April 14, 1859
Favor of Read a 3°
time & passed
by.

Assembly Bill No. 223.
An Act, granting the powers
of the Legislature to the
formation of a different
Government for the Southern
Counties of this State.

March 2, 1859. Read first & second
time & passed. The Special order
for Tuesday March 3, 1859 at 12. M.
Margill.

April 18, 1859.
Passed & amended read
a 3° time & made Special
order for Thursday April 19
at 10½ O'Clock a M.

April 14, 1859
Favor of Read a 3°
time & passed
by.

Margill.

April 14, 1859
Motion to reconsider
Margill.

Margill.

April 2, 1859.
Made Special
Order for April 5th at 10 A.M.
Margill.

Margill.
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. That 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 south of the Tenth Standard parallel, South, and East of the Mount Diablo Initial, including the Counties of San Luis Obispo, Santa Barbara, Los Angeles, San Diego, San Bernardino, and a part of Imperial, be segregated from the remaining portion of this 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
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 part of Counties, to the segregation of which, the Legislature hereby consents, upon condition that two-thirds of the Voters residing therein and voting therein, 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 thereafter 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, rate as a basis the respective number of votes polled at the General Election of 1858, 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 expense 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, or other Government.

Approved Oct 15 1859
An Act granting the consent of the Legislature, to the formation of a different government for the Southern Counties of the State

The people of the State of California, represented in Senate and Assembly do enact as follows:

Sec. 1. That 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 South of the 38th Standard Parallel South and East of the Mount Diablo Initial line, including the Counties of San Luis Obispo, Santa Barbara, Los Angeles, San Diego, San Bernardino and a part of Buena Vista.
Consisting of the counties of San Diego, San Bernadino, Los Angeles, Santa Barbara, San Luis Obispo and a part of Brevia Vista from the remaining portion of the state be segregated for the purpose of the formation by Congress with the concurrent action of said portion, the consent for the said portion of which is hereby granted, of a territorial or other government under the name of the territory of Colored or such other name as may be deemed meet and proper.

Sec. 2 The Governor shall in his proclamation for the next general election direct the voters of the counties of San Diego, San Bernadino, Los Angeles, Santa Barbara, San Luis Obispo and a part of Brevia Vista to vote such part as shall include all of the premises south of the fifth Standard Parallel South of the Mount Diablo Meridian.
at such general election to vote for or against a change of government and in case two thirds of the whole number of votes voting thereon shall vote for a change of government the consent hereby given shall be deemed consummated.

Sec. 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 must 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 of this act to be presented to the President of the United States and to each of our Senators and Representatives in Congress.

Sec. 4. The connection now existing between this State and the said counties and parts of counties, to the segregation of which the Legislature hereby consent, upon condition that two thirds of the votes 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.

Sec. 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 its 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 effective number of voters polled at the general election of 1856 in the counties and territories embraced in the two effective 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 organization and the other of the said commissioners shall be equivalent to those of the members
of the State Legislature for a like or corresponding term and to serve equally by the Said State and Territorial or other Government —