

TAH LEGISLATURE.

COUNCIL.

Monday, Feb. 9, 1880, 3 p. m.

H. F. No. 27, "pertaining to highways," was read the first time, passed its first reading, and was referred to the committee on roads, bridges, ferries and cañons.

The following communications were received from the Chief Clerk of the House.

February 9, 1880.

Mr. President:

I am directed to inform your honorable body that the House has this day passed (C. F. 24), "changing the boundaries and county seat of Kane County," without amendments.

Mr. President:

I am directed to inform your honorable body that the House has this day passed (C. F. No. 15), "amending section 1,444 of the Compiled Laws of Utah," with amendments.

The House amendments to (C. F. No. 15), "amending section 1,444 of the Compiled Laws of Utah," were read and concurred in.

The following communication was received from the House:

February 9, 1880.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed (H. F. No. 61), "Amending an act to provide for special elections, etc."

Very respectfully,

ARTHUR STAYNER,
Chief Clerk, H.R.

H. F. No. 61, "Amending an act to provide for special elections, etc.," was read the first time, passed its first reading and was referred to the committee on elections.

The following communication was received from the clerk of the House:

February 9, 1880.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed (H. F. No. 62), "Defining the amount of the bonds of the Auditor of Public Accounts, Territorial and County Treasurers, etc."

H. F. No. 62, "Defining the amount of the bonds of the Auditor of Public Accounts, Territorial and County Treasurers, etc.," was read the first time, passed its first reading and was referred to the committee on revenue.

Council adjourned.

Tuesday, February 10, 1880.

A communication was received announcing that the House had passed (C. F. No. 8), "Condemning lands for public use" which was read and concurred in.

Councilor Thurber, chairman of the committee on irrigation and canals, reported back (C. F. No. 14), "Defining, recognizing and acknowledging vested and accrued rights to the use of water, etc.," with proposed amendments. The bill was taken up on its first reading, and passed its first reading by its title.

Councilor Snow, chairman of the committee on counties, reported back H. F., No. 58, "Creating Castle County," with proposed amendments.

Councilor Cluff introduced C. F., No. 31, "Amending certain sections of the Compiled Laws," which was read, passed its first reading and was referred to the committee on judiciary.

Councilor Merrill, chairman of the committee on railroads, reported back C. F., No. 29, "To punish persons entering into or upon railroad cars in certain cases," and proposed amendments, and recommended its passage as amended.

Councilor Smith presented a petition from Frederick Kesler, asking compensation for services rendered as President of the Board of Directors of the Utah Penitentiary, and moved its reference to the committee on Penitentiary. Read and so referred.

Councilor Caine presented a petition from William and George Naylor, asking compensation for services as jurors, and asked that it be referred to the committee on claims and appropriations. Read and so referred.

C. F. No. 14, "Defining, recognizing and acknowledging vested and accrued rights to the use of water, etc.," was taken up on its second reading by sections, as amended by the committee on irrigation and canals; pending which, the bill was laid over.

Councilor Wells submitted the following reports:

Mr. President:

C. F. No. 1, "An act in relation to Guardian and Ward," was, on the 9th inst., at 4 p. m., forwarded to his Excellency, the Governor, for his consideration and approval.

(C. F. No. 15), "An Act to amend section 1444 of Compiled Laws of Utah," and (C. F. No. 24) "An Act changing the boundaries and county seat of Kane County," have this day, at 5 p. m., been forwarded to His Excellency, the Governor, for his consideration and approval.

The following communications were received from the clerk of the House:

Mr. President:

I am directed to inform your Honorable Body that the House has this day received a communication from His Excellency, the Governor, announcing his approval of (H. F. No. 50), "Equalizing taxes upon transitory herds."

I am directed to inform your Honorable Body that the House has this day passed (H. F. No. 56), "Amending An Act entitled 'An Act for the protection of keepers of inns, hotels, etc.'"

I am directed to inform your Honorable Body that the House has this day passed H. F. 57, "amending the charter of incorporated cities."

I am directed to inform your Honorable Body that the House has this day passed H. F. 66, "to incorporate Nephi City."

