of the vote on the expulsion of Mr. Lissak.

RESOLUTION.

By Mr. Munckton :

WHEREAS, Mr. Lissak has publicly retracted everything he has written and caused to be published against the honor and dignity of this Assembly; therefore,

Resolved, That all further proceedings in his case be, and are hereby indefinitely postponed.

Mr. Lissak, by leave, sent up the following communication :

ASSEMBLY CHAMBER, CARSON CITY, }
March 23, 1867. }

To the Hon. Speaker and Members of the Assembly of the State of Nevada :

GENTLEMEN—I observe by reading the "Territorial Enterprise" of yesterday, the Hon. John S. Mayhugh, a member of your body, has been wrongfully accused of coercing me to sign a letter published in the above mentioned paper; therefore, in justice to that gentleman, I desire to state to you, and through you to the people of this State, that I was sick with a high fever at the time, and therefore left the whole subject matter in his hands. I only glanced at the contents thereof, which I signed freely and voluntarily; and further, that I authorized and requested him to have a copy of the same published in the "Carson Daily Appeal." Mr. Mayhugh has acted in the matter entirely upon my solicitation; therefore I indorse everything that he has said and done in my behalf, whatever the practical result may have been. I am satisfied he acted for the best.

A. H. LISSAK.

Mr. Tennant moved that the word "dignity" be stricken out.

Lost.

Mr. Huse moved that the Speaker reprimand Mr. Lissak.

Lost.

Mr. Julien moved that the whole subject be indefinitely postponed, and all proceedings had in the case expunged from the Journal.

Lost.

And upon motion to adopt the original resolution, the ayes and noes were called for by the requisite number, and resolution adopted by the following vote :

YEAS—Messrs. Bence, Cary, Cullen, Caldwell, Folsom, Horton, Julian, Jones, Koneman, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Swaney, Wheeler, and Mr. Speaker—20.

NAYS—Messrs. Dorsey, Grimes, Groves, Huse, Lammon, Potter, St. Clair, Stampley, Strother, Walton, and Welch—12.

RESOLUTION.

By Mr. St. Clair:

Resolved, That the resolution offered by Hon. Mr. Mallory on Saturday last, and passed by the House, excluding the "Territorial Enterprise" newspaper from being brought within the bar of this House, be and the same is hereby rescinded.

Upon which the ayes and noes were called for by the requisite number, and resolution lost by the following vote:

YEAS—Messrs. Cullen, Caldwell, Dorsey, Folsom, Grimes, Groves, Julien, Lissak, Lammon, Mayhugh, Parker, St. Clair, Stampley, Swaney, Tennant, and Welch—16.

NAYS—Messrs. Bence, Cary, Horton, Huse, Jones, Koneman, Mallory, Munckton, Mitchell, Poor, Parmater, Prince, Potter, Strother, Walton, Wheeler, and Mr. Speaker—17.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 28d, 1867.

To the Hon. the Assembly:

I am directed to return to you Assembly Bill No. 2, "An Act to create certain Funds," the same having passed the Senate amended as follows:

In section 1, line 5, strike out the words "not otherwise specifically appropriated." Also, in lines 7, 8, and 9, strike out the words "any deficiency that may exist in the Legislative Fund of the last session, may also be paid out of the Legislative Fund hereby created."

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

Assembly Bill No., 2 (as per Message) entitled "An Act to create certain Funds."

First amendment concurred in; second amendment non-concurred in.

On motion of Mr. Jones, at 1 o'clock and 40 minutes P.M. the House took a recess until 2 o'clock and 30 minutes P.M.

AFTERNOON SESSION.

House reassembled at 2:30 o'clock P.M., Mr. Parmater in the chair.

Roll called. Quorum present.

On motion of Mr. Speaker, the Special Order for 2 o'clock P.M. was made the Special Order for next Tuesday, March 26th, at 2 o'clock P.M.

Mr. Koneman asked for leave of absence until Tuesday next.

Leave granted.

Mr. Julien moved to reconsider the vote by which the House refused to concur in Senate amendments to Assembly Bill No. 2, entitled "An Act to create certain Funds."

Agreed to.

Roll called, and amendments concurred in by the following vote :

YEAS—Messrs. Bence, Cary, Cullen, Dorsey, Dana, Folsom, Grimes, Groves, Horton, Julien, Jones, Mallory, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Stampley, Swaney, Strother, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—26.

NAYS—None.

Mr. Dorsey asked for indefinite leave of absence.
The House refused it.

On motion of Mr. Jones, the House resolved itself into the Committee of the Whole, Mr. Parmater in the chair, for the consideration of Assembly Bill No. 5, entitled "An Act supplementary to an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9, 1865, and providing for Levying and Collecting Revenue for County purposes, and further prescribing the Powers and Duties of the Board of County Commissioners of the several counties of this State relative thereto."

In time the Committee rose, and reported the bill back to the House with amendments, and recommended its engrossment.

Report received, Committee discharged, and bill ordered engrossed.

Mr. Horton moved that Mr. Dorsey have indefinite leave of absence.

Leave granted.

Mr. Swaney asked for indefinite leave of absence; objection being made, leave not granted.

On motion of Mr. Julien, at 4 o'clock and 18 minutes P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
Clerk.

ELEVENTH DAY.

MONDAY, March 26th, 1867.

House met pursuant to adjournment at 11 o'clock A.M.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Cary, Huse, Lammon, Parker, and Potter.

Prayer by the Chaplain.

Mr. Mayhugh asked leave of absence for Messrs. Lammon and Huse, for one day.

Leave granted.

Mr. Wheeler asked leave of absence for Messrs. Parker and Potter, for one day.

Leave granted.

Mr. Mallory asked leave of absence for Mr. Cary, for one day.

Leave granted.

The Journal of Saturday, March 23d, was read and approved.

Mr. Julien, from the Committee on Engrossment, reported Assembly Bill No. 3, entitled "An Act to provide for the Selection and Sale of Lands granted by the United States to the State of Nevada," as correctly engrossed.

THIRD READING OF BILLS.

Assembly Bill No. 3, (as per report of Committee on Engrossment) read third time, and passed by the following vote :

YEAS—Messrs. Browne, Bence, Cullen, Caldwell, Dorsey, Dana, Folsom, Grimes, Groves, Horton, Julien, Jones, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Poor, Prince, Roney, Stampley, Swaney, Strother, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—28.

NAYS—Messrs. St. Clair and Tennant—2.

On motion of Mr. Mayhugh, at 12 o'clock and 17 minutes P.M. the House took a recess until 1 o'clock and 30 minutes P.M.

House reassembled at 1 o'clock and 30 minutes P.M.

Mr. Speaker in the chair.

Roll called.

No quorum present.

On motion, the House took a recess until 2 o'clock P.M.

House reassembled at 2 o'clock P.M.

Mr. Speaker in the chair.

Roll called.

On motion of Mr. Grimes, Mr. St. Clair was excused for the day.

On motion of Mr. Julien, a call of the House was ordered.

Roll called.

Absent—Messrs. Dorsey, Mayhugh, Munckton, Parmater, Prince, Swaney, and Welch.

Mr. Dorsey appearing at the bar of the House, was, on motion of Mr. Julien, fined one dollar.

Mr. Munckton appearing at the bar of the House, was, on motion, excused.

Mr. Munckton moved, that the further call of the House be dispensed with.

Lost.

On motion of Mr. Speaker, Mr. Darling was appointed temporary Assistant Sergeant-at-Arms, to take charge of the gate.

Mr. Parmater appearing at the bar of the House, was, on motion, fined one dollar.

Mr. Julien moved that the further call of the House be dispensed with.

Agreed to.

Mr. Julien, from Committee on Engrossment, reported Assembly Bill No. 5, entitled "An Act to provide Revenue for the Support of the Government of the State of Nevada, approved March 9th, 1865, and providing for Levying and Collecting Revenue for County purposes, and further prescribing the Powers and Duties of the Board of County Commissioners of the several Counties of this State relative thereto," as correctly engrossed.

Assembly Bill No. 5, (as per report of Committee on Engrossment) referred to a Special Committee of one, consisting of Mr. Jones, with instructions to insert in section 6, line 2, before the word "assessment" the words "manner of," who reported the bill back to the House amended as per instructions, and bill read time, and passed by the following vote :

YEAS—Messrs. Browne, Bence, Cullen, Caldwell, Dorsey, Dana, Folsom, Groves, Julien, Jones, Mallory, Munckton, Mitchell, Poor, Parmater, Prince, Roney, Stampley, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—24.

NAYS—Messrs. Grimes, Horton, and Lissak—3.

Mr. Grimes gave notice that he would, on to-morrow, move to reconsider the vote by which Assembly Bill No. 8 passed the House.

RESOLUTION.

By Mr. Jones :

Resolved, That hereafter during the present session, whenever any member shall be found absent at any roll call for more than five minutes after the time fixed for meeting, without first having obtained leave of absence, shall be fined in the sum of five dollars for each offense ; and the Sergeant-at-Arms is hereby authorized to deduct the same from the per diem of the member.

Mr. Dorsey moved to amend, by inserting "ten" in lieu of "five" dollars. Lost, and resolution adopted.

On motion of Mr. Browne, at 3 o'clock P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—**A. WHITFORD,**
Clerk.

TWELFTH DAY.

TUESDAY, March 26th, 1867.

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

Roll called.

All present except Messrs. Cary, Swaney, Poor, Lammon, and Koneman.

Prayer by the Chaplain.

Mr. Mayhugh asked leave of absence for Mr. Poor for one day.

Leave granted.

The Journal of yesterday was read and approved.

Mr. Welch asked leave of absence for Mr. Lammon for one day.

Leave granted.

Mr. Munckton asked leave of absence for Mr. Swaney for one day.

Leave granted.

Mr. Mallory asked leave of absence for Mr. Cary for one day.

Leave granted.

Mr. Jones introduced Assembly Concurrent Preamble and Resolutions No. —, relating to Lands granted to the State of Nevada by the United States.

Mr. Bence moved that the word "preoccupancy" be stricken from the Preamble wherever it occurs.

Mr. Munckton moved as a substitute, that the Preamble and Resolutions be

referred to the Committee on Public Lands, and that Mr. Jones be added to that Committee for their consideration.

Agreed to.

Mr. Julian, by leave, introduced Assembly Concurrent Resolution No. —, relative to Reconstruction and other Congressional measures.

Mr. St. Clair moved that the further reading of the resolutions be dispensed with.

Lost.

Special order for 12 M. postponed for 10 minutes.

Mr. Welch offered the following additional resolution :

Resolved, That in the opinion of this Legislature, the right of suffrage ought, and of right should be conferred on all citizens of the United States, irrespective of race, creed, or color.

Upon motion of Mr. Mayhugh, the resolutions were taken up seriatim, and ayes and noes called for upon their passage.

First subdivision : That the people of this State are unalterably devoted to the Federal Union, and to its integrity and prosperity.

Adopted by the following vote :

YEAS—Messrs. Browne, Bence, Cullen, Caldwell, Dorsey, Dana, Folsom, Groves, Horton, Huse, Julien, Jones, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Parmater, Parker, Prince, Potter, Roney, St. Clair, Stampley, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker, Mr. Grimes—32.

Second subdivision : That they most heartily indorse the reconstruction measures adopted and put forth by the Thirty-ninth Congress, including the amendment to the Constitution of the United States which has been submitted to the several States for their ratification.

