

UTAH LEGISLATURE.

COUNCIL.

The Council met pursuant to adjournment.

Roll Called. Quorum present.
Prayer by the chaplain.

Councilor Thurber presented a petition from W. H. Clark, assessor and collector of Sevier County, praying for relief in the amount of \$75.40. The petition stated that in the assessment list of 1879 and 1880, there were delinquent payments which he had paid into the Territorial Treasury, but \$75.40 of that amount he discovered had been paid in Piute and Emery counties, which he asked to be reimbursed. Referred to the committee on claims and appropriations.

The bill for an Act in relation to mortgages of personal property was taken up and occupied the larger part of the session. Many amendments were made, and the bill passed its second reading and was referred to the committee on enrollment to be engrossed.

The House of Representatives sent a message to the Council stating that the bill to amend section 2383 of the Compiled Laws of Utah had been passed in the House, with amendments.

An invitation from Governor and Mrs. Murray was read, asking for the pleasure of the company of the officers and members of the Legislature, at their residence, on Thursday evening.

On motion of Councilor L. Snow, the invitation was accepted and the clerk ordered to notify His Excellency.

On motion of Councilor E. Snow, the Council agreed to meet in the Council Chambers at 7:30 o'clock on Thursday evening and proceed in a body to the residence of the Governor.

The House of Representatives sent a message to the Council, stating that a concurrent resolution had been passed that no bill should be received in either house after March 1st, without a two-thirds majority of such houses. Council concurred.

Council adjourned to 3 o'clock on Thursday.

Benediction by the Chaplain.
Thursday, Feb. 2, 1882.

3 p. m.

Council met pursuant to adjournment.

Roll called. Prayer by the Chaplain.

Councilor Thatcher presented a petition of Albion Morteith and 148 other, citizens of Paradise, Hyrum, and Millville, Cache County, praying for an appropriation of \$1,000 to complete a wagon road between these settlements and Brigham City, Box Elder County, \$1,500 having already been expended on this road by the settlers in these settlements. The petition claims that the new road is some ten miles shorter than the old road running through Wellsville. Referred to the committee on roads.

Councilor Murdock presented a petition of W. McCorkindale and 47 other, residents of Marysvale, Piute County, asking that a highway be opened between Piute and Sevier County, running a short distance north of Marysvale, through Long Valley, to three miles south of Monroe, and that commissioners be appointed to locate and make such road. Read and referred to the committee on roads, etc.

Councilor Teasdale presented a petition from Joel Grover, and 211 other taxpayers and businessmen of Nephi, praying for a bill for an act incorporating Nephi City, with full power of chartered cities. The bill was read and referred to the committee on municipal corporations.

Councilor Smoot, of the committee on revenue reported back the liquor bill, with several amendments, and moved that it be referred to the committee on printing, and that 75 copies be printed. Carried.

The following messages were received from the House of Representatives, stating that these bills had been passed:

C. F. 10, amending section 1750 of the Compiled Laws; with amendments.

C. F. 4, amending section 2383 of the Compiled Laws, with amendments.

H. F. 2, amending chapter iv, title xi of the Compiled Laws.

H. F. 21, extending the boundaries of Lehi city.

H. F. 1, granting incorporated cities certain powers.

H. F. 24, changing the name of Peter Pierson to Peter H. Hansen.

The bills were laid on the table, to come up in their order.

Councilor Caine, of the committee on engrossing, reported the bill in relation to mortgages of personal property engrossed. Laid on the table.

Councilor Cluff presented a bill to provide means for collecting small debts, under \$75. This bill is somewhat of a copy of the English county court law on collections. Read and referred to the committee on judiciary.

Councilor Caine presented two bills for the registration and redemption of territorial and county warrants. Read and referred to the committee on revenue.

The amended bill to amend section 2383 was taken up and referred to the committee on judiciary.

The amended bill to amend section 1,750 of the Compiled Laws was taken up, and the House amendments concurred in.

The bill granting to incorporated cities power to restrain horses, poultry, etc., from running at large; to provide for setting out and preserving shade trees; to enforce the payment of city taxes; to license and regulate the manufacture and sale of liquors; to control the waters running through their boundaries; was taken up and referred to the committee on municipal corporations.

The bill amending the form of notice of publication of irrigation companies was read and referred to the committee on irrigation.

The bill extending the boundaries of Lehi City passed its first reading and was referred to the committee on municipal corporations.

The bill changing the name of Peter Pierson to Peter Hansen was read the first time.

The bill relating to mortgages of personal property was made the special order for business for half-past 10 on Friday.

After benediction by the chaplain, Council adjourned until Friday.

Friday, February 3rd, 1882.
10.30 a. m.

Council met pursuant to adjournment. President Jos. F. Smith in the chair.

Roll called. Prayer by the chaplain.

The House of Representatives sent two messages to the Council stating that the House had passed the bill incorporating villages and the bill changing the boundary of Tooele City. Referred to the committee on municipal corporations.

