

THIRTEENTH SESSION

FORTY-SIXTH DAY.

SENATE.

Senate met at 10:30 A. M., President Davis in the chair.

Roll called, quorum present. Prayer by Rev. George R. Davis. Journal read and approved.

INTRODUCTION OF BILLS.

By Boyle—S. B. 101, an Act to provide for the organizing of the military of the State. Referred to Com. on Military Affairs.

By Boyle—S. B. 102—An Act to declare lotteries illegal. Referred to Judiciary Committee.

GENERAL FILE.

S. B. No. 93—An Act to consolidate certain county offices in the State and fixing compensation thereof. The bill refers to Douglas county and all having no more than 500 voters. Makes District Attorneys Supt. of Schools and County Clerks County Treasurers. Passed.

A. B. No. 86—An Act reducing the salaries of certain county officials. Laid on table.

S. B. No. 99—An Act relating to the qualifications of voters. [Disqualifies Mormons and Latter Day Saints.] Laid on table.

S. B. No. 48—An Act to amend an Act to provide for the better keeping of the mining records of the State. Indefinitely postponed.

S. B. No. 69—An Act to provide for lighting the State Prison and Orphans' Home with gas. Referred to Com. of the Whole.

Senator Lyman in the chair. Bill reported favorably by Committee. Read third time and passed in Senate.

S. B. No. 95—An Act to provide for a State Immigration Bureau. Passed.

A. B. No. 60.—An Act to encourage the growth of forest trees. Indefinitely postponed.

A. B. 12—An Act levying rate of poll-tax on Indians and non-residents. Laid on table.

A. B. No. 82—An Act to regulate the sale of State law books and reports. Referred to Com. on Ways and Means.

A. B. 73—An Act to amend an Act authorizing county commissioners to surplus money from one fund to another. Referred to Judiciary Committee.

A. B. 84—An Act relating to maps of State and counties. Referred to Com. on County and County Boundaries.

By Osburn—S. B. 102—An Act to repeal Section 14 of an Act to license insurance companies. Referred to Judiciary Committee.

By Thoma—No. 104, an Act to provide for sanitary measures for the live stock of the State. Referred to Committee on Agriculture.

At noon recessed to 1:30 P. M.

AFTERNOON SESSION.

S. B. 73 (Harris)—Relating to public highways. Tabled.

S. B. 74 (Hardesty)—Providing for registry of births and deaths. Ordered engrossed.

S. B. 100 (Boyle)—Authorizing State Lottery for Irrigation Fund. Passed; 13 to 2.

S. B. 37 (Forbes)—Relating to District Attorneys and partners. Passed.

Message received from Governor, approving Senate bills 21, 54 and 60.

Senate adjourned.

ASSEMBLY.

House called to order at 10:30 A. M., Speaker McDonell in the chair.

Roll called, quorum present. Prayer by Rev. Van Deventer. Journal read and approved.

INTRODUCTION AND FIRST READING.

By Albright—A. B. 105; an Act to provide revenue for State. [Classifies bankers.] Referred to Judiciary Committee.

By McConnell—A. B. 106; an Act for the better protection of stockholders in mining corporations. [Provides for all books being kept open for inspection.] Referred to Committee of the Whole.

GENERAL FILE.

A. B. No. 82—An Act to regulate the sale of State law books. Passed.

A. B. No. 84—An Act in relation to maps of State and county boundaries. Passed.

A. B. 96—An Act relating to,

boot and shoe factory at State Prison. Ordered engrossed.

A. B. 73—Provides for transferring surplus funds by County Commissioners of Storey County. Passed.

A. B. 101—An Act relating to county certificates on warrants. Ordered engrossed.

S. B. 77—An Act to restrict the sale of cigars, cigarettes and tobacco to minors under age of 18 years. [Makes a violation of the Act a misdemeanor, punishable by a fine of \$200.] Passed.

S. B. 82—An Act to prohibit the use of fire-arms in public places. [Prohibits the carrying of concealed weapons.] Laid on table.

S. B. 37—An Act in relation to District Attorneys and partners thereof. Amendments of Conference Committee agreed to.

Pike, by leave, introduced A. B. 107, an Act to prevent the dealing of stud horse, poky-poky or percentage poker. Referred to Committee on Public Morals.