I am directed to inform your Honorable Body that the House has this day adopted the accompanying concurrent resolution, presented by Mr. Hatch; and has appointed Messrs. Hatch, Lyman, Penrose, Smith and Preston the committee on the part of the House.

The House joint resolution providing for the appointment of a joint committee "To prepare and submit a bill dividing the Territory into Council and Representative districts, in pursuance of the provisions of an Act of Congress, approved June 19, 1878," was read, and the words, "and to apportion the legislative representation thereof" were inserted after the word "districts."

The resolution was concurred in as amended, and was sent to the House for its concurrence in the amendment.

The President appointed Councilors E. Snow, Wells and Barton, a committee of three from the Council, to act with the committee of the House.

The following communications were received:

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. F. No. 43, Relating to the proceedings of Probate Courts.

I am directed to inform your Honorable Body that the House has this day passed H. F. No. 54, Amending sections 1,603 and 1692 of the Compiled Laws of Utah.

Council took a recess till 8 p. m., when it resumed its session.

The second reading, by sections, of (C. F. No. 14), "Defining, recognizing and acknowledging vested and accrued rights to the use of water, etc.," as amended by the committee on irrigation and canals, was resumed, pending which, the bill was re-committed to the committee on irrigation and canals, with instructions to have it reprinted, with the committee amendments incorporated.

(H. F. No. 58), "Creating Castle County," was taken up and the amendments proposed by the committee on counties, read and adopted. The title was read and amended to read, "A Bill creating Emery County," and the title being then approved, the bill passed, and was sent to the House for its concurrence in the amendments.

(C. F. No. 29), "To punish persons entering into or upon railroad cars in certain cases," was taken up. The amendments proposed by the committee on railroads were read and adopted. The bill passed, and was sent to the House.

Council adjourned to the regular hour.

Wednesday, Feb. 11, 1880.

Councilor Merrill presented a petition from A. F. Stewart and 62 others, citizens of Richmond, Cache County, asking for a new city charter, with an accompanying Bill (C. F. No. 32), "To Incorporate Richmond City, Cache County," and pany B, Second Cavalry, of this post, with ten men and ten Indian scouts started out at daylight on the 7th inst., to capture a party of Sioux Indians, supposed to belong to Sitting

Bull's band, who killed one man and wounded another some days ago, on Mespah Creek. They found them near the head of Pumpkin Creek, where a lively skirmish ensued, which resulted in the death of two Sioux and one soldier killed and one wounded. This together with the news that the Sioux had gotten under cover in such a manner that Sergeant Glover and his party could not get at them, came to the post last night, and on the receipt Captain Snyder of the Fifth Infantry with one company proceeded at once to the scene of action and put an end to the affair. The scouts came in this afternoon displaying the scalps of two Indians who were killed. The other three were taken prisoners and are now being brought in by Captain Snyder and his command.

CHICAGO, 11.—A woman's exchange has been started here for the purpose of trading in grain options. It is not a very great success.

The Tribune, which has been a strong Grant paper, with E. B. Washburne in the back ground as moved that the petition be read and that the bill, without reading, and the petition be referred to the committee on Municipal corporations and townsites. The petition was read, and the bill and petition was so referred.

Councilor Caine introduced three petitions from Thomas Cupit and 238 others, citizens of Park City, remonstrating against the incorporation of Park City with the boundaries proposed in a former petition from the citizens of that place, and moved its reference to the committee on municipal corporations and townsites. Read and so referred.

H. F. No. 57, "Amending the charters of incorporated cities," was taken up on its first reading, and, on motion of Councilor Smoot passed its first reading and the bill was referred to the committee on municipal corporations and townsites.

H. F. 66, "to incorporate Nephi City," was taken up on its first reading, and,

On motion of Councilor Teasdale, passed its first reading by its title, and was referred to the committee on municipal corporations and townsites.

A communication was received announcing that the House had passed H. F. 59, "creating a jury fund in civil cases."

H. F. 56, "to amend an act entitled An Act for the protection of keepers of inns, hotels, and boarding houses," approved February 15th, 1876, was taken up on its first reading, and,

On motion of Councilor Merrill, passed its first reading and was referred to the committee on judiciary.

