

STATUTES  
OF THE  
STATE OF NEVADA

PASSED AT THE  
EIGHTH SESSION OF THE LEGISLATURE,  
1877.

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



CARSON CITY:  
JOHN J. HILL, STATE PRINTER.  
1877.

pay the interest on said bonds; and during the year A. D. eighteen hundred and seventy-eight, and up to the first Monday in July, A. D. eighteen hundred and seventy-nine, a sufficient sum shall be set apart to pay in full said bonds and the remaining interest thereon.

Commissioners to issue bonds when necessary.

SEC. 2. Whenever in the opinion of the Board of County Commissioners, the issuance of said bonds is necessary for the best interests of Eureka County, the County Treasurer shall sell, at par, the whole amount herein provided for, or any part thereof, as said Commissioners by order may direct; and the proceeds of such sale shall be placed in the County Treasury as a fund for the liquidation of the present bonded debt of Eureka County, and shall be applicable to no other purpose.

Form of bonds.

SEC. 3. The County Commissioners are hereby authorized and empowered to have said bonds printed in form and manner to carry out the provisions of this Act.

CHAP. VI.—*An Act to legalize certain contracts made by the Mayor and Board of Aldermen of the City of Virginia, Storey County, State of Nevada, and the "Virginia and Gold Hill Water Company," of the same place, and for the issuance and sale of bonds for the payment of said indebtedness thereby incurred.*

[Approved January 22, 1877.]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

Contracts of certain dates legalized.

SECTION 1. That all contracts made by the Mayor and Board of Aldermen of the City of Virginia, with the Virginia and Gold Hill Water Company, both of the County of Storey, State of Nevada, dated on the eighth day of December, eighteen hundred and seventy-five, and on the eighth day of June, eighteen hundred and seventy-six, are hereby legalized, confirmed, and declared valid, to all intents and purposes, and all bonds that may be issued by the Mayor and Board of Aldermen of the City of Virginia for the purpose of providing money for the payment of the indebtedness incurred by said contracts, are hereby declared to be legal and valid obligations of and against said city, and the faith and credit of said city are hereby pledged for the prompt payment of the same.

Bonds legalized.

Bonds authorized.

SEC. 2. The Mayor and Board of Aldermen of the City of Virginia are hereby authorized at their first meeting after the passage of this Act, or so soon thereafter as it shall be convenient, to issue bonds of said city, to the amount of two hundred and twenty-four thousand dollars, payable in gold coin of the United States, in such amounts or sums as the said Mayor and Board of Aldermen may deem advisable; *provided*, that no single bond shall exceed in amount the sum of one thousand dollars. The said bonds shall be numbered consecutively, and made payable as follows: The sum of fifty-six thousand dollars

Proviso.

shall become due and payable on the first day of February, Payment of bonds. eighteen hundred and seventy-eight; the sum of fifty-six thousand dollars shall become due and payable on the first day of February, eighteen hundred and seventy-nine; the sum of fifty-six thousand dollars shall become due and payable on the first day of February, eighteen hundred and eighty; and the sum of fifty-six thousand dollars shall become due and payable on the first day of February, eighteen hundred and eighty-one.

SEC. 3. The said bonds shall be dated when issued, and shall Interest. bear interest at the rate of twelve per cent per annum. Said interest shall be payable semi-annually in gold coin of the United States, at the office of the City Treasurer of the said City of Virginia.

SEC. 4. The bonds to be issued pursuant to the provisions Bonds, by whom signed. of this Act, shall be signed by the Mayor of the said City of Virginia, countersigned by the Clerk of the said City of Virginia, and indorsed by the Treasurer of the City of Virginia, and shall be authenticated with the seal of the said City of Virginia. Coupons. Coupons for the payment of the interest thereon shall be so attached that they can be removed without injury to the bonds. Such coupons shall be signed by the Mayor of the said City of Virginia.

