

Councillor E. Snow presented a petition from Geo. H. Crosby and 55 others, citizens of Leeds and Harrisburg, asking that \$5,000 be appropriated to assist in repairing the road crossing the Black Ridge and for making a new road from Bellevue, to Silver Reef, which will be a shorter and better one. The petition was referred to the committee on roads.

Councillor Wells reported that the committee on judiciary did not consider the amendments recommended by the House to the Council bill to amend section 2383 of the Compiled Laws, as expedient legislation. Report accepted.

The House of Representatives forwarded a message notifying the Council that the House had passed a bill to amend section 415 of the Compiled Laws; also that a concurrent resolution had been passed to have 500 copies of the report of the Regent of the University printed.

H. F. 8 was read the first time and laid on the table.

The report of the Chancellors of the University for the two years ending Dec. 31st, 1881, was read and the House resolution concurred in.

The bill for a general act licensing and regulating the manufacture and sale of intoxicating liquors in the cities and counties of Utah, was read the second time, and amended, and laid on the table till called for. One feature of this bill, as it now stands, is that two-fifths of the revenue derived from the sale of liquors shall be appropriated to the school fund.

Council adjourned until 2 o'clock on Tuesday.

Benediction by the chaplain.

Tuesday, February 7th, 1882.

2 p.m.

The Council met pursuant to adjournment.

Roll Called. Quorum present.

Prayer by the chaplain.

Councillor Cluff presented a petition from ex-Assessor Kingston, of Morgan County, praying for relief from sums of taxes assessed in Morgan County on herds, but paid in Davis County, to the amount of \$46.71. This petition was endorsed by several of the prominent taxpayers of Morgan County.

Councillor E. Snow presented a lengthy petition from 119 citizens of Silver Reef, Harrisburg and Leeds, praying for \$5,000 to be appropriated to make a new road west of the present one crossing the Black Ridge, which will have a good road bed and make the distance some miles shorter. This petition was referred to the committee on counties, with a suggestion that this committee confer with the committee on counties in the House on the subject.

The special committee appointed to examine the redeemed auditor's warrants reported that they had acted with a like committee of the House, and found the cancellations to agree with the treasurer's report, and had destroyed warrants to the amount of \$233,905.92.

The committee on municipal corporations reported, through its chairman, Councillor E. Snow, that they had considered the bill to amend the charter of Lehi City, and found that the measure suggested would be beneficial to the people of Lehi and American Fork. The bill (H. F. 21) was then passed.

The amendments of the House to the Council amendments to section 2383 were not accepted by the Council.

The bill for regulating and licensing the sale and manufacture of malt, vinous and spirituous liquors, was taken up, amended and passed its second reading. The bill places two-fifths of the revenue from license and fines into the Territorial treasury for the benefit of the district schools.

Councillor Caine moved to have it placed in the county treasuries but the motion was lost.

Councillor Caine suggested that the clause exempting the sale of home-made wines should be carried to other home productions, such as beverages made from home-grown barley, wheat, rye, etc., otherwise it would be class legislation.

Councillor E. Snow stated that the parent government fostered to a certain extent, the vine growers, and he thought we could safely carry out the same policy to them in this territory.

The provision exempting from license the sale of home-made wines in quantities not less than five gallons, was allowed to stand.

The Council not concurring with the House amendments to C. F. No. 4, Councillors E. Snow and Wells were appointed a committee of con-

ference to act with a like committee in the House.

The Council also not concurring with the amendment of the House to amend section 415 of the Compiled Laws, thus placing the age of estrays at 12 months instead of 18, referred the bill to the committee on agriculture.

After prayer by the chaplain the Council adjourned until Wednesday at 2 o'clock.

HOUSE.

Monday, Feb. 6.

The House was called to order at 2 p.m., Speaker Lyman in the chair.

Journal read, amended and approved.

The following petitions were presented:

By Mr. Blackburn, from William King and 43 others, residents of Piute County, asking that that county be divided according to certain specified geographical or natural divisions and that a new county be created under the name of Spencer County, from the eastern and disconnected portions of Piute County. Also a petition remonstrating against the measure, signed by L. D. Morrell and 56 others, representing that the proposed change would act detrimentally to the interests of the petitioners in the inevitable change of the county seat from the city of Junction.