Adopted by the following vote :

YEAS—Messrs. Browne, Bence, Cullen, Caldwell, Dana, Folsom, Groves, Horton, Huse, Julien, Jones, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Parmater, Parker, Prince, Potter, Roney, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—28.

NAYS—Messrs. Dorsey, Grimes, St. Clair, and Stampley—4.

Third subdivision : That they unqualifiedly condemn the apostasy of Andrew Johnson, his unparalleled recreancy to party ; his wanton abandonment of principle ; utter destitution of patriotism ; lack of integrity to the Union, and perfidy to those who gave him power.

Mr. Welch moved that the words "utter destitution of patriotism" be stricken out ; upon which the ayes and noes were called for by the requisite number, and motion lost by the following vote :

YEAS—Messrs. Bence, Dorsey, Grimes, St. Clair, Stampley, and Welch—7.

NAYS—Messrs. Browne, Cullen, Caldwell, Dana, Folsom, Groves, Horton, Huse, Julien, Jones, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Parmater, Parker, Prince, Potter, Roney, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—26.

Third subdivision adopted by the following vote :

YEAS—Messrs. Browne, Bence, Cullen, Caldwell, Dana, Folsom, Groves, Horton, Huse, Julien, Jones, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Parmater, Parker, Prince, Potter, Roney, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—28.

NAYS—Messrs. Dorsey, Grimes, St. Clair, and Stampley—4.

Mr. St. Clair moved, that the further reading of the resolutions be dispensed with, and the resolutions be laid on the table.

Lost.

Fourth resolution read, and on motion of Mr. St. Clair, the resolutions were made the special order for 3 o'clock P.M. to-day.

Special order taken up: Veto Message of the Governor, and Assembly Bill No. 77, entitled "An Act providing for the Payment of certain Indebtedness due certain Parties from the City of Virginia."

Message read as follows :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 18th, 1867. }

To the Hon. O. N. Noteware,

Secretary of State, State of Nevada:

I herewith deposit with you Assembly Bill No. 77, entitled "An Act providing for the Payment of certain Indebtedness due certain Parties from the City of Virginia," without approval. This bill was presented to me on the 7th day of March, 1867.

An Act entitled "An Act to provide for the payment of the outstanding Indebtedness of Virginia City, Storey County," approved January 27th, 1865, and Acts amendatory and supplemental thereof, provide the manner of the payment of *all* claims against said city. If this bill become a law, those provisions would be so materially contravened as to take from the city the benefits intended by them, and prolong almost indefinitely the payment of said indebtedness. Besides this effect, it would materially and onerously affect the legal rights of others holding bonds, warrants, etc., against said city. In Statutes of 1864 and 5, pages 121 and 325, and Statutes of 1866, page 205, this bill would make some of the creditors of that city preferred creditors, and that without any discount on their demands, while *all* claimants not included in its operation would be compelled to compete with one another after a delay more protracted by this bill for payment after a heavy discount.

For these reasons I cannot consistently approve the bill. You will dispose of it as directed by section 35 of Art. 4 of the Constitution.

(Signed)

H. G. BLASDEL,

Governor.

The question being: "Shall the bill pass, notwithstanding the objections of the Governor?" Upon which the previous question was called for and sustained.

Roll called, and bill passed by the following vote :

YEAS—Messrs. Browne, Bence, Cullen, Dorsey, Dana, Grimes, Groves, Horton, Huse, Jones, Mallory, Mayhugh, Munckton, Mitchell, Parker, Potter, Roney, St. Clair, Stampley, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—26.

NAYS—Messrs. Caldwell, Folsom, Julien, Lissak, Parmater, and Prince—6.

AFTERNOON SESSION.

House reassembled at 2 o'clock P.M.

Mr. Speaker in the chair.

Roll called.

Quorum present.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 26th, 1867. }

To the Hon. the Assembly:

I am directed to transmit for the consideration of your honorable body, Senate 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,' approved March 9th, 1865, and other Acts amendatory thereof," the same having passed the Senate.

Respectfully submitted,

JOHN K. EARDLEY,
Assistant Secretary.

Senate Bill No. 1, (as per Message) read first time.

Mr. Jones moved that the rules be suspended, and the bill read a second time by title, upon which the ayes and noes were called for by the requisite number, and agreed to by the following vote:

YEAS—Messrs. Browne, Bence, Cullen, Dorsey, Dana, Folsom, Groves, Julien, Jones, Mallory, Mayhugh, Munckton, Poor, Parker, Prince, Potter, Roney, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—23.

NAYS—Messrs. Caldwell, Grimes, Horton, Huse, Lissak, Mitchell, Parmater, St. Clair, Stampley, and Welch—10.

Bill read second time by title.

Mr. St. Clair moved that the bill be referred to the Committee on Ways and Means.

Mr. Jones moved as a substitute, that the bill be referred to the Committee of the Whole and made the special order for to-morrow at 12 o'clock M.

Agreed to.

Mr. Grimes, pursuant to notice, moved that the vote by which Assembly Bill No. 3 was passed, be reconsidered.

On motion of Mr. Jones, the motion to reconsider was indefinitely postponed.

On motion of Mr. St. Clair, the vote by which Assembly Concurrent Preamble and Resolution No. — were made the special order for 3 o'clock P.M., was reconsidered, and the resolutions taken up.

Fourth subdivision: That they cordially indorse the bill known as "Sherman's Reconstruction Bill," recently passed by the loyal majority of Congress over the objections of President Johnson.

Adopted by the following vote:

YEAS—Messrs. Browne, Bence, Cullen, Caldwell, Dana, Folsom, Groves, Horton, Julien, Jones, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Poor,

Parmater, Parker, Prince, Potter, Roney, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—27.

YAYS—Messrs. Dorsey, Grimes, St. Clair, and Stampley—4.

Fifth subdivision: That they entertain as a fundamental principle of safety to the Union, the unqualified opinion that loyal men should administer the Government unaided by and without effective dictation of the disloyal, or those who aided and abetted them, during the late internecine conflict.

Adopted.

Sixth subdivision: That the "Civil Rights Act" of the Thirty-ninth Congress is, in their opinion, a just and righteous measure; that it should be rigidly enforced in every State, and in all the domain of the Federal Government, any statute, resolution or custom of any State, Territory or community to the contrary notwithstanding; and if necessary, the military as well as the civil power of the Government should be exercised thereon.

Adopted.

Seventh subdivision: That they have an abiding faith in the loyalty, integrity and ability of the Fortieth Congress, and confidently believe it will gloriously perfect the work so nobly begun by the Thirty-ninth.

Adopted.

Mr. Julien offered the following substitute for the resolution of Mr. Welch:

Eighth subdivision: That in their opinion the right of suffrage ought by right to be conferred on all citizens of the United States irrespective of race or color, who can read intelligibly and write legibly the English language.

Substitute lost.

Mr. Jones moved to strike out the word "creed" in original resolution.

On motion of Mr. Dorsey, a call of the House was ordered.

Roll called.

Absent—Messrs. Mallory and Lissak.

Mr. Speaker asked leave of absence for Mr. Mallory.

Leave granted.

Mr. Munckton moved that the further call of the House be dispensed with. Agreed to.

Mr. Welch withdrew his resolution.

Mr. Grimes asked leave to change his vote from the negative to the affirmative on the passage of the preamble.

Leave granted.

On motion of Mr. St. Clair, at 4 o'clock and 30 minutes P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—**A. WHITFORD,**
Clerk.

THIRTEENTH DAY.

WEDNESDAY, March 27th, 1867.

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

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Mayhugh, Cary, Koneman, Lammon, and Swaney.

Prayer by the Chaplain.

Mr. Horton asked leave of absence for Mr. Mayhugh, until 1 o'clock P.M.

Leave granted.

Mr. Welch asked leave of absence for Mr. Lammon, for one day.

Leave granted.

Mr. Mallory asked leave of absence for Mr. Cary, for one day.

Leave granted.

The Journal of yesterday was read and approved.

Mr. St. Clair moved that the vote by which Senate Bill No. 1 was made the special order for 12 M. be reconsidered, and the bill now taken up.

Lost.

Mr. Mitchell presented a petition from the citizens of Storey County.

On motion of Mr. St. Clair, the petition was filed with the special order, for 12 M.

Mr. Munckton introduced Assembly Concurrent Resolution No. 9, relating to Jefferson Davis.

Mr. Welch moved to amend the resolutions, by inserting in first resolution, after the word "Treason," and before the word "is," the words "to a just Government."

Adopted, and resolution as amended passed.

The question being on the final passage of Assembly Concurrent Resolutions No. 7, relative to Reconstruction and other measures of Congress, the roll was called, and resolutions passed by the following vote:

YEAS—Messrs. Bence, Dana, Folsom, Groves, Horton, Julien, Jones, Lissak, Mallory, Munckton, Mitchell, Poor, Parmater, Parker, Potter, Roney, Strother, Tennant, Walton, Welch, Wheeler, and Mr. Speaker—22.

NAYS—Messrs. Caldwell, Grimes, St. Clair, and Stampley—4.

Mr. Bence, from the Committee on Public Lands, made a verbal report in favor of the passage of Assembly preamble and resolutions relating to lands granted by the United States to this State.

On motion of Mr. Jones, the resolutions were taken up, read a third time, and passed by the following vote:

YEAS—Messrs. Bence, Dorsey, Folsom, Grimes, Groves, Julien, Jones, Lissak, Mallory, Munckton, Mitchell, Poor, Parker, Prince, Potter, Stampley, Strother, Tennant, Walton, Welch, and Mr. Speaker—22.

NAYS—Messrs. Huse, Parmater, Roney, and St. Clair—4.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 Carson City, March 27th, 1867.

To the Hon. the Assembly:

I am directed to return to your honorable body Assembly Joint Resolution No. 4, relating to the enforcement of the Monroe Doctrine, and repeal of certain Neutrality Laws, which passed the Senate this day without amendments.

Respectfully submitted,

JOHN B. EARDLEY,
 Assistant Secretary.

Special order for 12 o'clock M.

Senate Bill No. 1.

Mr. St. Clair moved to postpone the special order until to-morrow, at 12 o'clock M.

Agreed to.

On motion of Mr. Mallory, at 12 o'clock and 26 minutes P.M. the House adjourned.

R. D. FERGUSON,
 Speaker.

Attest—A. WHITFORD,
 Clerk.

FOURTEENTH DAY.

THURSDAY, March 28th, 1867.

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

Mr. Speaker in the chair.

Roll called. All present except Messrs. Cary, Mallory, and Swaney.

Prayer by the Chaplain.

On motion of Mr. Speaker, Messrs. Cary and Mallory were granted temporary leave of absence.

The Journal of yesterday was read and approved.

Mr. Browne asked leave to have his name recorded as voting in the affirmative on the passage of the Preamble and Resolutions relating to Reconstruction Measures.

Mr. St. Clair raised the point of order, that Assembly Concurrent Resolution No. 9 had not passed this House.

The Chair decided the point of order well taken.

Mr. St. Clair moved that the Clerk be ordered to request the Senate to return to this body Assembly Concurrent Resolution No. 9.

Agreed to.

Mr. Potter asked for indefinite leave of absence for Mr. Swaney.

The House refused to grant it.

Communication from the Honorable J. L. Swaney read, and laid on the table.

Mr. Mayhugh moved that the vote by which Senate Bill No. 1 was made the special order for to-day at 12 o'clock be reconsidered.

