

UTAH LEGISLATURE.

COUNCIL.

Monday, Feb. 2, 1880.

After the usual preliminaries, Councilor Smoot presented a petition from Nathan Davis, asking compensation for the use of a room which he used while acting as Sealer of Weights and Measures, expressly for keeping the standard scales. Referred to the committee on claims and appropriations.

Communications acknowledging the courtesy of the Council in tendering them the freedom of its chamber were received from J. B. Neil and M. M. Bane and read.

Councilor Cluff introduced (C. F. No. 17) "Repealing section 1,737 of the Compiled Laws, and substituting a new section therefor," which was read and referred to the committee on judiciary.

(H. F. No. 7.) "To organize San Juan County" was taken up upon its third reading, was passed and sent to the House for concurrence in the amendments.

Councilor E. Snow submitted a report from the committee on claims and appropriations, stating that they had considered the petition of Hon. Z. Snow, asking appropriation for legal services, and recommended that the amounts asked be incorporated in the appropriation bill.

Report received and recommendations adopted.

C. F. No. 13, "To authorize the counties of Salt Lake, Davis, Tooele, Summit and Wasatch, in the Territory of Utah, to subscribe to the capital stock of the U. E. R. R. Co.," was taken up on its second reading by sections.

The bill for an act to authorize the counties of Salt Lake, Davis, Tooele, Summit and Wasatch, to subscribe to the capital stock of the Utah Eastern Railroad, passed the Council after its third reading, and was sent to the House for its action.

The bill for an act conferring original jurisdiction on justices of the peace was taken up and passed as amended on Friday.

The committee on revenue, to whom was referred the bill for an act amending the Salt Lake City charter, with the recommendations of the majority of the committee on municipal corporations, etc., reported back the same with a substitute, and recommended the passage of the latter. It was read first time, slightly amended and read second time, and referred to committee on engrossing, to be engrossed previous to coming up on its final reading.

A bill for an act licensing and regulating the sale of liquor passed its first reading and was referred to the committee on revenue.

Council adjourned till Tuesday.

Tuesday, February 3, 1880.

Communications were received from the House stating that they had passed H. F. No. 43, "Amending an act entitled, 'An act establishing district and precinct pounds, and prescribing regulations for conducting the same, and for disposing of stray animals,' approved Feb. 13, 1872," and H. F. No. 50, "Providing for regulating taxes upon transitory herds."

These bills were read, passed their first reading and the former was referred to the committee on agriculture, trade and manufactures, the latter to the committee on revenue.

Councilor Thurber submitted a report from the committee on irrigation and canals, stating that they had considered (C. F. No. 8) "An Act to provide for condemning lands," and recommended that the bill be slightly amended, and that it be put upon its passage. Report received and bill laid on the table.

Councilor Snow presented a petition from Royal J. Cutler and 67 other citizens of Kane County, asking that the county seat of said county be changed to Kanab, and recommended its reference to the committee on counties. Read and so referred.

A communication was received stating that the House had concurred in the Council amendments to H. F. No. 6, "Amending Section 1732 of the Compiled Laws of Utah."

The bill amending the charter of Salt Lake City, empowering the corporation to borrow \$250,000, etc., was taken up on its third reading, and, after further slight amendment, was passed.

A House message announced the concurrence of that body in the Council amendments to the bill for the organization of Jan Juan County.

The bill providing for the con-

deming of lands for public use, was taken up and, after the adoption of some amendments proposed by the committee on irrigation, passed its second and third readings, and was sent to the House for its concurrence.

Wednesday, Feb. 4, 1880.

A communication was received from the House stating that they had passed a memorial to Congress, reported by the committee appointed by the Assembly to draft that memorial. The said memorial asking that Congress appropriate \$5,680, to cover the deficiency in the appropriation for the expenses of the present Assembly, were read and adopted.

Councilor Thurber presented petitions from L. G. Lang and 54 others, George A. Hatch and 17 others, and Franklin W. Young and 116 others, citizens of Piute County, asking that the county seat of said county be changed from its present location to Koosharum, and moved their reference to the committee on counties. Petitions were read and so referred.