Both documents were referred to the committee on judiciary.

The select committee on auditor's warrants reported through Mr. Thurman, the chairman, that they had examined and compared the warrants with appropriation accounts, and, finding them correct and consistent, had destroyed them as instructed. The report was accepted and the committee discharged.

Mr. Thurman, from the special committee appointed by the House to receive from the Secretary of the Territory a list of the foreign corporations doing business in the Territory and also of all those having complied with the law in filing with the Secretary copies of the articles of agreement and certificates of incorporation, reported that such lists had been duly received and wished to present them with the report. The committee were discharged and the lists referred, on motion of Mr. Booth, to the committee on private corporations.

A message from the Council stated that that body had passed C. F. No. 12, a bill in relation to chattel mortgages; also H. F. No. 24, a bill to change the name of Peter Petersen to Peter H. Hansen, without amendment.

A bill was introduced by Mr. Thurman authorizing the consolidation of railroad companies organized and existing under the laws of the Territory, either with like companies of this Territory or with companies of other States or Territories. It provides that the companies to be consolidated shall give at least 20 days' notice of such intended action to each stockholder, when by a two-thirds vote of such stockholders the presidents and secretaries of the several companies may enter into a joint agreement to that end. Referred to the committee on private corporations.

The Council bill just received from that body in relation to mortgages on personal property was read the first time by its title and referred to the judiciary committee with permission to print the usual number.

H. F. No. 22 amending the law in relation to irrigation companies was taken up on its second reading.

Mr. Dusenberry moved a recommitment of the bill to the committee on irrigation as he did not understand it and thought that the present laws provided for the organization of all prospective irrigation companies, without the passage of this bill.

Mr. Thurman was opposed to the bill as in his opinion, it conferred power upon the majority to control the minority in a private sense.

Mr. Penrose stated that the bill so far as it read was an exact copy of the law as now on the statute books and introduced no new principle and conferred no new powers. The law needed some amendments and it was thought better to make a new bill than to make amendments to a number of sections which might lead to confusion. The committee had considered the bill, ordered it printed, and recommended it to be placed on its passage. If members did not understand it they had better take time to consider it. He moved as an amendment that it be postponed until Thursday.

Mr. Booth was in favor of the recommitment of the bill, as he would not coincide with the idea that a majority had right to enforce a man to join a private corporation and compel him to pay taxes to the same again at his will.

Mr. Farr thought that a law should be framed to allow a portion of the inhabitants of a county to organize as a company so as not to include those who did not wish to join. He also considered that there should be some defects pointed out in the bill before it was recommitment.

Mr. Dusenberry referred to section 529 of the Compiled Laws as providing for the organization of irrigation companies, which he supposed superceded the old statute, of which the present bill was in part a copy.

Consideration of the bill was finally postponed until Thursday the 9th. A Council message announced concurrence in the House resolution to print 500 copies of the report of the Regents of the University of Deseret for the two years ending December 31, 1881.

A communication received from the auditor of public accounts stated that the sum of \$26.95 was due the Omaha Republican, as per their accompanying bills, for court records furnished by them, and not paid for as the appropriation for court expenses had been already expended. Reported to the committee on claims and public accounts.

The Council bill No. 15, designating public holidays was taken up on its third reading.

Mr. Booth offered the following to be made sections 3 and 4 of that bill: sec. 3, "No days of grace shall be allowed on any promissory note, bill of exchange, order or other commercial paper payable in this Territory."

Sec. 4—"When a day on which negotiable paper is due shall fall upon any legal holiday such negotiable or commercial paper shall be held to be due on the day preceding such holiday, provided, that when two legal holidays shall come together, such paper falling due on the last day observed as such legal holiday, shall be due on the day succeeding such legal holiday."

Mr. Booth remarked that in most of the States the common law provision for days of grace on notes and other commercial paper had been repealed.

Mr. Dusenberry moved that the following clause be incorporated in section one defining what are public holidays: "And every day upon which general elections shall be held throughout the Territory."

Mr. Farr was opposed to the clause, as holidays were often days of drunkenness and disorder.

Mr. Stout deemed elections something more than holiday sport.