Agreed to.

Mr. Mayhugh moved to make the bill the special order for to-morrow, at 2 o'clock P.M.

Mr. Julien moved as a substitute, that the House now resolve itself into the Committee of the Whole for the consideration of the bill.

Agreed to.

Mr. Browne in the chair.

In time the Committee rose, reported the bill back to the House, recommending its passage.

Report received, and Committee discharged.

Senate Bill No. 1, entitled "An Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, and other Acts amendatory thereof."

Read third time.

On motion of Mr. Bence, a call of the House was ordered.

Absent—Mr. Swaney.

On motion, the further call of the House was dispensed with.

Roll called, and bill passed by the following vote :

YEAS—Messrs. Browne, Bence, Cary, Callen, Caldwell, Dorsey, Dana, Folsom, Groves, Horton, Huse, Julien, Jones, Koneman, Mallory, Mayhugh, Munkton, Mitchell, Poor, Parmater, Parker, Prince, Potter, Roney, Stampley, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker.—32.

NAYS—Messrs. Grimes, Lissak, Lammon, and St. Clair—4.

Mr. Welch gave notice that he would, on to-morrow, move to reconsider the vote by which Senate Bill No. 1 passed the House.

COMMUNICATION FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, March 26th, 1867. }

To the Hon. Assembly of Nevada :

I have this day approved Assembly Bill No. 2, "An Act to create certain Funds" passed during your Special Session.

H. G. BLASDEL,
Governor.

MESSAGE FROM THE SENATE.

CARSON CITY, March 27th, 1867.

To the Hon. the Assembly :

I am instructed to transmit for the consideration of your hon. body, Senate Memorial and Joint Resolution No. 6, concerning Ireland, which passed the Senate this day.

I am also directed to return to you Assembly Bill No. 5, "An Act supplementary to an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, and providing for Levying and Collecting Revenue for County purposes; and further prescribing the Powers and Duties of the Board of County Commissioners of the several counties of this State relative thereto," the same having passed the Senate with the following amendments :

In section 1, line 15, strike out "twenty-five" and insert "fifty."

In line 19, strike out "fifty," and insert in lieu thereof "twenty-five."

In section 5, line 1, after the word "of," and before the word "mines," strike out the word "the."

In section 7, line 6, after the word "purposes," and before the word "but," insert "except license taxes."

In line 8, after the word "of," strike out "one hundred," and insert in lieu thereof "seventy-five."

I am also directed to return to you Assembly Concurrent Resolution No. 9, relating to Jefferson Davis, in accordance with your request.

Respectfully submitted.

JOHN R. EARDLEY,
Assistant Secretary.

Senate Memorial and Joint Resolution No. 6 (as per Message).

Read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Folsom, Grimes, Groves, Huse, Julien, Jones, Koneman, Lammon, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Potter, Roney, St. Clair, Stampley, Strother, Tennant, Welch, Wheeler, and Mr. Speaker—30.

NAYS—Mr. Walton—1.

Mr. Cary gave notice that he would, on to-morrow, move to reconsider the vote by which the resolution passed.

Senate [Assembly] Bill No. 5 (as per Message).

On motion of Mr. Julien, the amendments of the Senate were taken up seriatim.

First, second, and fifth amendments non-concurred in. Yeas, 5; Nays, 21.

Third and fourth amendments concurred in by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Folsom, Groves, Huse, Julien, Jones, Koneman, Lammon, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Potter, Roney, Stampley, Strother, Tennant, Walton, Welch, Wheeler, and Mr. Speaker—29.

NAYS—Mr. St. Clair—1.

Assembly Concurrent Resolution No. 9, (as per Message) taken up.

Mr. Munckton moved that the rules be suspended; the reading of yesterday considered the third reading; and resolutions placed upon their final passage.

Lost.

On motion of Mr. St. Clair, at 1 o'clock and 35 minutes P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—**A. WHITFORD,**
Clerk.

FIFTEENTH DAY.

FRIDAY, March 29th, 1867.

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

Mr. Speaker in the chair.

Roll called—all present.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected, and approved.

RESOLUTION.

By Mr. Tennant :

Resolved, That the Sergeant-at-Arms of the Assembly be, and he is hereby authorized to issue his warrant on the Contingent Fund of the Assembly in favor of each member of this House, for the amount of twenty dollars for newspapers, postage stamps, and express charges.

Resolved, That he is further authorized and directed to draw in his own favor, for the sum of two thousand and five hundred dollars, (the Contingent Fund of the Assembly) and deposit the same in the banking-house of Wells, Fargo & Co., of Carson City, subject to the further order of this House.

Resolved, That he is further authorized and directed to draw his warrant in favor of each of the attachés of this House for the sum of ten dollars, for postage stamps and express charges.

Mr. Munckton moved to amend by striking out the word "twenty," and inserting the word "fifteen."

On motion, the resolutions were laid over one day.

Mr. Welch, pursuant to notice, moved to reconsider the vote by which Senate Bill No. 1 was passed.

Mr. Browne moved to indefinitely postpone the motion to reconsider, upon which the ayes and noes were called for by the requisite number, and agreed to by the following vote :

YEAS—Messrs. Browne, Bence, Cary, Cullen, Caldwell, Dorsey, Dana, Folsom, Groves, Julien, Jones, Koneman, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Potter, Roney, St. Clair, Stampley, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—31.

NAYS—Messrs. Horton, Lissak, Lammon, and Welch—4.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 29th, 1867. }

To the Hon. the Assembly :

I am directed to transmit for your consideration Senate Joint Resolution No. 11, in regard to claims of the State of Nevada against the Government of the United States, the same having passed the Senate.

I am also instructed to return to your honorable body Assembly Bill No. 126, "An Act authorizing the County of Lyon to fund the Outstanding Indebtedness against the General Fund of said County, to pay the interest thereon, and for the

gradual liquidation of the same," the Senate having refused to pass the bill over the nonapproval of the Governor.

Respectfully submitted,

JOHN R. EARDLEY,
Asst. Secretary.

Senate Joint Resolution No. 11 (as per Message).

Read first time; rules suspended; read second time by title; rules further suspended; read third time by title.

Mr. Welch moved a call of the House.

Lost.

The question being on the passage of the resolutions, roll called, and resolutions passed by the following vote:

YEAS—Messrs. Browne, Bance, Cary, Caldwell, Dana, Folsom, Grimes, Horton, Huse, Jones, Liasak, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Potter, Roney, St. Clair, Stampley, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—31.

NAYS—Messrs. Julien and Lammon—2.

Mr. Cary, pursuant to notice, moved that the vote by which the resolutions relating to Ireland were passed, be reconsidered.

Mr. Potter moved that the motion to reconsider be indefinitely postponed.

Agreed to.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 29th, 1867. }

To the Hon. the Assembly:

I am instructed to inform your honorable body that the Senate refuses to recede from their amendments to Assembly Bill No. 5, and has appointed Messrs. Haines, Stevenson, and Nelson, as a Committee of Conference, and request of your honorable body the appointment of a like Committee, to confer with the Senate Committee upon said amendments.

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

Mr. Munckton moved that a Conference Committee of three be appointed to confer with a like Committee of the Senate upon Assembly Bill No. 5.

Agreed to.

And the Chair appointed Messrs. Munckton, Strother, and Wheeler as such Committee.

Mr. Jones, by leave, introduced Assembly Bill No. 12, entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled an Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865," as amended by an Act entitled "An Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, approved February 24th, 1866, approved March 29th, 1867."

Read first time; rules suspended; read second time by title, and referred to a Special Committee of one, consisting of Mr. Jones, with instructions to report tomorrow at 12 o'clock M.

On motion of Mr. St. Clair, at 12 o'clock and 3 minutes P.M. the House adjourned.

R. D. FERGUSON.

Attest—WILKIE DARLING,
Assistant Clerk.

SIXTEENTH DAY.

SATURDAY, March 30th, 1867.

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

Mr. Speaker in the chair.

Roll called.

All present, except Messrs. Browne, Cullen, Dorsey, Mallory, and Swaney.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Mayhugh asked leave of absence for Mr. Browne for one day.

Leave granted.

On motion of Mr. Tennant, Mr. Cullen was granted indefinite leave of absence, without pay.

Mr. Potter moved that Mr. Swaney have leave of absence for two days.

The House refused it.

Resolution by Mr. Tennant:

Resolved, That the Speaker and Sergeant-at-Arms of this House be, and they are hereby instructed to draw their skeleton scrip on the State Controller for the entire sum apportioned by an Act entitled "An Act to create certain Funds," passed at this Special Session of the Legislature from the Legislative Fund to the Assembly Contingent Fund, and the State Controller is hereby directed and required to issue his warrant on the State Treasurer therefor in favor of the Contingent Fund of the Assembly. The said amount, so drawn, to be deposited by the Sergeant-at-Arms at the banking house of Wells, Fargo & Co. in Carson City, to the credit of the Contingent Fund of this Assembly.

Adopted.

Mr. Mayhugh introduced a Concurrent Resolution relating to Adjournment.

Made the special order for Monday, April 1st, at 12 o'clock M.

WHEREAS, In the General Appropriation Bill, passed at the last regular session of the Legislature, there was no provision made for the contingent expenses of the Governor's office; therefore

Resolved, That his Excellency the Governor be, and is hereby respectfully requested to call the attention of this Legislature to the propriety of legislating upon that measure.

Adopted.

Resolved, That the Sergeant-at-Arms be, and he is hereby instructed to draw his warrant on the Contingent Fund in favor of D. C. Williams for one week's services rendered as Clerk of the Committee on Investigation.

Adopted.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker :

Your Special Committee of Conference, appointed to confer with a like Committee appointed by the Senate, to whom was referred Assembly Bill No. 5, beg leave to report that they have had the same under consideration, and have failed to agree, and recommend a Committee of Free Conference.

GEORGE MUNCKTON,
Chairman,

J. P. WHEELER,
E. STROTHER.

Chairman of the Senate Committee :

J. W. HAINES.

Mr. Speaker :

Your Special Committee, to whom was referred Assembly Bill No. 12, "An Act to amend an Act entitled an Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865; as amended by an Act entitled an Act to amend an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865, approved February 24th, 1866, approved March 29th, 1867;" after consideration thereof, beg leave to report the same back with substitute, and recommend its adoption.

W. T. JONES.

Substitute Assembly Bill No. 12 (as per report of Special Committee).

Read and adopted.

Rules suspended; read second time by title.

On motion of Mr. Bence, the House resolved itself into the Committee of the Whole, Mr. Folsom in the chair, for the consideration of the bill.

In time the Committee rose, and reported the bill back to the House with amendments, and recommended its passage as amended.

Report received, and Committee discharged.

Amendments of Committee of the Whole adopted, and bill made the special order for Monday, April 1st, at 12 o'clock M.

REPORT OF COMMITTEE ON ENROLLMENT.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have carefully compared Assembly Joint Resolution No. 4, in relation to the Monroe Doctrine, with the engrossed copy, as passed by the two Houses, and found the same correctly enrolled, and have this day filed the same in the office of the Secretary of State.

W. C. GRIMES,
JOHN WELCH.

On motion, the Chair appointed as a Free Conference Committee on Assembly Bill No. 5, Messrs. Jones, Potter, and Hulse.

Mr. Welch moved that a call of the House be ordered.