Councilor Cluff introduced (C. F. No. 20) "A bill for an act to amend an act providing for the establishment and support of district schools and for other purposes, approved February 18, 1876," and moved its reference to the committee on education. So referred.

The following was received from the House: "The house has this day received the accompanying message from his excellency the Acting Governor. The message was read stating that His Excellency the Acting Governor could not consistently sign (H. F. 2) in its present shape, and giving his reasons therefor. He recommended the striking out of the section (7) authorizing railroad companies to own and work coal mines, and he would then be willing to sign it."

Councilor Harrington submitted the following report: "Your committee on elections, to whom was referred (H. F. No. 29), A Bill amending an act to provide for special elections to fill vacancies, approved February 22d, 1878, respectfully report that they have fully considered said bill, and report the same back, with amendments providing that vacancies in the office of probate judge shall be filled by election as well as that of justice of the peace, and recommend that the bill pass as proposed to be amended."

The bill providing for special elections and for filling vacancies in office, was accepted with the committee amendments, read third time and passed, and was sent to the House for concurrence in the amendments.

A House communication announced the passage of a substitute for the bill vetoed, empowering railroads to deed and mortgage, &c. The bill was passed by the Council with an amendment and returned to the House for concurrence.

The bill to amend Sec. 72, Compiled Laws, was unfavorably reported on by the committee, who recommended that it do not pass, as it would result in hardship to several counties. Report accepted and recommendation adopted.

The committee on counties returned a substitute for the bill to extend the boundaries of Davis County. Passed first reading.

The House announced concurrence to the amendment of railroad bill.

A petition, signed by Chas. N. Smith and 104 others, residents of Kane County, praying for a new division of the Counties of Kane and Washington, in case the county seat should be changed from Toquerville to Kanab, was received, read and referred.

The bill amending the act defining trespass and damage, was reported back with recommendations that it do not pass. Recommendations adopted.

The substitute for the bill extending the boundaries of Davis County, was taken up on its second reading and amended slightly.

Three communications were received from the House, the first announcing the passage on Tuesday, of the bill to amend section 168, Compiled Laws; the second the passage of the bill amending chapter 4, title 11, Compiled Laws, and the third stating that the House had adopted the adverse report on the amending of section 532, Compiled Laws. The accompanying bills were read and the first referred to committee on counties, the second to committee on incorporations.

The bill to equalize taxation on stock was reported back with re-

commendations that it be put upon its passage. Passed second reading.

House announced the passage of the bill legalizing the execution and acknowledgement of certain deeds, with amendments. The latter were concurred in by the Council.

The bill substituted for the one to extend the boundaries of Davis County, passed its third reading and was sent to the House.

Council adjourned.

Thursday, February 5, 1880.

Councilor L. E. Harrington presented a petition from Christian P. Christiansen, asking that his name be changed to Christian P. Larsen, and moved its reference to the committee on petitions and memorials; so referred.

Councilor L. E. Harrington introduced C. F. No. 22, To change the name of Christian P. Christiansen to Christian P. Larsen, which was read and referred to the committee on petitions and memorials.

Councilor Harrington submitted the following report, which was read.

"Your committee on Judiciary, to whom was referred C. F. No. 6, a bill for an act to prohibit and punish the keepers and owners of opium smoking houses, beg leave to report that they have considered said bill and present the accompanying as a substitute, and recommend that it be placed upon its passage."

C. F. No. 23, "to prohibit and punish the keepers and owners of opium smoking houses," was read the first and second times and amended.

Messages from the House announced the concurrence of that body in the Council amendment to the special election bill, and also that a message had been received from the Acting Governor, announcing his disapproval of the bill to organize San Juan County.

A bill for changing the county seat of Kane County to Kanab, and making a new boundary line between Washington and Kane Counties, was read the first time.

The bill for equalizing taxation on transitory herds of stock, was read by its title and passed.

A bill to require recorders of mining districts to give bonds, was read and referred to the appropriate committee.

A bill providing for the health and safety of persons working in coal mines, was read and referred.