The following communication was received from the clerk of the House:

I am directed to inform your Honorable Body that the House has this day passed C. F. No. 23, "Prohibiting the smoking and chewing of opium," with amendments. The amendments were read and concurred in.

H. F. No. 43, "Relating to the proceedings of Probate Courts," was taken up and passed its first reading.

A communication was received stating that the House had concurred in Council amendments to H. F. No. 58, "Creating Castle County."

H. F. No. 54, "Amending sections 1603 and 1692 of the Compiled Laws of Utah," was taken up and passed its first reading.

A communication was received from the House, stating that the House had concurred in Council amendment to concurrent resolution concerning "Redistricting the Territory for legislative representation."

(H. F. No. 59), "Creating a jury fund in civil cases," passed its first reading, and was referred to the committee on judiciary.

(H. F. No. 43), "Relating to the proceedings of Probate Courts," passed its second reading.

(H. F. No. 54), "Amending section 1603 and 1692 of the Compiled Laws of Utah," was amended, and passed its third reading.

The title was then read and approved and the bill so passed.

Councilor Smoot submitted the following report:

Your committee on municipal corporations and townsites, to whom was referred (C. F. No. 16) "A bill for an act incorporating Park City," ask leave to report the same back with amendments, and recommend that it be put on its passage as amended.

(C. F. No. 16), "To incorporate Park City," was read the second time by sections, as amended by the committee, further amended, and passed its second reading.

Councilor Wells submitted the following report:

C. F. No. 25, "An act requiring recorders of mining districts in this territory to give bonds," and C. F. No. 8, "An Act to provide for condemning lands for public use," have this day, at 4 p. m., been presented to His Excellency the Governor, for his consideration and approval.

H. F. No. 54, "Amending sections 1603 and 1692, of the Compiled Laws of Utah," pass its third reading.

The title was then read and amended to read: "A bill repealing section 1603 and amending section 1692 of the Compiled Laws of Utah," and the title being then approved, the bill so passed and was sent to the House for its concurrence in the amendments.

C. F. No. 16, "To incorporate Park City," then passed its third reading.

The title was then read and approved and the bill so passed.

Councilor Smoot introduced C. F. No. 33, "Relating to procedure in civil cases," which was read the first time and referred to the committee on judiciary.

The following communication was received from the Clerk of the House:

I am directed to inform your Honorable Body that the House has this day received a communication from His Excellency the Acting Governor to the effect that he does not approve H. F. No. 6, "Amending section 1732 of the Compiled Laws of Utah."

The message from the Governor, giving his reasons for his non-approval of the bill referred to in the foregoing communication was read.

Councilor Wells submitted the following report:

C. F. 23, "An Act prohibiting the smoking and chewing of opium," has this day, at 5 p. m., been forwarded to His Excellency the Governor, for his consideration and approval.

Council adjourned to the regular hour on Thursday.

Thursday, Feb. 12, 1880.

A communication was received, announcing that the House had passed H. F. No. 64, "Amending the revenue act, etc.," which was read the first time, passed its first reading and was referred to the committee on revenue.

A communication was received, announcing that the House had not concurred in Council amendments to H. F. No. 54, "Repealing section 1603 and amending section 1692 of the Compiled Laws of Utah," and that it had appointed Messrs. Fisher, Penrose and Francis committee on part of the House, to consider said amendments.

On motion of Councilor Caine, a committee of conference was appointed from the Council to consider said amendments.

The President appointed Councilors Wells and Thurber said committee.

Proceedings in progress.

HOUSE.

Monday, Feb. 9, 1880, 3 p. m.

Mr. Murdock presented petition of M. R. Clayton and 175 others, residents of Beaver County, asking for an appropriation to establish a high school at Beaver, and moved its reference to the committee on education. Read and referred.

Mr. Penrose, chairman of petitions and memorials, presented the following report:

February 9, 1880.