Lost.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 Carson City, March 30th, 1867. }

To the Hon. the Assembly :

I am directed to return to you Assembly Bill No. 77, "An Act providing for the Payment of certain Indebtedness due certain Parties, from the City of Virginia," with accompanying Veto Message, the bill having passed the Senate, notwithstanding the Governor's objections.

I am also instructed to transmit, for the consideration of your honorable body, the following Concurrent Resolutions, which have passed the Senate :

No. 17, requesting Congressional and Executive action in regard to affairs in Utah Territory.

No. 18, in relation to printing Revenue Law.

Respectfully submitted,

JOHN R. EARDLEY,
 Assistant Secretary.

Mr. St. Clair moved to adjourn.

Lost.

Senate Concurrent Resolution No. 17 (as per Message).

Read first time ; rules suspended ; read second time by title.

Mr. St. Clair moved that the Resolutions be referred to the Committee on Federal Relations and Public Morals conjointly, with instructions to report on Monday, April 1st, at 11 o'clock A.M.

Agreed to.

On motion of Mr. Jones, at 12 o'clock and thirty minutes P.M. the House took a recess until 8 P.M.

House reassembled at 3 o'clock P.M.

Mr. Munckton in the chair.

Roll called.

Quorum present.

Senate Concurrent Resolution No. 18 (as per Message).

Read and adopted unanimously.

Mr. Julien, by leave, introduced Assembly Bill No. 14, entitled "An Act to amend an Act entitled 'An Act to create Certain Funds,' approved March 28th, 1867."

Read first time ; rules suspended ; read second time by title.

On motion of Mr. Mayhugh, the House resolved itself into Committee of the Whole for the consideration of the bill.

Mr. Munckton in the chair.

In time the Committee rose, and reported the bill back to the House, recommending its passage.

Report received, and Committee discharged.

Rules suspended ; bill read third time.

On motion, Mr. Mayhugh was appointed a Committee of one, to ascertain the condition of certain Funds in the State Treasury, and action on the bill postponed for 15 minutes.

On motion of Mr. Julien, Senate Messages were taken up :

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 Carson City, March 30, 1867. }

To the Hon. the Assembly:

I am instructed to return to your honorable body Assembly Bill No. 3, "An Act to provide for the Selection and Sale of Lands granted by the United States to the State of Nevada," the same having passed the Senate with the following amendments:

In section 1, add at the end of line 6, the following: "He shall as such Registrar be required to give bonds in the sum of ten thousand dollars for the faithful performance of his duties; which bonds shall be approved by the Governor, and filed in the office of the Secretary of State." Transpose the last two sections, so that section 23 be section 22, and section 22 section 23.

I am also directed to return to you Assembly Bill No. 164, "An Act for the organization of a Board of Education in Counties that polled three thousand votes or more at the General Election in the State of Nevada in November, A.D. 1866, or that may thereafter at any general election cast that number of votes or more; and amendatory of and supplemental to an Act to provide for the Maintenance and Support of Public Schools, approved March 20, 1865," with the accompanying Veto Message, the Senate having refused this day to pass the bill over the Governor's objections.

I am also directed to return the following:

Assembly Conjoint Resolution No. 7, relative to Reconstruction Measures, the same having passed the Senate without amendments.

No. 8, Preamble and Resolutions relating to Lands granted to the State of Nevada by the United States, which also passed the Senate without amendments.

All of which is respectfully submitted.

JOHN R. EARDLEY,
 Assistant Secretary.

Senate amendments (as per Message) to Assembly Bill No. 3 concurred in by the following vote:

YEAS—Messrs. Bence, Caldwell, Dana, Folsom, Grimes, Groves, Julien, Jones, Koneman, Lissak, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Roney, St. Clair, Strother, Tennant, Wingate, Walton, Welch, Wheeler, and Mr. Speaker—25.

NAYS—Mr. Lammon—1.

Mr. Mayhugh, Special Committee of one, reported that the money would be in the Funds by Monday morning.

Report of Committee received, and Committee discharged.

Roll called on the passage of Assembly Bill No. 14, and the bill passed by the following vote:

YEAS—Messrs. Cary, Caldwell, Folsom, Groves, Julien, Koneman, Lissak, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Roney, St. Clair, Tennant, Wingate, Walton, Welch—20.

NAYS—Messrs. Bence, Grimes, Jones, Lammon, Strother, and Wheeler—6.

Mr. St. Clair moved to adjourn.

Mr. Wheeler moved to amend, that the House take a recess until 7 o'clock P.M.

Lost.

Mr. Huse moved to amend, to take a recess until 6 o'clock P.M.

Lost.

Mr. Koneman moved to amend, to take a recess until 5 o'clock P.M.

Lost.

Mr. Mayhugh moved, to take a recess until 4½ o'clock P.M.

Agreed to.

House reassembled at 4½ o'clock P.M.

Speaker *pro tem.* in the chair.

Roll called.

Quorum present.

Mr. Huse moved a call of the House.

Lost.

Mr. Potter asked to be excused from serving on the Committee of Free Conference, and was, on motion, excused.

The Chair appointed Mr. Dana to fill the vacancy.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, March 30th, 1867. }

To the Hon. the Assembly:

I herewith return to your honorable body Assembly Bill No. 14, "An Act to amend an Act entitled 'An Act to create certain Funds,' approved March 20th, 1867," the same having passed the Senate without amendments.

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

On motion of Mr. Folsom, at 4 o'clock and 35 minutes P.M. the House adjourned.

R. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
Clerk.

EIGHTEENTH DAY.

MONDAY, *March* [April] 1st, 1867.

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

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Horton, Koneman, and Swaney.

Prayer by the Chaplain.

The Journal of Saturday, March 30th, was read and approved.

Mr. Munckton asked leave of absence for Mr. Horton for one day.

Leave granted.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker :

Your Committee on Public Morals, to whom was referred, conjointly with the Committee on Federal Relations, Senate Joint Resolution No. 17, requesting Congressional and Executive action in regard to affairs in Utah Territory, beg leave to report that they have had the same under consideration, and come to a favorable conclusion thereon, and recommend their passage.

G. W. WALTON,
Chairman,
JAMES P. WHEELER,
W. M. CARY.

The Committee on Federal Relations were granted further time to report on Senate Joint Resolution No. 17.

Mr. Speaker :

Your Committee on Enrollment beg leave to report that they examined the enrolled copy of Assembly Bill No. 14, entitled "An Act to amend an Act entitled 'An Act to create certain Funds,' approved March 28th, 1867," and found the same correctly enrolled, and have presented the same to the Governor for his approval.

JOHN WELCH,
Chairman.

*To the Honorable Speaker of the First Special
Session of the Legislature of the State of Nevada :*

MR. SPEAKER—Your Select Committee appointed at the last Regular Session of the Legislature of this State, charged with the duty of making investigations in regard to alleged corruption in the late election of United States Senator, with power to send for persons and papers, and administer oaths, beg leave to report that they have proceeded to examine a considerable number of witnesses in accordance with the power conferred by resolution of the late Legislature. They had collected a large amount of important testimony, bearing upon the subject matter under investigation, which testimony had been compiled, together with the conclusion of the Committee thereupon, for the purpose of presenting the same to the Assembly on the day of its final adjournment. But, from the fact that the Committee had to reduce the evidence to writing, (which was voluminous) they were compelled to employ a clerk, in whose hands all the papers and testimony were intrusted to: one J. V. Wheelhouse, acting as such clerk, disappeared on the last day of the session, with all the papers and testimony belonging to the Committee; therefore, we were unable to make any report to the late Assembly upon the subject matter before us. On the second day of the present session the same Committee was, by resolution of this House, reinvested with the same power as was given to it at the late Regular Session; whereupon your Committee proceeded to use all the means within its power to procure the attendance of said Wheelhouse, and to secure the return of the testimony, but have been unsuccessful. The Committee then proceeded to retake the testimony of some of the witnesses previously examined, and to summon other witnesses. In the progress of their examinations, certain parties, to wit: F. M. Proctor, Thomas Egan, and F. Smith, were summoned, and refused to appear or testify, on the ground that this Session of the Assembly had no power to take action in the matter. When these questions arose, your Committee con-

sulted the Attorney General of this State, and obtained his written opinion, which is herewith submitted, said opinion being adverse to the power of the Assembly to act in the matter. Your Committee refrained from further proceedings. Such testimony as the Committee have collected will be placed at the disposal of the House, if it shall think proper to receive and consider it. Your Committee have, however, from the testimony taken, arrived at the conclusion that money and other corrupt considerations have been used by certain prominent and interested parties to influence the action of the Members of the Legislature, at its late session, in the election of United States Senator; but, from circumstances before stated, not being able to present the testimony fully as they would otherwise have done, forbear to state more specially their conclusions, leaving the House to draw its own conclusions, if it shall think proper to consider the testimony taken.

We herewith submit a bill of expenses incurred by the Sergeant-at-Arms in summoning witnesses, and paying their mileage and per diem, accompanied by a resolution authorizing the payment of the same. All of which is respectfully submitted.

M. N. MITCHELL,
W. M. CARY,
A. KONEMAN,
T. B. PRINCE,
S. E. HUSE.

COMMUNICATION FROM THE ATTORNEY GENERAL.

Gentlemen :

In my opinion, your Committee have no legal power to compel the attendance of witnesses by process or otherwise, to testify before you, touching the misconduct of any member of the late session of the Nevada Legislature. In *Special Session*, the Legislature can transact no business, except—1st. That for which they were specially convened. 2d. Legislative business called to their attention by the Governor. 3d. Such other business as is incidental to organization, or necessary to a complete exercise of the functions of the Legislature.

Very respectfully,

ROBT M. CLARKE,
Attorney General.

STATE OF NEVADA,

TO THE SERGEANT-AT-ARMS OF THE ASSEMBLY,

	Dr.
To buggy hire and expenses on trip to Virginia City.....	\$ 42 00
Mileage (thirty miles).....	7 50
Summons (ten witnesses).....	10 00
Witnesses' fees and mileage.....	30 00
Horse hire to Silver City.....	6 00
Mileage (twenty-four miles).....	6 00
Expenses at Silver City.....	2 50
	\$104 00

Carson City, March 21, 1867.

RESOLUTION.

By Mr. Mitchell:

Resolved, That the Sergeant-at-Arms be, and he is hereby authorized to draw

his warrant in favor of William Woodhurst, for the sum of one hundred and four dollars, for expenses incurred by him in summoning witnesses to appear before the Committee of Investigation, and for per diem and mileage of the same.

On motion of Mr. St. Clair, the bill of the Sergeant-at-Arms was referred to the Committee on Contingent Expenses and Accounts.

WHEREAS, a Special Committee was duly appointed by this House to examine into and report as to the truthfulness of charges of corruption brought against members of this body during the late Senatorial Election; therefore, be it

Resolved, That said Committee inform this body when they will be prepared to submit their report.

Testimony read as follows :

STATE OF NEVADA, ORMSBY COUNTY, }
March 16th, 1867.