Councilors Wells and Thatcher, the special committee to whom was referred those portions of Governor Murray's message on "the political situation" and "polygamy," made a lengthy report.

President Smith vacated the chair and called Councilor L. Snow to it.

The bill in relation to mortgages of personal property passed its third reading and was sent to the House.

The bill changing the name of Peter Pierson to Peter H. Hansen, passed.

After benediction by the chaplain the Council adjourned till Monday afternoon at 2 o'clock.

HOUSE.

Wednesday, 2 p. m.

The House was called to order as per adjournment.

Roll called; quorum present.

Prayer by the Chaplain.

Journal read and approved.

A petition from Milando Pratt and others was presented by Mr. Penrose, representing that in 1868 the late Honorable Orson Pratt was delegated to get up and publish the "Deseret Alphabet;" that the sum appropriated was insufficient to defray the expense of such labor and therefore an appropriation to cover the balance, \$1,076.71, was asked for. Referred to the committee on claims.

The committee on judiciary by Mr. Farr, chairman, reported back a substitute for C. F. No. 10, a bill to amend section 1750 of the Compiled Laws, and recommending its adoption. Report accepted.

The committee on irrigation, by Mr. Partridge, chairman, reported on the petition of Thomas Cottle and others, asking that change be made in the time of holding elections of officers of irrigation companies, that they had made all necessary provision for the change, in a bill soon to be introduced into the House. Report accepted.

The committee on municipal corporations and towns, through Mr. Booth, the chairman, reported upon the petition of the Tooele city council to change the boundary lines of that city, that they have

considered the same with accompanying bill and plat and recommended the prayer be granted and the bill passed reported by the committee for that purpose. Report accepted.

The committee on irrigation, Mr. Partridge, chairman, reported that they had duly considered the bill on irrigation companies referred to them and had amended the same and recommended the bill be put upon its passage. Report accepted.

Bills were introduced:

By Mr. Preston, for an act to protect resident stock owners and Ranchmen, and providing for the recording of marks and brands, and the branding and marking of live stock. The bill provides that a general record of all marks and brands shall be kept at the seat of government, the keeper being elected every four years. The record shall be open to public inspection, and also be published in book form, a copy of which shall be furnished to the district poundkeeper and county recorder of each county; also that an appropriation of \$500 be made from the territorial treasury to defray the expenses of such publication. Each county recorder shall forward a copy of the brands he had recorded to the general recorder. The bill also defines what is a stock drover and a stock grower.

Referred to the committee on agriculture, with permission to print.

By Mr. Penrose, to provide for county sealers of weights and measures; explaining that the bill was designed to incorporate the prayer of the Ogden city council and other matters. It provides that in each county there shall be a sealer of weights and measures elected biennially, who shall give bonds in the sum of \$500; that such sealer shall secure a full set of U. S. standard weights and measures; by which the weights and measures of all dealers in specified articles shall be gauged, and a fee paid for sealing the same, according to a detailed list furnished.

Referred to the committee on judiciary.

The following bills passed their first reading:

H. F. No. 29, a bill to change the boundary line of Tooele City, Tooele County.

H. F. No. 24, a bill to change the name of Peter Peterson to Peter H. Hansen.

The bills were filed for second reading.

The following resolution was offered by Mr. Booth:

"That the committee on contingent expenses of this House, be requested to furnish to this House a statement of the expenses thereof up to and including the 31st of January, 1882, for which expenses the Territory is in any manner responsible." Mr. Booth stated that if the House were aware of the amount already expended from the Territorial Treasury for sundry articles for members, there would be, in his opinion, considerable of a change in the incurring of such expenses. The resolution was adopted and the committee instructed in accordance therewith.

Mr. Thurman introduced the following resolution which was adopted: "Resolved, by the House of Representatives, the Council concurring, that after the first day of March, 1882, no bill shall be introduced in either House of this Legislative Assembly, without the consent of two-thirds of the members of that House in which such bill is to be introduced."

This measure will require all bills to be introduced at least nine days before the close of the session.

The following bills passed their second reading and were placed on the general file: H. F. 29, a bill to change the boundary lines of the city of Tooele.

H. F. No. 24, a bill to change the name of Peter Peterson of Mayfield, Sanpete County, to Peter H. Hansen.

The following passed their third reading and were put upon their passage.

H. F. No. 2, providing that irrigation companies may notify stockholders therein by letters sent by mail instead of publishing such notices in a newspaper.

H. F. No. 21, a bill amending the charter of Lehi City, which bill substantially adds an additional half mile on the east of the city and drops that much from the north.

The titles of the bills respectively were passed without amendment.

House adjourned till Thursday at 2 p. m.

Thursday, Feb. 2, 2 p. m.
Met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the chaplain.

A Council message stated the concurrence of that body in the House resolution, limiting the time for the introduction of bills.

Mr. Booth, from the committee on municipal corporations and towns, reported upon H. F. 1, a bill granting to incorporated cities certain powers, that the committee had amended section three by striking out a portion of the section, and recommended that the bill be passed as amended.

The report was accepted.