Recess till 1:30.

AFTERNOON SESSION.

A. B. 29—An Act relative to fees and compensations of State officials. Passed; 35 to 5.

Resolution by Farr—To pay expenses of Joint Committee on sawdust in Truckee river. Adopted.

Messrs. Smith, Logan and Mercer were appointed as a Committee to receive Pacific Coast Pioneers.

Resolution appropriating money for Bi-Metallic Association. Resolution adopted.

Substitute for A. B. No. 36, relative to appointing Court Commissioners, Lost; 16 to 20.

House adjourned.

THE SAWDUST QUESTION.

REPORT OF THE LEGISLATIVE COMMITTEE.

A Matter of Vital Importance to Nevada.

CARSON CITY, Feb. 15, '87. To the Honorable the Legislature of the State of Nevada, in Senate and Assembly convened:

GENTLEMEN: On the 12th of the present month an official dispatch was received from Sacramento informing the Legislature of Nevada that a Joint Committee of the California Legislature would be in Truckee on Sunday morning for the purpose of investigating the question of damages suffered by citizens of Nevada on account of the depositing of sawdust in the Truckee river by citizens of California, and inviting the presence of a like committee from this body.

Recognizing the importance of the subject, and believing the circumstances to be urgent, the presiding officers of the Senate and Assembly chose a Joint Committee to repair to Truckee for the purpose of properly presenting a statement of the wrongs of our people, and of demanding relief at the hands of the California law-makers. On behalf of the Senate Messrs. Fish and Osburn were appointed, and on behalf of the Assembly Messrs. Lemery, Pike and Drury were named.

This Committee accordingly went to Truckee, where on the morning of the 13th they were met at McKay's Hotel by the California Committeemen, composed as follows: From the California Senate, Hons. B. V. Sargent, A. J. Jones and A. Walworth. From the California Assembly, Hons. George Williams, Frank McGowan, E. Lewis, S. Carr and S. I. Sykes. Senator Yell was also with the party, although not a member of the Committee.

The two joint committees organized by the election of Hon. A. J. Jones as Chairman, whereupon the Nevada representatives were asked to make known their grievances. In response Senator Fish opened the discussion with an eloquent and telling statement of the facts involved, and clearly set forth the immense damage sustained by our citizens, basing his argument not only on the injury done to our fishing interests so far as the Truckee river is concerned, but also to those agricultural districts which are dependent upon the Truckee river for irrigation facilities. The greatest and most impressive point made by the speaker, however, was that the health of the people of Reno had been to an alarming extent impaired by the use of water taken from the Truckee river for domestic purposes. He claimed that an epidemic of scarlet fever was caused in Reno last summer from this cause alone.

Assemblyman Pike followed and made an extended and able argument, bringing out the fact that one great evil from which our people suffer results from the manner in which the flow of the Truckee river is manipulated by the lumber merchants who have for years been contaminating its waters. He claimed that the sawdust was of itself deleterious, but thought this was not the worst side of the case. The sawdust, being swept into the stream, formed in ridges in shallow places, and in fact literally lined the banks from the point where the mills are located to where the river empties into Pyramid Lake. In order to float their logs to their mills, the millmen are every day or two compelled to increase the flow into the river. This is done by opening the flood gates of the dam where the river comes out of Lake Tahoe. The result is that the sawdust is carried up on the rocky bars and boulders, where the receding water leaves it to heat and ferment in the sun's rays, engendering a slimy acid, which, at the succeeding flooding of the river, is taken into the river, to the injury of the fish in said river and seriously endangering the health of the people who are dependent upon the water of said river as a source of supply for domestic purposes. In this connection he cited the epidemic which raged in Reno last season in Bishop Whitaker's School for Girls, which has been brought under his personal observation by the fact that a member of his family was one of the victims. Every citizen of the State, he said, is interested in the question, because several prominent public and private institutions are located at Reno.