ROBERT HANNEGAN being called before the Investigating Committee of the Assembly, and being duly sworn, testified as follows :

The day after the first ballot for United States Senator, on the evening of that day I was at the Ormsby House. I met Robert Cullen. He and I walked up street. We walked up to the Penrod House, and went into one of DeLong's rooms. We sat down, and I asked him if he could possibly vote for DeLong. The next day, he said no; I have received a compensation for my vote. I said, "Bob, did you get what you was after?" He said, "No; but I will get it." He said he liked DeLong, and would like to see him elected; that he could not vote for him, but he would get a vote. I asked him what vote he could get. He said he could get Jacobs' vote from Lander. Any man who would buy Jacobs' ranch could get his vote. I asked him what the ranch was worth. He said Jacobs wanted fifteen hundred dollars in "greenbacks." He said he would fetch Jacobs here. He went off, and was gone about three hours, and came back about half-past two o'clock in the morning. He appeared to be somewhat excited, and said they had stole the man Jacobs out of bed. I asked him where he thought Jacobs was. He said he heard he was in Nye's room. I then asked Cullen what compensation he had got for voting for Nye. He said thirteen hundred and fifty dollars. I asked him who gave him the money. I think he said Kinhead. I asked him if that money was given him on condition that he would vote for Nye. He said, "Yes." *Question*: Do you know anything about that money being stolen from Cullen? *Answer*: I heard the next day, about nine or ten o'clock, that the money had been stolen from him. *Question*: Do you know who stole it? *Answer*: I do not, only from rumor. In about four days after the Senatorial Election, Cullen called me around the corner of the Capitol Buildings and asked me who stole that money. I told him I did not know. He said, "Hannegan, you know that I am poor, and have a family; and the man that stole that money might as well have stole it from my wife and children." *Question*: What did you mean by saying, as you stated just now, "Bob, did you get what you was after?" *Answer*: I had learned by parties from Austin, and I think by letters, that he wanted to get some money and a recommendation to New York to sell stock. *Question*: Did you see Cullen when he arrived? *Answer*: I did; the same evening I went to Virginia for the purpose of seeing him. I went to DeLong before I saw Cullen, and told him how I thought he could get Cullen's vote. DeLong said he did not propose to buy his election to the United States Senate; and that if he did, he had not the money to do so. I then started for Gold Hill. I went into the Bank Exchange Saloon. I saw Charley Vangorder, and told him to call Winters out, I wanted to see him. I told Winters and

Vangorder that I had been to Virginia, and that Cullen was there. I told them I thought they could get Cullen, from what I heard. Cullen wanted some money, and a recommendation to sell stock in New York. *Question*: Do you know if Winters saw Cullen? *Answer*: I do not; but Charles Vangorder wanted me to go up to Virginia the next day, and give Winters an introduction to Cullen. I told him I did not know that I could get away. I would, if I could; but I did not go, and do not know that he saw Cullen there.

Sworn to and subscribed by me,

ROBERT HANEGAN.

March 19th, 1867.

G. A. Sears, being duly sworn, testified as follows: *Question*: Do you know of any money being used to influence the vote of any member of the Legislature at the late Senatorial election? *Answer*: I cannot say that any money was used. I know it was deposited, as I understood, for that purpose. *Question*: How do you know it was deposited? *Answer*: W. N. Leet gave me a check for the sum of three thousand dollars, signed by himself, and drawn on Messrs. Wells, Fargo & Co., of Carson City, with instructions that if Frank Proctor voted for Mr. Nye, I was to turn over the check to S. Pixley. Afterwards, I was instructed by the parties to draw the coin, and hold it for the same purpose, which I did. I was afterwards instructed not to pay over the coin, as Proctor did not vote for Nye. I afterwards returned the coin to Wells, Fargo, & Co., subject to Leet's order. I saw Mr. Leet after Mr. Proctor voted for United States Senator. He said, Proctor has broken his agreement; don't pay over the money.

Sworn to by me and subscribed this 19th day of March, 1867,

G. A. SEARS.

F. M. PROCTOR, having been cited to appear before the Committee, refused to do so, saying that he did not recognize the authority of the Committee in the matter.

The Committee, being anxious to avoid expense or delay, not deeming the testimony of said Proctor otherwise than as corroborating the accompanying testimony of Seymour Pixley, make the following statement in regard to his testimony, viz: That the testimony of said Proctor, as given before them at a former meeting, and taken down in writing, (which testimony is in the possession of Wheelhouse) and cannot be obtained by the Committee, corroborates fully the testimony given by Seymour Pixley in regard to what transpired between said Pixley and Proctor.

SEYMOUR PIXLEY, being duly sworn, testifies as follows:

W. N. Leet deposited a check with G. A. Sears, for the sum of \$3,000 on Wells, Fargo and Co.; the money to be paid to Frank Proctor if he would vote for Nye. G. A. Sears drew the coin on the check, and kept it in his care until after Nye was elected United States Senator. I told Proctor that Leet had deposited \$3,000 for him if he would vote for Nye. Proctor did not say whether he would or not at the time; but, on the morning of the election, told me that he would not. That Leet could keep his money.

Sworn to and subscribed by me this day, March 18th, 1867,

SEYMOUR PIXLEY.

CHARLES COYLE SWORN:

Question.—By Mr. Mitchell: Have you any knowledge of any money being offered or given to any one to influence their vote during the late Senatorial election?

Answer.—I have not.

Q.—Did you tell Mr. Benham you had three thousand dollars to use, and that you had bought Mr. Swaney for \$2,000?

A.—No; I told Mr. Benham that I had money. I was not under oath; I was only funning.

Q.—Did you ever have any money to influence votes in the Senatorial election?

A.—No; have but what I borrowed.

Q.—Did you ever offer Mr. Swaney, or any other man, any money to vote for Mr. Nye?

A.—No; I never did. I do not know Mr. Swaney.

Q.—Have you any knowledge of any money being used by any one for the purpose of buying votes to elect Mr. Nye?

A.—No, sir.

Q.—Have you within your knowledge known of any improper influences being used by any one towards members of the Legislature to vote for Mr. Nye or any other man?

A.—No, sir.

CHARLES COYLE.

Witness—D. C. WILLIAMS.

Carson City, March 20th, 1867.

On motion, special orders postponed for 5 minutes.

Mr. Julien moved that the report of the Investigating Committee, together with the testimony, be made the special order for 2 o'clock P.M. to-day in the Committee of the Whole, and that the Sergeant-at-Arms be instructed to bring all witnesses before this body.

Mr. Walton moved to amend, to lay the whole subject matter upon the table. Lost, and original motion agreed to.

Mr. St. Clair moved that the Clerk be requested to issue subpoenas for all persons named by the Chairman of the Investigating Committee.

Agreed to.

SPECIAL ORDERS.

Resolutions in regard to adjournment taken up, and made the special order for to-morrow for 12 o'clock M., and Assembly Bill No. 12 made the special order for 3 o'clock P.M. this day.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

The undersigned, your Committee, having been named to meet a corresponding number on behalf of the Senate, and to confer in Free Conference upon matters of disagreement existing between the two Houses in relation to Assembly Bill No. 5, "An Act supplementary to an Act entitled 'An Act to provide Revenue for the Support of the Government of the State of Nevada,' approved March 9th, 1865; and providing for Levying and Collecting Revenue for County purposes, and further prescribing the Powers and Duties of the Board of County Commissioners of the several Counties of this State relative thereto," beg leave respectfully to report the following proceedings and results of that Conference:

On meeting for the discharge of their duties, the undersigned submitted to the Conference the following propositions, viz:

First—To strike out all of the second proviso in *section one* of said bill, and adopt in lieu thereof, in the first proviso to said section, a uniform basis of taxation of eighty-seven and a half cents upon each one hundred dollars' valuation of all taxable property, including proceeds of the mines. This modification was insisted upon as being in strict accordance with the provisions of Article Ten of the Constitution, and as being founded upon the principles of justice as between the varied interests and industries affected thereby. This proposition was strenuously opposed on behalf of the Senate; and yielding, your Committee finally, with much reluctance, abandoned it.

Second—Your Committee then made the further proposition to retain the basis of unequal taxation, as contemplated by the bill, but to so modify the amendment proposed by the Senate, as to impose a rate of taxation of one hundred and thirty-eight cents on each one hundred dollars' valuation of all taxable property other than the proceeds of the mines, as contemplated in the first proviso to section one, and thirty-seven cents upon each one hundred dollars' valuation of the proceeds of mines. This proposition was made, not because your Committee esteemed it just, as between the two classes of tax payers, but rather in a spirit of compromise, as being advisable under all the circumstances surrounding this perplexing question. This proposition, too, did not meet the views of the Senate Committee, and was finally, in turn, reluctantly abandoned. Your Committee, therefore, in view of the impending difficulties and embarrassments to our State which would inevitably grow out of a failure of agreement between the two Houses upon this all-important question, have yielded their judgment to the necessities of the case, and now respectfully recommend that the House concur in the amendments of the Senate. In so doing, your Committee cannot withhold an expression of disapproval of that character of legislation which seeks to impose unequal, and as they believe, unjust burdens of taxation upon different branches of industry; and your Committee will further say, that under circumstances less threatening to the public welfare, they would not have given sanction to a system having nothing in it to challenge the approval of honest minds; believing that a system so boldly marked by wrong and outrage upon one class of citizens, while it seeks to shield another from its just participation in the burdens of taxation, cannot but become an element of *discord* [discord] and destructive of that public harmony so necessary to the progress and development of our State. Your Committee are of opinion that in all free Governments, the fundamental idea of taxation should be, that the property of the State, in whatever form it may be, should be equally contributive to its support and maintenance, and that any departure from that idea can only be founded in wrong and oppression, and must be prejudicial to the public tranquillity.

In reporting this failure to obtain a more just basis of agreement between the two Houses, your Committee would disclaim any intention to cast blame upon the honorable Senators who met them in Conference—entertaining the belief that those gentlemen are deeply anxious for the adoption of a system of revenue which shall at once be constitutional, equal and just as to all classes of citizens; but your Committee take into view the complex circumstances of the hour, and recognize the existence of a power outside of, and defying the control of this Legislature, and which, for the time being, must triumph over right until it shall become patent to public view, and be met and overcome by popular disapproval.

Your Committee beg leave, further, to report that the Committee of Free Conference mutually agreed to propose the following further amendment to the bill, *viz* :

Strike out all of *section two*, and insert the following :

Section Two. The Board of County Commissioners of each county is here-

by empowered annually, prior to the third Monday in April, unless otherwise provided by special Act, to levy and assess the amount of taxes that shall be levied for county purposes, designating the number of cents which shall on each one hundred dollars of taxable property be levied for each purpose, and shall add thereto the amount levied by law on each one hundred dollars of taxable property for State purposes; *provided*, however, that when the Board of County Commissioners levy any tax, they shall cause such levy to be entered on the records of their proceedings, and shall direct their Clerk to deliver a certified copy thereof to the Auditor, Assessor and Treasurer—each of whom shall file such copy in his office. The Board of County Commissioners of each County shall apportion the revenue coming into the County Treasury under the provisions of this Act (after deducting the four per cent. as hereinafter provided for the Treasurer's Salary Fund) into such funds as are now or hereafter may be provided by law; *provided*, that the Board of County Commissioners are hereby authorized to set aside such portions of all the revenue of the County to create a Redemption Fund for the payment of outstanding indebtedness as is provided by any law now in force, or which may hereafter be passed. The Board of County Commissioners of each County is hereby authorized and empowered annually to levy and collect such additional and special taxes as the statutes or laws of this State may authorize and require them to levy and collect.

Respectfully submitted,

W. T. JONES,
GEO. H. DANA, and
S. E. HUSE,
House Committee.

The House refused to adopt the report of the Committee of Free Conference.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 1st, 1867. }

To the Honorable the Assembly:

I am directed to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 21, in relation to Capitol Buildings, which was adopted by the Senate this day.