A bill amending an act providing for the incorporation of mining and manufacturing associations, was read first time and referred.

The bill to change the county seat of Kane County, was read the second time.

The petition asking for the change of the county seat of Piute County, from Junction to Koosharum, was reported on adversely.

The House announced the passage of the bill relating to guardian and ward, with amendments. Concurred in.

A petition was presented, signed by H. S. Eldredge and 48 others, asking for an appropriation of \$2,000, as a premium for the first 3,000 pounds of merchantable sugar that should be made in Utah, from home raised sugar cane. The petition was accompanied by a bill for an act making the appropriation for the purpose named. It was read the first time and referred to the committee on agriculture.

The enrolling committee reported that the bill for the execution and acknowledgement of certain deeds, had been enrolled and sent to the Governor.

Council adjourned.

Friday, February 6, 1880.

A communication was received from the House, stating that they had passed (H. F. No. 58), "Creating Castle County." Said bill was read the first time, passed its first reading and was referred to the committee on counties.

Councilor Harrington submitted a report from the committee on judiciary, stating that they had considered (C. F. No. 15) "To amend 'An Act to regulate proceedings in civil cases, etc.'" They reported favorably upon the bill, with some amendments, which were read and adopted.

The bill was then read the second time by sections and passed its second reading.

The bill to amend an act regulating proceedings in civil cases in justices' courts of this Territory, etc., passed, and was sent to the House.

A petition signed by Samuel W. Gregg, and 247 others, citizens of Sevier County, remonstrating against the proposed appropriation for a road through Sevier Cañon, was referred to committee on claims, &c.

The bill to require recorders of

mining districts to give bonds, was reported back with recommendations for its passage.

The bill to change the county seat of Kane County was taken up, and after its title had been amended to read "changing the boundaries and county seat of Kane County," passed the Council and was sent to the House.

A petition from the Mayor and City Council of Brigham City, praying for amendments to their city charter, was read and referred to the committee on municipal corporations, &c.

The bill for an act prohibiting the smoking and chewing of opium, passed the Council.

A bill for an act punishing persons for entering into or upon railroad cars, in certain cases, was read and referred to committee on railroads.

The bill requiring mining recorders to give bonds was again taken up, and, after amendment and further readings, passed and was sent to the House.

The following resolution was offered by Councilor D. H. Wells.

Resolved, The House concurring, that a joint committee, composed of three members of the Council and five of the House, be appointed to take into consideration the necessity of establishing a territorial asylum for the insane, hospitals for the sick, and quarantine and protective regulations against contagious diseases, such as small-pox, scarlet fever, diphtheria, etc.

Council adjourned till Saturday.

Saturday, February 7, 1880.

Communications from the House were received stating that the House had concurred in the resolution in regard to the appointment of a committee to consider the propriety of legislation in regard to asylums, quarantine hospitals, etc.

And that the House had passed (H. F. No. 60), "Organizing San Juan County."

The President appointed Councilors Wells, Caine and Smoot, committee of the Council to act with the committee from the House, to consider what legislation was necessary in regard to the asylums for the insane, quarantine hospitals, etc.

Communications were received from the House, announcing that they had passed (C. F. No. 25) "requiring recorders of mining districts to give bonds," with amendments, and that His Excellency, the Acting Governor, had approved (H. F. No. 53), "Empowering railroad corporations to deed and mortgage their franchise and property, etc."

The House amendments to (C. F. No. 25), "Requiring recorders of mining districts to give bonds," were read and concurred in.

Councilor Smith introduced (C. F. No. 30), "In regard to a Territorial Insane Asylum, etc.," and moved its reference to the special committee on Insane Asylum, Quarantine Hospital, etc.

Communications were received from the House, announcing the passage with amendments, of the bill requiring recorders of mining districts to give bonds, and that a notification from the Governor had been received, stating that the bill to empower railroads to deed and mortgage, etc., had been approved.

The bill in relation to the Insane Asylum was read and referred to the special committee on that matter.

The bill relating to the health and safety of men employed in coal mines, was reported back with amendments, which were adopted and the bill laid upon the table to come up in its order.