SEC. 5. The Mayor and Board of Aldermen of the said City How the bonds are to be sold. of Virginia are hereby authorized and directed to negotiate the sale of the bonds herein provided to be issued, by private sale; *provided*, that none of said bonds shall be sold or disposed of below their par value; and the said Mayor and Board of Aldermen are hereby directed, unless such bonds have been sold by private sale, to advertise for bids for the sale of said bonds, for the space of ten days, in one of the newspapers in the City of Virginia, and also in one of the leading commercial newspapers of the City and County of San Francisco, California; but such bonds shall not be sold for less than ninety-five per cent. of their par value. The Clerk of said City of Virginia shall keep City Clerk to keep a record. a record of the amount, number, and date of each bond issued pursuant to the authority herein given, and report the same to the Mayor and Board of Aldermen, and the proceeds of all bonds sold shall forthwith be paid into the Treasury of said City of Virginia. The said bonds shall be made payable to the parties, or bearer, to whom issued, payable in gold coin of the United States, principal and interest. The Treasurer of the Treasurer to pay interest. City of Virginia shall pay the interest on any bonds issued pursuant to the provisions of this Act, whenever the same become due. No bonds so issued and sold, shall be sold for, or redeemed, in any currency except gold coin of the United Gold coin. States.

SEC. 6. The Mayor and Board of Aldermen of the said City of Tax authorized. Virginia, for the purpose of paying the said bonds and interest, shall levy and cause to be collected for the fiscal year commencing January the first, A. D. eighteen hundred and seventy-seven, and annually thereafter, until all of the bonds and interest issued and sold under the provisions of this Act shall have been fully paid, both principal and interest, an ad valorem tax

- not to exceed one dollar and fifty cents on each one hundred dollars of all the taxable property, real, personal, and mixed, subject to taxation for other purposes, within the said City of Virginia; and the said tax so levied shall become due and payable the same as other city taxes; and the special tax levied shall be collected by the City Tax Collector, and by him paid to the City Treasurer of said city, and shall be set apart as a special fund to be known as the "Water Bond Redemption Fund," and the said fund is hereby set apart, appropriated, and pledged, as well as the faith and credit of the said City of Virginia, for and to the payment of both principal and interest of all bonds of said City of Virginia, issued in pursuance of the provisions of this Act. No part of the revenue derived from the tax heretofore levied shall be paid out, or in any way diverted from the City Treasury, for any other purpose than the payment of said bonds, principal and interest, unless, when said bonds and interest are all fully paid, there should remain a surplus in said fund, which surplus, if any, may be transferred by the Mayor and Board of Aldermen to the General Fund of the city. The sum of two thousand dollars, or so much thereof as may be necessary, shall be taken from the proceeds of the sale of said bonds, and is hereby appropriated to pay the expense of procuring said bonds, selling them, and placing the proceeds in the City Treasury.
- Special Fund.** SEC. 7. Whenever there shall be sufficient money in said "Water Bond Redemption Fund" to pay off and redeem any of the bonds mentioned in this Act, at the time they may become due as herein provided, the City Treasurer shall give notice in some newspaper published in the City of Virginia, and also in one of the leading commercial newspapers of the City and County of San Francisco, California, for the period of ten days, which notice shall give the amounts and number or numbers of the bonds to be redeemed, when the same become due, and that the Treasurer of said city will on that day be prepared, and will pay and redeem the same on presentation at his office at the City of Virginia, Nevada; and in case said bond or bonds be not so presented for payment the same shall not draw interest thereafter.
- Surplus.** SEC. 8. Whenever at any time there shall be in said "Water Bond Redemption Fund" the sum of ten thousand dollars, over and above the amount required to redeem the principal and interest of the bonds specified in the published notices of the City Treasurer, provided for in the last preceding section of this Act, the Mayor and Board of Aldermen of the City of Virginia may direct the City Treasurer to give ten days notice, by publication in some newspaper published in said city; also, in one of the leading commercial newspapers of the City and County of San Francisco, California, that sealed proposals directed to him will be received for the surrender of any of the bonds issued under the provisions of this Act other than those specified in said published notices of the City Treasurer, and that said sealed proposals will be received by him until the next regular meeting of the Mayor and Board of Aldermen thereafter.
- Expense of bonds.** SEC. 9. At the time of the first regular meeting of said
- Redemption.**
- Advertisement.**
- Interest stopped.**
- Surrender of bonds not due.**
- Advertisement.**

Mayor and Board of Aldermen thereafter, they, together with the City Clerk and Treasurer, shall attend at the meeting room of such Board, and then and there all sealed proposals shall be opened, and they shall accept the lowest bids for the surrender of any such bonds. No bid for more than par value shall be so accepted, and must be accompanied by the bond or bonds proposed to be surrendered.

Lowest bid to be accepted.

Par value.