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

Senate Concurrent Resolution (as per Message) read.

Mr. Speaker offered the following amendment:

"Provided, that in no case shall the amount of fitting up the said newly rented building, purchase and removal of fixtures thereto, exceed the sum of one thousand dollars."

On motion of Mr. Mayhugh, the whole subject matter was made the special order for to-morrow, at 2 o'clock P.M.

On motion of Mr. Mayhugh, Mr. Jones was appointed a Special Committee of one to wait upon the Governor, in relation to resolution of Saturday last.

Mr. Jones, as such Committee, reported the following communication from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 Carson City, March 30th, 1867. }

GENTLEMEN—Your favor calling upon me to lay before the Legislature now in Special Session, the subject of legislation in regard to Rents of State Official Offices, came to hand yesterday, and has been duly considered by me. In reply, I have the honor to say that your session being near at a close, the business of the Special Session being yet unfinished, the State not in such financial condition as to justify any expenditures for the purchase or erection of Public Buildings, and there being also a grave question as to the constitutionality of any appropriation you might make for either of those purposes, I deem it inexpedient to comply with your request.

I am, very respectfully, your obedient servant,

H. G. BLASDEL.

On motion of Mr. St. Clair, at 1 o'clock and 5 minutes P.M. the House took a recess until 2 o'clock and 30 minutes P.M.

House reassembled at 2:30 o'clock P.M.

Speaker *pro tem.* in the chair.

Roll called.

Quorum present.

On motion of Mr. St. Clair, at 2 o'clock and 35 minutes P.M. the House took a recess until 7 o'clock P.M.

EVENING SESSION.

House reassembled at 7 o'clock P.M.

Mr. Jones in the chair.

Roll called.

No quorum present.

On motion of Mr. Potter, a call of the House was ordered.

Roll called.

Absent—Messrs. Browne, Bence, Caldwell, Dana, Folsom, Grimes, Groves, Julien, Koneman, Mallory, Mayhugh, Munckton, Parmater, Prince, Stampley, Swaney, Tennant, and Mr. Speaker.

Messrs. Folsom, Tennant, Groves, Parmater, Mayhugh, Mr. Speaker, and Dana appearing at the bar of the House, were, on motion, excused.

Mr. Tennant moved that Mr. Julien have leave for half an hour.

Lost.

Messrs. Prince, Bence, and Munckton appearing at the bar of the House, were, on motion, excused.

Mr. Mayhugh moved, that the further call of the House be dispensed with.

Agreed to.

Messrs. Mayhugh and Welch asked leave of absence.

Leave granted.

Mr. Parmater asked leave of absence for Mr. Stampley.

Leave granted.

Mr. Munckton asked leave of absence.

Leave granted.

Special order for 7 o'clock P.M.

Examination of witnesses in the investigation of the alleged Corruption in the Senatorial Contest.

RESOLUTION.

By Mr. Tennant:

Resolved, by the Assembly, the Senate concurring, That the Legislature continue in Executive Session until the 20th day of April, 1867, for the purpose of bringing witnesses from distant parts of the State to testify before the Investigation Committee.

Lost.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 1st, 1867. }

To the Hon. the Assembly:

I am instructed to inform your honorable body that the Senate has this day appointed Messrs. Mason, Doron, and Nelson as a Committee of Free Conference on Assembly Bill No. 5.

Respectfully,

JOHN R. EARDLEY,
Assistant Secretary.

Mr. Jones moved that a Conference Committee be appointed on the part of the Assembly.

Agreed to.

On motion of Mr. Huse, Mr. Speaker was appointed one of such Committee.

The Chair then appointed Messrs. Cary and Walton.

Mr. St. Clair moved that the House resolve itself into Committee of the Whole, to examine witnesses as they appear upon the list, as furnished by the Chairman of the Investigating Committee.

In Committee of the Whole, Mr. St. Clair in the chair.

The Committee of the Whole rose temporarily.

In House, Mr. Speaker in the chair.

The Chair announced that Mr. Cary was absent, and appointed Mr. Roney in his place as a member of the Free Conference Committee.

In Committee of the Whole, Mr. St. Clair in the chair.

In time the Committee rose, reported progress, and asked leave to sit again at 12 o'clock *x.* to morrow.

Report received, and leave granted.

Resolution by Mr. Tennant:

Resolved, That the thanks of this body are hereby tendered to the Honorable James A. St. Clair for his fair and impartial ruling while presiding over this body during the investigation of alleged charges of corruption in connection of the Members of this House.

Adopted.

On motion of Mr. Grimes, at 10 o'clock and 5 minutes P.M. the House adjourned.

T. V. JULIEN,
Speaker *pro tem.*

Attest—A. WHITFORD,
Clerk.

NINETEENTH DAY.

TUESDAY, April 2d, 1867.

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

Mr. Browne in the chair.

Roll called.

All present Messrs. Mallory and Swaney.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

REPORT OF STANDING COMMITTEE.

Mr. Speaker :

Your Committee on Contingent Expenses and Accounts, who, on yesterday, reported favorably on certain bills for Contingent Expenses of the Assembly, beg leave to withdraw the same, and offer the following substitute in lieu thereof:

John G. Fox, for stationery.....	\$38 75
John Painter, for chopping wood.....	9 37
B. L. Thomas, for office rent.....	25 00
E. S. Sweeney, for water furnished.....	40 00
W. D. Jenkins, for repairing chairs.....	10 50
Mason, Huff & Co., for coal and oil.....	16 00
W. E. Skeen, expenses in fitting up Assembly Chamber for Special Session of the Legislature.....	} 20 00

It will be seen that the bill of T. G. Smith, for two days' buggy hire, is omitted in this return, the same having been included in the Expense Account of the Sergeant-at-Arms, in his Report of Expenditures in connection with the Investigating Committee.

The bill of John G. Fox, thirty dollars, for stationery, was contracted by the Sergeant-at-Arms, in order to supply the Clerks and Official Reporter. A considerable amount of this stationery, however, is on hand at the present time, and will, at the close of the session, be turned over to the Secretary of State for State purposes.

Your Committee do, therefore, recommend that the foregoing bills be allowed.

Resolved, That the Sergeant-at-Arms be, and he is hereby authorized and instructed to draw his warrants on the Contingent Fund of the Assembly for the amounts herein specified, in favor of the respective parties above named.

JAMES A. ST. CLAIR,
Chairman.

Adopted.

Mr. St. Clair moved that the vote by which the resolution relating to adjournment was made the special order for 12 m. be reconsidered, and the resolution be now taken up.

Lost.

On motion of Mr. Munckton, Assembly Bill No. 12 was made the special order for 3 o'clock P.M. to-day.

Mr. Mayhugh moved that the vote by which the resolution in relation to State

Capitol Buildings was made the special order for 2 o'clock P.M. to-day be reconsidered.

Lost.

Mr. St. Clair moved that the Committee on Federal Relations be instructed to report the resolution relating to Utah at 7 o'clock P.M. to-day.

Agreed to.

Mr. St. Clair moved to take a recess until 12 M.

Lost.

Mr. Speaker :

Your Second Committee of Free Conference having met with a like Committee of the other branch of the Legislature, and having freely interchanged views in regard to Assembly Bill No. 5, concerning the revenue of the counties of this State, beg leave to report as follows :

That while five of the Joint Committee maintain and adhere to the justice of the original proposition contained in the House Bill, which proposes to levy an assessment of fifty cents on the one hundred dollars' value of the proceeds of the mines, after deducting the eighteen (18) and forty (40) dollars for extracting the bullion therefrom ; yet feeling and knowing the impossibility of passing the same through the Senate, we have yielded to the other members of the Committee, and consent that all other property outside the mines may be taxed in a ratio of six times the amount, or one dollar and fifty cents (\$1.50) on the one hundred dollars' value, while we, from sheer necessity, agree to adopt Senate amendment, which levies *only twenty-five cents* on each one hundred dollars on the proceeds as above, and we recommend the House reconsider its action had on yesterday, and adopt the report as recommended by the First Committee of Free Conference had between the two Houses, upon the bill under consideration.

R. D. FERGUSON,

Chairman House Committee.

B. S. MASON,

Chairman Senate Committee.

G. W. WALTON,

J. F. RONEY,

House Committee.

Upon the adoption of the report, the ayes and noes were called for by the requisite number, and report adopted by the following vote :

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Folsom, Groves, Julien, Jones, Koneman, Lissak, Mayhugh, Munckton, Mitchell, Poor, Parmater, Parker, Prince, Roney, Stampley, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—26.

NAYS—Messrs. Huse, Lammon, Potter, St. Clair, and Welch—5.

Mr. Speaker moved that the vote by which the House refused to adopt the report of the Committee on Conference be reconsidered.

Agreed to.

Mr. Julien moved to reconsider the vote by which the House refused to concur in Senate amendments to Assembly Bill No. 5.

Agreed to.

Mr. Julien moved that the House do now concur in Senate amendments to Assembly Bill No. 5.

Roll called, and amendments concurred in by the following vote :

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Folsom, Groves, Julien, Jones, Koneman, Lissak, Mayhugh, Munchton, Mitchell, Poor, Parmater, Parker, Prince, Roney, Stampley, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—26.

NAYS—Messrs. Julien, Potter, St. Clair, and Welch—4.

Special order for 12 o'clock M. postponed five minutes.

Mr. Jones moved that the vote by which the House concurred in Senate amendments to Assembly Bill No. 5 be reconsidered.

Agreed to.

On motion of Mr. Jones, Assembly Bill No. 5 was indefinitely postponed.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 2, 1867. }

To the Hon. the Assembly:

I am directed to transmit for the consideration of your hon. body, Senate Bill No. 9, the same having passed the Senate this day.

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 9 (as per Message).

Read first time; rules suspended; read second time by title; rules further suspended; bill placed upon its final passage.

Read third time, and passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Dana, Folsom, Groves, Julien, Jones, Koneman, Mayhugh, Munchton, Mitchell, Poor, Parmater, Parker, Prince, Roney, Strother, Tennant, Wingate, Walton, Wheeler, and Mr. Speaker—23.

NAYS—Messrs. Huse, Lissak, Lammon, Potter, and Welch—5.

On motion of Mr. Mayhugh, at 12 o'clock and 40 minutes P.M. the House took a recess until 2 o'clock P.M.

AFTERNOON SESSION.

House reassembled at 2 o'clock P.M.

Mr. Munchton in the chair.

Roll called—quorum present.

On motion of Mr. Mayhugh, the resolution relating to adjournment *sine die* was taken up.

Mr. Mayhugh moved to amend by inserting 12 M. to-morrow.

Agreed to, and resolution as amended adopted.

On motion of Mr. St. Clair, the special order for 2 P.M. was made the special order for 7 o'clock P.M. to-day.

Mr. St. Clair moved that this House, after the adjournment *sine die*, remain in Executive Session until the 25th of this month.

Mr. Koneman moved to amend by inserting the 16th instead of 25th.

Lost; and upon the original motion the ayes and noes were called for.

Roll called, and motion lost. Yeas, 11; Nays, 19.

Mr. St. Clair moved to reconsider the vote by which the special order was postponed until 7 o'clock P.M.

Agreed to.