Mr. Dusenberry stated that the addition of the clause would give to voters an opportunity to visit the polls, whereas many could not at present, on account of urgent business. The clause was inserted.

On motion by Mr. Booth, the bill and amendments offered were made the special order for Monday, 13th.

H. F. 25, in relation to the right of way granted to railroad companies was called on its third reading and made the special order for to-morrow.

H. F. 22 was also made a special order for Tuesday.

Mr. Sharp presented a bill for office rent of the Territorial Surveyor, Jesse W. Fox, sen., which was referred to the committee on claims.

Mr. Peterson presented the corrected financial report of Sanpete County, which was referred to the committee on public accounts.

Benediction.

Adjourned until 2 p.m. to-morrow.

After the approval of the Journal the following petitions were presented: By Mr. Page from Jas. Tanner and seventy others residents of Payson City asking a reduction in the corporate limits of that city which at present contained about 40 square miles, while the city proper contained but about three square miles. Referred.

By Mr. Partridge, from Richard Warburton and 183 others, residents of Tooele City asking that the city charter be repealed as experience had shown to them the charter was in no way beneficial or in the interests of the general public. Referred.

Mr. Booth, from the committee on municipal corporations and towns, reported favorably upon the petition of John Moore and others asking an amendment to the charter of Spanish Fork City, and introduced a bill for that purpose. Report accepted and the bill filed.

Introduction of bills.

By Mr. Farr, in regard to the law of mechanics' lien. The bill provides a method for the collection of debts not exceeding \$200 before a justice of the peace, due builders and others furnishing material for building. When the suit involves real estate or is in excess only of \$300 the district courts shall have jurisdiction. Referred to the judiciary.

By Mr. Dusenberry, in respect to negotiable and commercial paper. Read by its title and referred to the judiciary committee with permission to print.

By Mr. Francis, in relation to restraining and prohibiting the running at large, after May 1st, 1882, of bulls, stud horses, jacks, etc., over 18 months old, and rams over three months old, on any summer range in the Territory. Referred to committee on agriculture.

By Mr. Beal, to amend the laws relating to the vested rights to the uses of water and the exercise thereof. The provisions are that disputants to the water rights shall take their cases to trial before a competent court within 90 days after notice of contest shall be given to the contesting party or corporation, and providing also that the court shall issue certificates of rights decreed by such tribunal. Referred.

H. F. 35, a bill to amend the charter of the city of Spanish Fork, was read the first time.

A Council message announced that a petition had been received from S. T. Pearson and 118 others, residents of Silver Reef, asking for an appropriation of \$5,000 for the purpose of building a road over the Black Ridge from the rim of the basin to Silver Reef, and that the petition had been referred to the committee on counties with instructions to confer with the like committee of the House.

The House committee on counties was instructed to confer with the Council committee on the petition.

A message from the Council stated that that body did not concur in the House amendments to C. F. 4, to amend the laws in relation to the point from whence distances are to be computed in serving summons by sheriffs.

The House, on motion, maintained the amendments made, and so notified the Council.

Special order:

H. F. 25, in relation to the railroad right of way grant; third reading. Passed—ayes 21.

The title of the bill was amended to read, "A bill to amend sections 480 and 489 of the Compiled Laws of Utah."

Mr. Johnson, from the committee on enrollment, reported that H. F. 3, to provide for the appointment of Justices of the Peace in case of vacancies, and H. F. 24, to change the name of Peter Petersen to Peter H. Hansen, had been properly enrolled and forwarded to the Governor for his approval.

H. F. 32, special order, was recommended to the committee on ways and means.

A committee on conference to act with Councillors Snow and Wells, was requested per a message received from the Council, to confer on C. F. 4, a bill to amend section 2,383 of the Compiled Laws of Utah.

The Speaker appointed Messrs. Penrose and Dalton as such joint committee.

Other messages announced that H. F. 21, to amend the charter of Lehi City, had passed the Council without amendment, and that the special committee appointed to examine the auditor's warrants had reported their examination and comparison with accounts of the same and that they had, after finding them correct, destroyed warrants amounting to \$233,905.92.

House adjourned till to-morrow at 2 p.m.

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Introduction of bills.

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