Mr. Alvaro Evans, of Reno, gave his opinion upon the subject, as did also Senator Osburn. They agreed with the speakers who preceded them. Mr. Mason, editor of the Truckee Republican, was the principal speaker on behalf of the sawmill proprietors. He denied that sawdust was injurious to fish, and stated that this question of injury to the health of the people of Reno was a new one; that the people of the Truckee basin had never heard such a thing before. He made as good an argument as possible, considering the weakness of his case. Mr. N. S. Moody and Col. Irons coincided with Mr. Mason. Mr. Richardson, the only practical millman present, testified that he did not think sawdust injurious to fish, but said if it were true that the health of any of the citizens of Nevada was in any way impaired by the sawdust, it would certainly be the duty of the mill owners to keep the sawdust out of the river. Upon some it would work a serious hardship, but as for himself, he would close down his mill and go into some other business rather than to do anything which would endanger the health or life of any human being. He was not yet convinced, however, that the sawdust had been the cause of the epidemic in Reno. He believed there had been as much sickness in Carson and other places as in Reno. He said the product of the sawmills on the Truckee river is about forty million feet a year, one-sixth of which goes into the river in the shape of sawdust. The cost of preparing furnaces for burning this sawdust would, in his opinion, be in the neighborhood of \$4,000 or \$5,000 for each mill.

As the question was raised as to whether or not the sawdust in the river had caused the epidemic, the members of the California Committee expressed a desire to take the testimony of experts upon that matter, and asked if it would be possible to call any of the practicing physicians of Reno before the Committee. As the time was limited, it was deemed impracticable to send to Reno for the physicians, and therefore your Committee resolved to invite the Californians to make a visit to Reno, and learn from the physicians themselves just what they thought concerning the question under consideration. This invitation was accepted, and a train was chartered for the occasion.

The Committee reconvened at the Depot Hotel in Reno, where after a repast, in which many prominent citizens of Reno participated, the physicians of that city were introduced by Col. R. H. Lindsay, who laid down the broad principle that one State had no right to permit its citizens to perpetrate acts injurious to the citizens of another State.

He spoke with much feeling and earnestness on the subject of the little ones who are even now prostrated by the dire effects of this poisoned water.

Dr. Bergstein testified that he had made a careful study of the question of sawdust in the river, and he unhesitatingly gave it as his opinion that the epidemic of typhus-malarial fever which prevailed last season was due entirely to the fact that the city's water supply was poisoned by this sawdust. He had been called to attend cases at Bishop Whitaker's school at a time when there were more than a dozen patients suffering from the disease mentioned by him. He had made a most thorough examination of the premises, and had found their hygienic condition absolutely perfect. The school was situated on an elevation, and the drainage was everything that could be desired. In view of these facts he was forced to the conclusion that the disease could be traced solely to the use of sawdust-poisoned water from the Truckee river. One thing that confirmed him in this position was that in other portions of the city where water from the river was used, the fever raged, while poor people, who were unable to have any water except that which they got from the wells, escaped its effects altogether. This was true, though ordinarily the poorer classes would be more liable to the disease than those who were better off.

Doctors Dawson, Bishop and Lewis emphatically indorsed everything said by Dr. Bergstein, and answered the shrewd questions of the California Committeemen to their evident satisfaction.

General Downing addressed the Committee from the standpoint of a citizen interested in the welfare of the State, and particularly interested in the healthful condition of the city in which he resided. Attorney General Alexander being called upon, made a profound exposition of the legal principles involved, and stated that though our people believed they had good cause for action, and though they probably could compel a recognition of their rights by appealing to the courts, yet they preferred to ask of California this act of simple justice—that the waters of the Truckee river be permitted to flow pure as they came from the snows of heaven, uncontaminated by sawdust or any other deleterious substance unlawfully deposited therein by the people of California.

During the examination it was asserted that the dam at Verdi in this State is arranged so that fish from Pyramid Lake cannot get above it. Just here we beg leave to call attention to Fish Commissioner Cary's report, wherein he asserts that such statement is incorrect. In conclusion, your Committee beg to say that they believe the California Committeemen to be practically unanimous in accepting the Nevada view of the case. Respectfully submitted,

R. S. OSBURN, Chairman of Senate Committee. WELLS DRURY, Chairman Assembly Committee.

ALL SORTS.

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