Mr. St. Clair moved that the whole subject matter be indefinitely postponed, and upon which the previous question was called for and sustained. Upon the original motion the yeas and noes were called for by the requisite number, and agreed to by the following vote:

YEAS—Messrs. Browne, Cary, Dana, Grimes, Groves, Huse, Julien, Lissak, Lammon, Mayhugh, Parmater, Parker, Prince, Roney, St. Clair, Stampley, Strother, Walton, Wheeler, and Mr. Speaker—20.

NAYS—Messrs. Bence, Caldwell, Folsom, Jones, Koneman, Munckton, Mitchell, Poor, Potter, Tennant, Wingate, and Welch—12.

REPORT OF STANDING COMMITTEE.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Preamble and Resolutions relating to lands granted to the State of Nevada by the United States, with the engrossed copies as passed by the two Houses, and found the same correctly enrolled, and have this day filed the same with the Secretary of State. Also, report that they have carefully compared the following Assembly Bill with the engrossed copy, and found the same correctly enrolled, and have this day presented the same to the Governor for his approval, viz: "An Act to provide for the Selection and Sale of Lands granted by the United States to the State of Nevada."

W. C. GRIMES,
JOHN WELCH.

Resolution by Mr. Jones:

WHEREAS, our fellow citizen, Don Juande Dios Ibaseta, while in the employ of this Assembly, has so demeaned himself as to win our respect and confidence; and whereas, we learn with satisfaction that he has filled with honor to himself, several responsible positions in our sister State of California, among them Aide-de-Camp with the rank of Major, in the State Militia, and feeling desirous of bearing testimony to his qualities as a gentleman, and well worthy the confidence and esteem of our countrymen; therefore

Resolved, That the said Ibaseta has the cordial indorsement of this Assembly as being a gentleman of intelligence, integrity, and good moral character, faithful in his engagements, and eminently worthy the confidence of any of our countrymen who may avail themselves of his services in any private or public capacity.

Adopted unanimously, and the Clerk ordered to have the same enrolled, and presented to Mr. Ibaseta.

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

Senate Concurrent Resolution No. 21, in relation to Capitol Buildings, was made the special order for Thursday, April 4, at 5 P.M.

Jefferson Davis Resolutions were made the special order for Thursday, April 4, at 5 P.M.

On motion of Mr. Mayhugh, at 2 o'clock and 45 minutes P.M. the House adjourned to meet to-morrow at 10 o'clock A.M.

T. V. JULIEN,
Speaker *pro tem.*

TWENTIETH DAY.

WEDNESDAY, April 3d, 1867.

House met pursuant to adjournment, at 10 o'clock A.M.
The Speaker *pro tem.* in the chair.
Roll called—all present except Mr. Swaney.
Prayer by the Chaplain.
Journal of yesterday read and approved.

Mr. Mayhugh introduced Assembly Concurrent Resolution No. 19, relating to Assembly Bill No. 14.

Read and adopted.

Mr. Mayhugh introduced Assembly Concurrent Resolution No. 20, relating to adjournment *sine die*.

Read and adopted.

Mr. Jones, by leave, introduced Assembly Bill No. 21, entitled "An Act to amend an Act entitled 'An Act prescribing rules and regulations for the execution of the Trust arising under the Act of Congress, entitled 'An Act for the Relief of Citizens of Towns upon Lands of the United States under certain circumstances,' approved May 23, 1864, [1844] approved January 31, 1866."

On motion of Mr. Jones, at 10 o'clock and 30 minutes A.M. the House took a recess until 11 o'clock A.M.

House reassembled at 11 o'clock A.M.

Speaker *pro tem.* in the chair.

Roll called.

Quorum present.

Mr. St Clair, from the Committee on Contingent Expenses and Accounts, reported the accompanying resolutions, recommending their adoption:

Resolved, That the Sergeant-at-Arms of the Assembly be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for the sum of one hundred and four dollars, as per report of Committee of Investigation.

STATE OF NEVADA,

To THE SERGEANT-AT-ARMS,

Dr.

To summoning 22 witnesses..... \$22 00

Resolved, That the Sergeant-at-Arms of the Assembly be, and he is hereby authorized and instructed to draw his warrant on the Contingent Fund of the Assembly in favor of William Woodhurst for the above amount.

Mr. Bence moved to amend by striking out all except the fees and mileage allowed by law.

Lost, and original resolution as presented by the Committee adopted.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 8, 1867.

To the Hon. the Assembly:

I herewith return to you Assembly Concurrent Resolution No. 19, asking the Governor to return Assembly Bill entitled "An Act to amend an Act to create certain Funds," the same having been concurred in by the Senate this day.

Respectfully submitted,

JOHN R. EARDLEY,
Asst. Secretary.

Mr. Speaker was appointed a Special Committee of one to wait on the Governor with the resolutions that passed this morning.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, April 8, 1867.

To the Hon. Assembly of Nevada:

I approved on the 2d inst. Assembly Bill No. 8, (passed during your Special Session) "An Act to provide for the Selection and Sale of Lands granted by the United States to the State of Nevada."

H. G. BLASDEL,
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, April 8, 1867.

Gentlemen of the Senate and Assembly:

In pursuance of the authority vested in me by the Constitution, I respectfully call to your attention, as a matter necessary and proper to be considered by the Legislature at this Special Session, amendments to the Act of the Second Session, approved January 31, 1866, entitled "An Act prescribing Rules and Regulations for the execution of the Trust arising under the Act of Congress entitled 'An Act for the Relief of Citizens of Towns upon Lands of the United States under certain circumstances,' approved May 23, 1844." From information deemed reliable, Congress has amended the Act having relation to the procurement of titles to town lots in this State which is above cited, in such manner as rendered necessary corresponding amendments to our State law, whereby we may be enabled to secure the benefits of the Federal Act.

I therefore recommend to your consideration, such needed amendments to the Act first cited (page 54, Statutes 1866) as will fully secure the benefits of the amendatory Act of Congress, and such other Acts in relation to the same subject matter as may be passed hereafter by Federal authority.

I herewith transmit communications Nos. 1 and 2 from the Controller to myself, and call to your attention the respective matters of needed legislation in them specified, that you may act as you deem proper in the premises.

Respectfully submitted,

H. G. BLASDEL,
Governor.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 Carson City, April 3, 1867. }

To the Honorable the Assembly:

I am directed to transmit for your consideration, Senate Bill No. 23, "An Act providing for the payment of the Contingent and other necessary expenses of the Third General and Special Sessions of the Legislature of the State of Nevada," the same having passed the Senate this day.

Respectfully submitted,

JNO. R. EARDLEY,
 Ass't Secretary.

Senate Bill No. 23 (as per Message).

Read first time; rules suspended; read second time by title; rules further suspended; read third time and passed by the following vote:

YEAS—Messrs. Browne, Bence, Grimes, Groves, Huse, Julien, Jones, Koneman, Lissak, Mallory, Mayhugh, Munckton, Mitchell, Poor, Parker, Potter, Roney, St. Clair, Stampley, Tennant, Wingate, Walton, and Welch—24.

NAYS—Mr. Strother—1.

RESOLUTIONS.

By Mr. St. Clair:

Resolved, That the Sergeant-at-Arms be, and he is hereby authorized to draw his warrant in favor of D. C. Williams, for services rendered as Clerk of the Committee of Investigation, and General Clerk of the Assembly; also, for services rendered as temporary Sergeant-at-Arms, at a per diem of six dollars during the session.

Resolved, That the resolution adopted March 15th, allowing D. C. Williams one week's pay as Clerk of the Investigating Committee be, and the same is hereby rescinded.

Upon the adoption of the resolutions, the ayes and noes were called by the requisite number, and adopted by the following vote:

YEAS—Messrs. Browne, Bence, Groves, Huse, Koneman, Lammon, Mayhugh, Mitchell, Poor, Parmater, Parker, Potter, Roney, St. Clair, Stampley, Strother, Walton, Welch, and Mr. Speaker—18.

NAYS—Messrs. Bence, Folsom, Julien, Jones, Lissak, Mallory, Munckton, Prince, Tennant, Wingate—10.

The Special Committee of one to wait on the Governor made a verbal report:

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
 Carson City, April 3d, 1867. }

To the Hon. the Assembly:

I am directed to return Assembly Concurrent Resolution No. 16, relating to adjourning *sine die*, the same having been rescinded by the Senate.

On motion of Mr. Mayhugh, Mr. Speaker was requested to make a written

report of his conversation with the Governor, for the purpose of having the same spread upon the Journals of this House.

STATE OF NEVADA, ASSEMBLY CHAMBER, }
Carson City, April 3d, 1867. }

Mr. Speaker :

The undersigned, Chairman of the Committee on Federal Relations, reporting for himself, and not for the balance of the members composing said Committee, begs leave to report that he has had under consideration Senate Joint Resolution No. 17, requesting Congressional action in regard to affairs in Utah Territory, that he has carefully examined said resolutions, and finds them containing untruths too palpable to admit of said resolutions being recognized by this body, in these :

First—The Monroe Doctrine is not subversive of the Constitution, and in direct antagonism with the spirit of our republican institutions.

Second—It has not nullified the Organic Act of the Territory, from the fact that Courts are held in said Territory, in conformity with the laws of the United States, and in keeping with the Organic Act.

Third—Their peculiar faith has not prevented the settlement of said Territory, but on the contrary, has invited more immigration than any of our Territories ; the settlers are more prosperous, and, in the opinion of the undersigned, happier than any people west of the Rocky Mountains.

Fourth—That murders have been committed in said Territory no one can deny. Our State, as well as every State in the Union, has not been more fortunate.

Fifth—They have not monopolized the commercial interests of the Territory. Free trade is enjoyed by hundreds not members or followers of the Mormon faith.

Sixth—Under their religious belief they are not planting a nation of bastards, as the undersigned believes their children are born in lawful wedlock as much as the children of any religious creed in the United States.

In view of the above facts, the undersigned respectfully recommends that said resolution do not pass.

THOMAS J. TENNANT,
Chairman.

Mr. Speaker :

The majority of your Committee on Federal Relations, to whom was referred Joint Resolution requesting Congressional and Executive action in regard to affairs in Utah Territory, beg leave to report that they have had the same under consideration, have made no amendments thereto, and recommend the passage of the resolution.

B. V. POOR,
A. K. POTTER,
M. N. MITCHELL,
Committee.

Resolved, That the Speaker and Sergeant-at-Arms be, and they are hereby instructed to issue their skeleton scrip on the Controller of State for the sum of eighty dollars, in favor of Juan D. Ybaseta, which sum is hereby allowed him for services as Night Watchman for the Assembly Chamber during the Special Session, said sum to be paid out of the Legislative Fund.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 3d, 1867. }

To the Hon. the Assembly:

I am instructed to return to your honorable body Assembly Concurrent Resolution No. 20, relating to adjourning *sine die*, the same having passed the Senate.

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Sec. Senate.

On motion of Mr. Munckton, the House resolved itself into Committee of the Whole for the consideration of Assembly Bill No. 21, Mr. Browne in the chair.

In time the Committee rose, and reported the bill back to the House amended, recommending its engrossment and passage.

Report adopted, and ordered engrossed.

Mr. St. Clair moved that the Mormon Resolution be made the special order for the 4th of July next.

Mr. Bence moved, as a substitute, that the resolution be now considered.

Agreed to.

Mr. St. Clair moved that the reading of the resolution be dispensed with.

Mr. Bruce moved that the report of the majority of Committee on Federal Relations be adopted.

Mr. St. Clair moved, as a substitute, that the whole subject matter be indefinitely postponed.

