

AN ACT
OF THE
LEGISLATURE OF CALIFORNIA,
GRANTING

The consent of said legislature to the formation of a different government for the southern counties of said State, with a statement of the votes polled in pursuance of said act.

JANUARY 18, 1860.—Referred to the Committee on the Judiciary, and ordered to be printed.

AN ACT granting the consent of the legislature to the formation of a different government for the southern counties of this State.

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The consent of the legislature of this State is hereby given to the effect that all of that part or portion of the present territory of this State lying all south of a line drawn eastward from the west boundary of the State along the sixth standard parallel south of the Mount Diablo meridian, east to the summit of the Coast range; thence southerly, following said summit, to the seventh standard parallel; thence due east, on said standard parallel, to its intersection with the northwest boundary of Los Angeles county; thence north-east, along said boundary, to the eastern boundary of the State, including the counties of San Louis Obispo, Santa Barbara, Los Angeles, San Diego, San Bernardino, and a part of Buena Vista, be segregated from the remaining portion of the State for the purpose of the formation by Congress, with the concurrent action of said portion; the consent for the segregation of which is hereby granted, of a territorial or other government, under the name of the "Territory of Colorado," or such other name as may be deemed meet and proper.

SECTION 2. The governor shall, in his proclamation for the next general election, direct the voters of the counties of San Diego, San Bernardino, Los Angeles, Santa Barbara, San Louis Obispo, and a part of Buena Vista, to wit: such part as shall include all of the precincts south of the sixth standard parallel south of the Mount Diablo meridian, at such general election to vote "For a Territory" or "Against a Territory;" and in case two-thirds of the whole number

of voters voting thereon shall vote for a change of government, the consent hereby given shall be deemed consummated.

SECTION 3. The respective county clerks of the counties herein named shall make out a statement of the result of such vote, and transmit the same to the secretary of state in the same manner as by law they are required to do concerning the election of State and county officers; and it is hereby made the duty of the secretary of state, upon the receipt by him of the election returns of the said counties and precincts, to make out a correct statement of the whole number of votes cast both for and against the change of government; and in case two-thirds or more of the votes relating to the change of government be found to be in favor of such change of government, he shall certify to the correctness of such statement, and transmit certified copies of the same, with copies of this act annexed, to the governor of this State, whose duty it shall be to cause a copy, with a copy of this act annexed, to be sent to the President of the United States, and to each of our senators and representatives in Congress.

SECTION 4. The connection now existing between this State and the said counties and parts of counties, to the segregation of which the legislature hereby consents, upon condition that two-thirds of the voters residing therein and voting thereon shall vote for such change at the next ensuing general election, shall continue, to all intents and purposes, until the organization and establishment of a separate government therefor, under a law of Congress to that effect, and no longer.

SECTION 5. Should Congress so act on the consent hereby given as to organize a separate government for the southern counties, as herein specified, the legislature of the State of California to be held next after such action shall appoint two commissioners, and the first territorial assembly or legislature of the new government, as the case may be, shall, during the first session, appoint two other commissioners, all of whom shall meet at the capital of California proper, at such time as the governor of the last-named State shall signify to them: which said commissioners shall constitute a board, who shall settle and adjust the property and financial affairs between the State of California and the new government, and who shall, in the apportionment of the same, take as a basis the respective number of votes polled at the general election of one thousand eight hundred and fifty-eight in the counties and precincts embraced in the two respective governments; and in case the four commissioners thus to be appointed fail to agree, they shall nominate and appoint a fifth, and a majority of such five commissioners shall determine the amount of the indebtedness of the new government to the State of California on account of the State debt at the time of her final segregation; and the expenses of the said commission shall be equivalent to that of the members of the State legislature for a like or corresponding time, and be borne equally by the said State and territorial government.

Approved April 18, 1859.

DEPARTMENT OF STATE,
Sacramento, California.

I, Ferris Forman, secretary of state of the State of California, do hereby certify that the foregoing is a true, full, and correct copy of

an act entitled "An act granting the consent of the legislature to the formation of a different government for the southern counties of this State," now on file in my office.

[L. S.] Witness my hand and the great seal of State, at Sacramento,
this 12th day of December, A. D. 1859.

FERRIS FORMAN,
Secretary of State.

Statement of the votes polled at the general election held in the State of California on the seventh day of September, A. D. eighteen hundred and fifty-nine, "For a Territory" and "Against a Territory."

Counties.	For a Territory.	Against a Territory.
Los Angeles	1,407	441
San Bernardino	411	29
San Diego	207	24
San Louis Obispo	10	283
Santa Cruz	395	51
Tulore	17
	2,447	828

I, Ferris Forman, secretary of state of the State of California, do hereby certify that the foregoing is a true, full, and correct statement of the votes polled in pursuance of an act entitled "An act granting the consent of the legislature to the formation of a different government for the southern counties of this State," approved April 18, 1859.

[L. S.] Witness my hand and the great seal of State, at Sacramento,
this 12th day of December, A. D. 1859.

FERRIS FORMAN,
Secretary of State.