

L A W S
OF THE
TERRITORY OF NEVADA,

PASSED AT THE
FIRST REGULAR SESSION

OF THE
LEGISLATIVE ASSEMBLY,

BEGUN
THE FIRST DAY OF OCTOBER AND ENDED ON THE TWENTY-NINTH DAY
OF NOVEMBER, 1861, AT CARSON CITY.

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CHAP. XLIV.—*An Act to supply the City of Carson with Water, and to protect the City against Fires.*

[Approved November 23, 1861.]

Be it enacted, by the Governor and Legislative Assembly of the Territory of Nevada, as follows:

SECTION 1. That John J. Musser, Jonathan Wilde, Sarah A. Blackburn, and John G. Kelly, and their associates, shall have the right for the term of fifty years, and the same is hereby granted to said parties and their assigns, to lay distributing water-pipes in any of the public streets or alleys of the city of Carson, and county of Ormsby; *provided*, said pipes shall be so laid down, as not to interfere or obstruct the public thoroughfares of said city [of Carson] and county of Ormsby.

Corporators.

Franchise.

SEC. 2. Said streets, or ways, in which said pipes may be laid, to be placed in the same good order and condition by the said John J. Musser, Jonathan Wilde, Sarah A. Blackburn, John G. Kelly, and their associates, as the same were before said pipes were laid down, at their costs and charge, and under the supervision of the superintendent of streets and highways, and to his satisfaction.

Streets, to be kept in good condition.

SEC. 3. The rate or price to be charged for water, shall be fixed by the county commissioners of Ormsby County.

Water rates.

SEC. 4. It shall be the duties of said parties to commence the said work within six months from the time of the passage of this act.

To commence works

SEC. 5. The city of Carson, or county of Ormsby, shall have the right, at any time after the expiration of five years from the passage of this act, on giving six months' notice of their intention to do so, to purchase all the works and franchise hereby granted to said parties, which may be in use for the purpose of supplying water to the people of said city and county, at their true value, to be determined by two commissioners selected by the company, two by the county commissioners, and one selected by the four commissioners; *provided*, the town of Carson City, for fire purposes, the fire companies, and fire department, shall be furnished water free of charge; and further *provided*, the works sufficient to supply said city with good and pure water, shall be completed within two years from the passage of this act; and *provided*, the board of county commissioners of Ormsby County shall, at all times, have power to order any improvements, or repairs, in the water works of the parties owning the franchise hereby granted, which they may think necessary for the health or convenience of the people of the said town of Carson; and *provided*, further, if the said parties, owners of the said franchise, shall fail, or refuse to comply with any order of the said board of county commissioners lawfully made, it shall be unlawful for them to

Right to purchase.

Fire purposes.

Completed.

Repairs.

collect or receive any charge for water, until such order shall have been complied with.

CHAP. XLV.—*An Act relative to District Attorneys.*

[Approved November 28, 1861.]

Be it enacted, by the Governor and Legislative Assembly of the Territory of Nevada, as follows:

- SECTION 1.** That there shall be a district attorney for each judicial district of this territory, appointed as provided by law, who shall, before entering upon the duties of his office, take the oath provided by law, and shall execute a bond, with two or more sureties, to the territory, for the faithful discharge of the duties of his office, in the penal sum of five thousand dollars, which bond shall be approved by the judge of his district, and filed in the office of the secretary of the territory.
- SEC. 2.** It shall be the duty of the district attorneys, in their respective districts, to prosecute all criminal cases and all civil cases, in which any county of his district, or the territory, is a party.
- SEC. 3.** Each district attorney shall receive an annual salary of two thousand dollars, payable quarterly, out of any money in the territorial treasury not otherwise specifically appropriated by law; and it shall be the duty of the territorial auditor, to draw his warrant on the treasurer for the same; and if said warrants are not paid, on presentation, then the same to draw interest, at the rate of ten per cent. per annum, until paid.
- SEC. 4.** Each district attorney, in addition to the salary provided for in the last preceding section, shall receive ten per cent. on all moneys collected by him and paid over to the territory, or any county thereof. He shall also receive, to be paid out of the county properly chargeable with the expenses of the case, on conviction of a capital offense, fifty dollars; on conviction of any other felony, twenty-five dollars, and on conviction of a misdemeanor, in the district court, fifteen dollars.
- SEC. 5.** It shall also be the duty of the district attorney, without charge, to attend the sessions of the supreme court, and to prosecute the cases therein pending from his district, and to give his official opinion to any territorial, county, or township officers, and also, without charge, to attend and prosecute in criminal cases before the justices of the peace of his district, when not engaged in the supreme or district courts.

To give bonds.

Duty of.

Salary.

Fees.

Further duties.