Lost, and original motion agreed to.

Mr. Grimes moved to take a recess until 2 o'clock P.M.

Lost.

Mr. Koneman moved that the Utah Resolution be made the special order for 2 o'clock P.M.

Lost.

Mr. Huse moved the adoption of the resolution, upon which the previous question was called for.

Mr. Koneman moved that the announcement of the vote be made the special order for 2 o'clock P.M.

Lost.

Mr. St. Clair moved, as a substitute, that the announcement of the vote be postponed until to-morrow, at 2 P.M.

The vote being announced, the resolution was lost by the following vote:

YEAS—Messrs. Browne, Bence, Caldwell, Folsom, Huse, Julien, Koneman, Mallory, Mitchell, Poor, Prince, Potter, Roney, Stampley, Strother, and Walton—16.

NAYS—Messrs. Grimes, Groves, Jones, Lissak, Mayhugh, Munckton, Parmater, Parker, St. Clair, and Welch—10.

On motion of Mr. Munckton, at 12 o'clock and 40 minutes P.M. the House took a recess until 3 o'clock P.M.

House reassembled at 3 o'clock P.M.

Speaker *pro tempore* in the chair.

Roll called—quorum present.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
 Carson City, April 3d, 1867. }

Gentlemen of the Senate and Assembly:

I respectfully call your attention to the fact: there is no law of this State prescribing the manner of qualification of Public Administrators, and prescribing their duties as such, and as Coroners. I think you should pass a suitable Act on the subject.

Respectfully submitted,

H. G. BLASDEL,
 Governor.

Mr. Munckton was appointed a Special Committee of one, with instructions to draw a bill in accordance with the Governor's Message.

Mr. Julien, by leave, introduced Assembly Bill No. 23, entitled "An Act making additional appropriations for the Support of the Civil Government of the State of Nevada for the third and fourth fiscal years, and for supplying the deficiency of appropriations for the Payments of Bounties and extra pay for our Volunteer Soldiers called into the service of the United States."

Read first time; rules suspended; read second time by title.

On motion of Mr. St. Clair, the House resolved itself into Committee of the Whole for the consideration of the bill, Mr. Julien in the chair.

In time the Committee rose, and reported the bill back to the House, recommending that it be considered engrossed and placed upon its final passage.

Report of Committee adopted, and Committee discharged.

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

YEAS—Messrs. Browns, Bence, Cary, Dana, Folsom, Grimes, Groves, Huse, Julien, Jones, Koneman, Lissak, Mallory, Munckton, Mitchell, Poor, Parmater, Parker, Potter, Roney, Wingate, and Walton—26.

NAYS—Messrs. Mayhugh, St. Clair, Stampley, and Tennant—4.

Mr. Speaker:

Your Committee on Engrossment beg leave to report that they have carefully compared Assembly Bill No. 21, and found the same correctly engrossed.

T. V. JULIEN,
 Chairman.

Gentlemen of the Assembly:

Acting by appointment from this body to present to his Excellency the Governor a resolution requesting the immediate return, with or without his approval, of Assembly Bill No. 14, which creates a Contingent Fund for the Legislature, and having made a verbal report in relation thereto, which by resolution you have required to be written that it may be spread upon the Journals of this House:

Therefore, in obedience to the above, I have to say that I called upon his Excellency and presented the resolution, after the reading of which, and a short interval, I inquired, "Governor, what reply have you to make to the resolution?"

He answered, "Nothing."

I then said, "Governor, the resolution calls for the immediate return of the bill, or a reply in answer to its contents."

He said, "I have not time to write a Veto Message," and said further, that neither branch of the Legislative department owed for any service legally contracted which could not be paid out of the Legislative Fund, and referred me to the Statutes of 1864 and 5, page 101, designating the attachés of the Legislature; also to Art. 4 of the Constitution, sections 28 and 35, in connection therewith, and added that he had signed a similar bill, or bills, at a former session, supposing that it, or they, would be tested before the State Controller.

My conclusions were, and are, that he will not return the bill for the consideration of the Legislature at its present session.

Respectfully,

R. D. FERGUSON,
Committee.

Assembly Bill No. 21, entitled "An Act to amend an Act entitled an Act prescribing Rules and Regulations for the Execution of the Trust arising under the Act of Congress entitled 'An Act for the Relief of Citizens of Towns upon Lands of the United States under certain circumstances.'"

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

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Grimes, Groves, Huse, Julien, Jones, Koneman, Lissak, Mayhugh, Munckton, Mitchell, Poor, Parker, Prince, Potter, Roney, St. Clair, Stampley, Tennant, Wingate, Walton, Welch, and Mr. Speaker—27.

On motion of Mr. Jones, the titles of the bill amended to correspond with the provisions of the bill.

Resolved, That the thanks of this House are hereby tendered to the Hon. R. D. Ferguson, Speaker of the Assembly of the State of Nevada, for his gentlemanly and courteous deportment towards members of the House, and for his efficient and impartial conduct as Presiding Officer of the same.

Resolved, That the thanks of this House be, and are hereby tendered to Mr. Julien, the Hon. Speaker *pro tem.*, for the able and courteous manner in which he has discharged his duties in such capacity.

Resolved, That the thanks of this House be, and are hereby tendered to the Chief Clerk of this House, Mr. A. Whitford, for the efficient and able manner in which he has discharged his duties; also, to the attachés of this body, for their courteous deportment and manifest attention to all the duties pertaining to their several positions.

Laid over until 7 o'clock P.M.
Unanimously adopted.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 8d, 1867.

To the Honorable the Assembly:

I am directed to transmit the following Senate Bills for the consideration of your honorable body, the same having passed the Senate this day.

No. 27, "An Act supplementary to Act entitled 'An Act making Appropriations for the Support of the Civil Government of the State of Nevada for the 3d and 4th fiscal years,' approved March 12th, 1867."

No. 28, "An Act concerning the Office of Public Administrator, and the Estates of Deceased Persons."

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary.

Senate Bill No. 27 (as per Message).

Read first time; rules suspended; read second time by title.

On motion of Mr. St. Clair, the House resolved itself into the Committee of the Whole, for the consideration of the bill.

Mr. Julien in the chair.

In time the Committee rose, and reported the bill back to the House, recommending its passage.

Report received, and Committee discharged.

On motion of Mr. Munckton, the bill was made the special order for 7 o'clock P.M.

On motion of Mr. Jones, a call of the House was ordered.

Roll called.

Absent—Messrs. Huse, Lammon, Mallory, Farmater, Roney, Strother, and Wheeler.

On motion of Mr. Munckton, the further call of the House was dispensed with.

On motion of Mr. Munckton, the vote by which Senate Bill No. 27 was made the special [order] for 7 o'clock P.M., was reconsidered.

On motion of Mr. Koneman, the Sergeant-at-Arms was ordered to bring in the members.

Senate Bill No. 27.

On motion of Mr. Munckton, the rules were suspended; bill read third time, and passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Folsom, Grimes, Groves, Jones, Koneman, Mallory, Mayhugh, Munckton, Mitchell, Poor, Farmater, Parker, Prince, Potter, St. Clair, Stampley, Tennant, Wingate, Walton, and Mr. Speaker—25.

NAYS—Messrs. Julian and Welch—2.

Senate Bill No. 28 (as per Message).

Read first time; rules suspended; read second time by title; rules further suspended; read third time, and passed by the following vote:

YEAS—Messrs. Browne, Bence, Cary, Caldwell, Dana, Folsom, Groves, Huse, Julien, Jones, Koneman, Mallory, Mayhugh, Munckton, Mitchell, Poor, Farmater, Parker, Prince, Potter, Stampley, Tennant, Walton, Welch, and Mr. Speaker—24.

NAYS—Mr. St. Clair—1.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that they have carefully compared Assembly Concurrent Resolution No. 20, relative to Adjournment *sine die*, as passed by the two Houses, and found the same correctly enrolled, and have this day filed the same with the Secretary of State.

W. C. GRIMES,
JOHN WELCH.

Mr. Julien asked for leave of absence for the evening.

Leave granted.

Mr. Tennant moved that a Committee of three be appointed to wait upon the Governor.

Agreed to.

The Chair appointed Messrs. Tennant, Jones, and Julien, as such Committee.

On motion of Mr. Mayhugh, at 4:50 P.M. the House took a recess until 7 o'clock P.M.

EVENING SESSION.

House reassembled at 7 o'clock P.M.

Mr. Huse in the chair.

Roll called.

No quorum present.

On motion of Mr. Mayhugh, a call of the House was ordered.

Roll called.

Absent—Messrs. Browne, Bence, Cary, Folsom, Groves, Julien, Koneman, Lammon, Mallory, Munchton, Parmater, Prince, Roney, St. Clair, Stampley, Strother, Wingate, Wheeler, and Mr. Speaker.

Messrs. St. Clair, Stampley, Cary, and Mr. Speaker appearing at the bar of the House, were excused.

Messrs. Groves, Munchton, Poor, Folsom, Koneman, Caldwell, and Prince appearing at the bar of the House, were excused.

On motion of Mr. Mayhugh, the further call of the House was dispensed with.

Mr. Speaker:

Your Select Committee appointed to wait upon and inform his Excellency the Governor the hour of our *sine die* adjournment, and inquire if he had any further communication to make to this body, have performed that duty, and beg to report that his Excellency has no further communications to make to this House.

Respectfully,

THOS. J. TENNANT,
Chairman Select Committee.

Resolutions of thanks to the Officers and Attachés of the Assembly taken up.

Mr. Munchton moved to amend, by inserting "our worthy and efficient Official Reporter," and on motion of Mr. Jones, the resolutions, as amended, were adopted unanimously.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
Carson City, April 3, 1867.

To the Honorable the Assembly:

I am directed to return to your honorable body Assembly Bill No. 21, "An Act amendatory of and supplementary to an Act entitled 'An Act prescribing Rules and Regulations for the execution of the Trust arising under the Act of Congress, entitled 'An Act for the Relief of Citizens of Towns upon the Lands

of the United States under certain circumstances,' the same having passed the Senate without amendment.

Respectfully submitted,

JOHN R. EARDLEY,
Assistant Secretary Senate.

Mr. Speaker :

Your Committee on Enrollment beg leave to report that they have carefully compared the following Assembly Bill with the engrossed copy, as passed by the two Houses, and found the same correctly enrolled, and have this day presented the same to the Governor for his approval :

No. 21, " An Act amendatory of and supplementary to an Act entitled an Act prescribing Rules and Regulations for the execution of the Trust arising under the Act of Congress, entitled ' An Act for the Relief of Citizens of Towns upon Lands of the United States under certain circumstances,' approved May 23d, 1844, approved January 31st, 1866."

W. C. GRIMES,
Of Enrollment Committee.

RESOLUTIONS.

By Mr. St. Clair :

Resolved, That the Sergeant-at-Arms be, and he is hereby instructed to turn over to the Secretary of State all stationery now in his possession, for the use of the next Legislature, together with all other properties of the Legislature.
Adopted.

Resolved, That the Speaker and Clerk of the House be, and are hereby authorized to approve of the Journals of this day after the close of the session.
Adopted.

On motion of Mr. Julien, the Governor was invited to a seat within the bar.

The hour of adjournment having arrived, the Speaker declared the House adjourned *sine die*.

R. D. FERGUSON,
Speaker.

Attest—A. WHITFORD,
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