Sec. 10. When any bids are accepted, the City Clerk and City Treasurer shall each take a description of the bonds to be redeemed, specifying the amount to be paid for each of the same, the date, number, and amount thereof, and make a record thereof in their respective offices, and thereupon the Mayor and Board of Aldermen shall by order direct the City Treasurer to purchase the bonds designated in the accepted bid or bids, and pay for the same out of said "Water Bond Redemption Fund;" and all bonds so redeemed shall be canceled by the City Treasurer, by writing across the face thereof, in red ink, the words, "Purchased and redeemed," adding thereto the time when the same was or were so redeemed, and the amount paid therefor, and signing the same officially. The order of the Mayor and Board of Aldermen, together with the record made by the City Clerk, as herein required, shall be sufficient voucher for the City Treasurer in the settlement of his accounts. The bids specified in this Act being equal, preference shall be given to the smallest amount. That shall be deemed the lowest bid which offers the largest amount of bonds in par value for the smallest amount of money. The bid and amount of bonds being equal, taking into consideration both principal and interest, each shall be accepted *pro rata* as near as possible. The City Treasurer shall return all unaccepted bids, together with the bonds therein contained, to the owners, on demand. The City Treasurer shall keep a separate account, under the heading of "Water Bond Redemption Fund," of all moneys received into said fund, and all moneys paid out of said fund, and to whom paid. He shall also on the register of bonds kept by him, write opposite each bond redeemed by him under the provisions of this Act, the word "Purchased," together with the amount paid therefor.

Duties of Clerk and Treasurer

Cancellation.

Vouchers.

Smallest amount.

Bid and amount being equal.

Bonds returned.

Treasurer's account.

Sec. 11. All the taxes provided for in this Act, after the same shall have been levied and assessed, shall be and become a lien upon all such property so assessed; and all of said taxes provided herein shall be levied at the same time, and become due and payable, and be collected and paid over at the same time as other taxes for city purposes, and the same percentage shall be added to all delinquent taxes returned, and the same percentage allowed to the City Attorney for collecting the same, as is now provided by law for the collection of city taxes.

Tax becomes a lien.

Tax, when levied and collected.

Sec. 12. The City Tax Collector shall receive for his services in collecting the taxes herein provided, a percentage to be fixed by the Mayor and Board of Aldermen, not to exceed one and one half per cent on the amount of taxes collected by him, and shall return all uncollected taxes as delinquent, which delinquent taxes shall be collected by the City Attorney as other delinquent taxes are now by law collected.

Percentage of Tax Collector.

Delinquent taxes.

Sec. 13. When a sufficient amount has been realized from

Final redemption. the sale of the bonds provided for in this Act to satisfy and discharge all of the indebtedness due from the City of Virginia to the said "Virginia and Gold Hill Water Company," under the contracts mentioned in the first section of this Act, the Mayor and Board of Aldermen shall order a warrant to be drawn in favor of said "Virginia and Gold Hill Water Company," signed by the Mayor and City Clerk, for the full amount of said indebtedness, including interest at the rate specified in said contracts, up to the date of said warrant, which warrant shall be delivered to said "Virginia and Gold Hill Water Company" upon said water company receipting to said city for said indebtedness, and upon the delivery by the said water company to said city of all the reservoirs, pipes, and hydrants now in the City of Virginia, constructed by said water company for the protection of said city from fire; and the said reservoirs, pipes, and hydrants shall thenceforth be, and the same are hereby declared to be the property of the said City of Virginia, and the City Treasurer is hereby authorized and directed to pay said warrant, upon presentation to him at his office, out of the proceeds of the sale of said bonds.

Water Company to deliver property.

Water Company to furnish a full supply of water.

Payment as per agreement.

SEC. 14. That from and after the payment of said indebtedness to the said "Virginia and Gold Hill Water Company" the said water company and its assigns and successors, during the existence of the contracts with the city therefor, as hereinafter mentioned, shall keep all the said reservoirs, pipes, and hydrants well supplied with water for the purposes for which they were constructed; and the said City of Virginia shall, at any and all times, have the right to use the said water for the extinguishment of fire, and for the protection of said city from damage by fire; and upon the execution and delivery by said water company to said city of an agreement in writing, binding itself, its successors and assigns, to keep said reservoirs, pipes, and hydrants well supplied with water as aforesaid, the said city shall pay to said water company, or its successors or assigns, a sum, to be fixed by agreement between said company and said city, not to exceed the sum of five hundred dollars per month, in United States gold coin.

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CHAP. VII.—*An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada,' approved November twenty-sixth, eighteen hundred and sixty-one," approved March second, eighteen hundred and seventy-five.*

[Approved January 23, 1877.]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section nine of said Act is hereby amended so as to read as follows: