

county; and shall cause the same to be certified to the Secretary of State.

SEC. 5. If, at any such election, there shall not be a number of votes cast equal to a majority of all the votes cast, for any one point or place, the county seat of said county shall remain at its present location. No choice.

SEC. 6. The county clerk of said county shall give at least thirty days' notice of such election, which shall be posted up in at least three of the most public places in each election precinct in said county, which notice shall state the manner of voting. Notice.

SEC. 7. If, at such election, any point or place, other than the city of Benicia, shall have been selected as the county seat of said county, then, and in that event, it shall be the duty of the board of supervisors of said county, within thirty days after the declaring of the result of such election, to make an order, and cause the same to be entered upon the records of the board, requiring the county clerk of said county, (who is *ex officio* county recorder and clerk of the board of supervisors,) the sheriff, and treasurer of said county, to safely transfer all the office and other furniture belonging to said county, and all records, papers, books, and maps pertaining to the district, county, and probate courts, courts of sessions, county records, and county treasurer's office, to the point or place so selected, and shall pay to such officers a reasonable compensation for the necessary expenses of such removal. Transfer of records, etc.

CHAP. CCCXII.—*An Act to repeal the Sixth Section of an Act entitled an Act concerning the Receipts and Expenditures of the State, approved February seventh, one thousand eight hundred and fifty-seven.*

[Approved April 24, 1858.]

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

SECTION 1. The sixth section of an act entitled an act concerning the receipts and expenditures of the state, approved February seventh, one thousand eight hundred and fifty-seven, is hereby repealed. Act repealed.

CHAP. CCCXIII.—*An Act to prevent the further immigration of Chinese or Mongolians to this State.*

[Approved April 26, 1858.]

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

SECTION 1. On and after the first day of October, A. D. one thousand eight hundred and fifty-eight, any person, or persons, of the Chinese or Mongolian races, shall not be permitted to enter this state, or land therein, at any port or part thereof, and it shall be unlawful for any man, or person, whether captain or Prohibition.

commander, or other person, in charge of, or interested in, or employed on board of, or passenger upon, any vessel, or vessels, of any nature or description whatsoever, to knowingly allow, or permit, any Chinese or Mongolian, on and after such time, to enter any of the ports of this state, to land therein, or at any place, or places, within the borders of this state, and any person or persons violating any of the provisions of this act, shall be held and deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine in any sum not less than four hundred dollars, nor more than six hundred dollars, for each and every offence, or imprisonment in the county jail of the county in which the said offence was committed, for a period of not less than three months, nor more than one year, or by both such fine and imprisonment.

Penalty for dereliction.

Separate offences.

SEC. 2. The landing of each and every Chinese or Mongolian person, or persons, shall be deemed and held as a distinct and separate offence, and punished accordingly.

In case of accident.

SEC. 3. Any captain or commander, or any person owning an interest in, or being employed upon, any vessel, or vessels, having on board any Chinese or Mongolians, which may be, by storm, or distress, or other unavoidable accident, driven ashore upon any of the coasts of this state, or within any of the ports of this state, and from which any of said Chinese or Mongolians may be landed within this state, shall not be held liable under the provisions of this act; *Provided, however*, the fact of it being an unavoidable necessity, or accident, be fully shown to the satisfaction of the court, or judge, having the hearing of said case before him; *And provided, further*, that said person or persons having charge of, or being employed upon, or being interested in, any vessel, or vessels, thus driven ashore upon any of the coasts of this state, and from which any Chinese or Mongolians shall be landed, shall, immediately thereafter, use all due diligence in their power to cause each and all of said Chinese or Mongolians to be immediately reshipped, or in other ways conveyed from within the borders of this state, which fact shall also be made to appear to the satisfaction of the court, or the judge having the hearing of the same.

Proviso.

Publication.

SEC. 4. It shall be the duty of the Secretary of State, as soon as practicable after the passage of this act, to cause the same to be translated into the Chinese language, and shall cause one thousand copies of the same to be published in said language, for distribution among the Chinese residents in this state; and the sum of five hundred dollars is hereby set apart out of any funds in the treasury, not otherwise appropriated, to defray the cost of said translation, publication, and distribution; and it shall also be the duty of the Secretary of State to furnish a translated copy of this act to each of the commercial agents of the United States in the ports of China.