The bill for an act organizing San Juan County passed its second reading.

The bill concerning the health and safety of coal miners passed to its third reading.

A message from the Governor announced his non-approval of the bill to legalize the execution and acknowledgement of certain deeds, gave the reasons for his disapproval, and stated that if certain changes were made in the bill, it would receive his sanction. The bill was referred to the committee on judiciary.

The bill to organize San Juan County, and the one pertaining to the health and safety of coal miners, were in turn read the third time, and both passed the Council.

Adjourned.

Monday, Feb. 9, 1880.

A communication was received, announcing that the House had passed H. F. No. 27, "Pertaining to highways." The bill was read the first time.

Proceedings in progress.

HOUSE.

Communications acknowledging the courtesy of the House were received from M. M. Bane and Jno. B. Neil, of the U. S. Land office.

Mr. McKinnon presented petition of Wm. Howard and 435 others, asking for a change in the boundary line of Rich and Summit counties. Referred to the committee on judiciary.

Mr. Peery presented the claim of S. A. Kenner for \$22 60, for services as reporter in the case of the People vs. Stonehouse, for murder. Referred to the committee on claims.

Mr. Penrose presented a petition of Jos. Salisbury and 153 others, asking for legislation to guard the sanctity of the nominative franchise. Referred to the committee on elections.

Mr. Smith called up H. F. 48, which was read the second time by sections.

Monday, February 2, 1880,

3 p. m.

H. F. 43, relating to the establishment of district and precinct pounds, and prescribing regulations for conducting the same, and for disposing of stray animals, was taken up, and after some amendments and considerable discussion, passed the House.

The committee on agriculture reported back the bill providing for the equalization of taxes on transitory herds of stock, with a substitute. The latter was accepted, and after its readings, passed the House.

A bill was presented, amending section 43, Compiled Laws of Utah, which after some discussion, was laid upon the table.

House adjourned till Tuesday.

Tuesday, Feb. 3, 1880.

A message was received from the Council announcing that C. F. 13, A bill to permit Salt Lake, Summit, Tooele and Davis Counties to take stock in U. E. R. R. Co., had passed the Council.

C. F. No. 13 was read the first time and referred to the committee on railroads.

Messages were received from the Council announcing the passage, with amendments of H. F. Nos. 6 and 7.

The Council's amendments were concurred in.

Mr. Peery presented H. F. 52, A bill to regulate assignments by insolvent debtors, and moved its reference to the committee on judiciary. Referred.

Mr. Penrose presented a petition of Dr. S. B. Young, asking for \$918 70 to pay for keeping insane patients from Tooele County, etc., and moved its reference to the committee on claims. Referred.

Mr. Penrose presented petition of Emily A. Crane and 20 others from Parowan, Iron County, asking for the removal of the political disabilities of the women of Utah.

H. F. 51, removing the political disabilities of women, was taken up on its second reading by sections.

The bill to amend section 42, Compiled Laws of Utah, so as to specify certain offices to which women would be eligible, having been read the second time, Mr. Grover moved that the enacting clause be stricken out. A lively discussion ensued, in which Messrs. Grover, Penrose, Farr, Jacques, Pack, Smith, Lyman and Fisher took prominent parts. Most of these were in favor of the motion to strike out, and but two or three favored the measure giving office to women. At the close of the debate, the motion was put and carried and the bill was rejected.

A message from the Governor announced his non-approval of the bill for an act empowering railroads to deed and mortgage their franchises, etc., and stated that his only objection to the bill was section 7, which provided for the leasing, purchasing and working of coal mines, etc.

A motion was carried that the committee on railroads be instructed as to the propriety of framing a new measure that would meet the Governor's approval.

Mr. Penrose, in behalf of the joint committee to prepare a memorial to Congress, reported a memorial embracing in detail the subject touched by the resolution. The memorial was adopted.

The petition of S. A. Kenner asking for \$22.60, as compensation for services rendered as reporter during the Stonehouse murder trial, was reported on adversely, the committee holding that said services were not justly chargeable to the Territory. The report was adopted.

Three petitions on bee matters asking for protective measures