Your committee on petitions and memorials, to whom was referred the petition of Weber County Irrigation convention asking that the memorial to Congress in relation to amendments to the homestead law, adopted at the last session of this Assembly, be renewed; also, that Congress be memorialized for certain changes in the Desert Land Act, beg to report back said petition, and report favorably in relation to the first request, and unfavorably on the last; and herewith submit said memorial with recommendation that it be re-adopted.

C. W. PENROSE,
Chairman.

Report accepted, and memorial to Congress re-adopted.

Mr. Lyman presented (H. F. No. 61) "A Bill amending 'An Act to provide for special elections to fill vacancies,' approved February 22, 1878," was read the first, second and third times, and passed.

Mr. Lyman, chairman of revenue, presented (H. F. No. 62), "Defining the amount of bonds of the Auditor of Public Accounts, and of Territorial and County Treasurers," which was read and passed.

(H. F. No. 54), "Amending sec-

tion 1603 and 1692 of the Compiled Laws of Utah," was taken up on its second reading by sections, pending which, on motion of Mr. Jaques (H. F. No. 54) was re-committed to the judiciary.

(C. F. No. 8), "To provide for condemning lands for public use," was taken up and read the second and third times and passed.

The following message from the Council was received and read:

Council Chamber,
February 9, 1880.

Mr. Speaker:

I am directed to inform your Hon. Body that the Council has concurred in House amendments to (C. F. No. 15), amending section 1444, Compiled Laws of Utah.

Very respectfully,

CHAS. W. STAYNER,
Chief Clerk of the Council.

Mr. Lyman presented (H. F. No. 63), "To protect the people of Utah Territory against incompetent practitioners of medicine, surgery and obstetrics," which was read the first time and referred to the committee on judiciary.

Mr. Snell presented petition of Charles Monk and 31 others, asking for legislation in relation to foul brood in bees.

House adjourned until Tuesday, at 2 o'clock p. m.

Mr. Hatch, chairman of Library, reported the library in good condition, and that about 1,000 copies of the compiled laws were stored there, which the committee recommended should be disposed of as follows: One hundred copies to be exchanged for the Statutes of other States and Territories and other standard works; ten copies to be delivered by the Auditor to each County Court for the use of the county officers; and that he dispose of the remainder at \$3.00 per volume and place the proceeds in the hands of the Territorial Treasurer.

Also that \$500 be appropriated to pay salary of Librarian for the years 1880 and 1881.

Report accepted and recommendations adopted.

A message was received from the Council announcing the concurrence in the House amendments to C. F. No. 8, to provide for condemning lands for public use.

Mr. Lyman, chairman of Revenue, reported H. F. No. 64, "To amend the Revenue Laws," approved Feb. 22, 1878, which was read the first time and ordered printed.

Mr. Carrington, chairman of committee on municipal corporations, reported H. F. No. 65, To incorporate villages, which was read the first time and ordered printed.

Mr. Carrington, Chairman of municipal corporations, presented the following report:

Mr. Speaker:

Your committee on municipal corporations, etc., to whom was referred a petition for an Act to incorporate Nephi City, herewith return said petition, with a bill as prayed for, and recommend the passage of said bill.

H. F. No. 66, "To incorporate Nephi City," was read and passed.

Mr. Carrington, then presented the following report:

Mr. Speaker:

Your committee on municipal corporations, etc., to whom was referred H. F. No. 57, "A bill amending the charters of incorporated cities," herewith return said bill with an additional section as an amendment, and recommend its passage as amended.

Amendment read and adopted.

H. F. No. 57, "A bill amending the charters of incorporated cities," was read and passed.

Mr. Preston, Chairman of enrollment, presented the following report:

Mr. Speaker:

Your committee on enrollment report that they have carefully enrolled an compared "An act providing for the organization of San Juan County, and defining the boundaries thereof," and have this pay at 3.30 m., forwarded the same to the Governor for his approval.

The following message from the Acting Governor was received and read:

Utah Territory,
Executive Office,
Salt Lake City, Feb. 10, 1880.

Hon. Orson Pratt, Speaker of the House of Representatives:

Sir,—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, H. F. No. 50, An act providing for equalizing taxes upon transitory herds,