The committee on claims, by Mr. Penrose, chairman, returned the corrected financial reports from Kane and Washington counties, as being still incomplete, and that the committee were unable to ascertain from the report the various amounts paid to county officers.

On motion of Mr. Francis, the report of the committee was accepted, and the county reports ordered to be returned to the county clerks for correction.

The special order, H. F. 8, a bill to amend an act establishing district pounds, and prescribing regulations for conducting the same, and for disposing of stray animals, was taken up, and,

On motion, was made the special order for Friday morning.

Mr. Peery, from the committee on ways and means, reported a bill adopted by the committee, upon that portion of the Governor's message relating to jurors' and witnesses' fees in civil suits. The bill provides that at the time of the institution of any civil action in the several district courts, there shall be a tax of five dollars levied upon such litigants; in cases of appeal from justices and probate courts, a tax of three dollars shall be paid by the appellant; which taxes shall constitute a jury fee, from which jurors are to be compensated for their services. Report accepted.

Council bill 10, to amend section 1,750 of the Compiled Laws, was read the third time and passed. The title passed without amendment.

H. F. 24, a bill to change the name of Peter Peterson, of Mayfield, Sanpete County, to Peter H. Hansen, was taken up on its third reading and passed by its title; the title passed without amendment—ayes, 21.

H. F. 29, a bill to change the boundary lines of the city of Tooele, Tooele County, was read the third time and passed—ayes, 21.

H. F. 1, a bill granting to incorporated cities certain powers, reported back from the committee on municipal corporations and towns with an amendment, was called up and discussed. The bill relates to the impounding of stock, the setting out of shade trees, the sale and manufacture of liquors, the collection of city taxes by levy and sale, and the regulation of waters running into cities for the use of the inhabitants for domestic, irrigation and manufacturing purposes.

Mr. Smith was in favor of striking out the proviso to the section relating to liquor, which gives to the municipal governments power to prohibit only upon a petition signed by two thirds of the registered voters of such cities. Upon motion it was so ordered.

Mr. Thurman proposed to strike out the whole of section six relating to the regulation of waters, arguing that the measure would deprive private corporations now controlling the water to the satisfaction of the public, from continuing in their labors.

Mr. Booth explained that a proviso in the bill guaranteed to such corporations their present rights of priority, etc.

The motion was lost.

Mr. Dalton moved to strike out the enacting clause of the bill, as it contained amendments to the charters of all incorporated cities which in some instances would act detrimentally to the interests of communities by conflicting with sundry city ordinances.

Mr. Penrose hoped the bill would pass, as it contained many excellent provisions and did not require those cities to use the powers conferred unless they chose to do so.

Mr. Booth stated that Ogden, Provo, Corinne, Salt Lake and one or two other cities were the only ones having power to impound stock. Many had not the power to enforce the payment of city taxes.

A lively discussion followed, resulting in the passage of the bill; ayes 20.

House adjourned until Friday at 10.30.

Friday, Feb. 3, 10.30 a. m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A communication from the Council announced the concurrence of that body in the House amendment to C. F. 10, to amend sec. 1,750 of the Compiled Laws of Utah.

Mr. Peery, from the committee on ways and means, reported relative to bill H. F. 23, to amend section one of chapter eight of the laws of 1878, in relation to the per cent. of tax to be levied for school purposes. That the committee had duly considered the bill, and wished to report adversely upon its passage.

The bill was read and report accepted.

The committee on private corporations, by Mr. Sharp, chairman, recommended the passage of the House bill No. 25, to amend section one, of title two, of the Compiled Laws of Utah, which they had duly considered and reported back without amendment. Report accepted.

The committee on irrigation, by Mr. Partridge, chairman, to whom was referred that portion of the Governor's message relating to irrigation, reported that as the subject was comparatively new, and that legislation upon it, with present information, would be meagre in comparison to the importance of the interests depending upon the same, the committee therefore recommended that a special commissioner be appointed to collect what important information could be obtained throughout this and adjacent States and Territories, upon the subject of irrigation, compile and publish the same, and report to the session of 1884. The report of the committee was accepted and the recommendation adopted.

Mr. Booth reported in behalf of the committee on judiciary that they had made one amendment to Council bill No. 15, designating public holidays by adding the 22nd of February to the number of holidays. The report was accepted, and on motion of Mr. Stout the amendment was adopted.

Mr. Penrose, from the committee on claims and public accounts, reported that the committee had examined and approved of the claim of Gilbert Belknap, assessor and collector of Weber County, in the matter of uncollectable territorial taxes, and recommended that the sum of \$77.51 be appropriated for the relief of the said petitioner. The report was adopted and the amount ordered to be placed on the appropriation bill when prepared.

Bills were introduced:

By Mr. Booth, for an act amending section 13 of an act pertaining to highways, (Compiled Laws, page 50,) providing that it shall be sufficient in giving notice to payers of poll tax who are working in mines or for corporations or partnership companies, that the superintendents of such corporations be notified and who shall be required to pay the same out of any moneys that may become due to such taxpayers. Referred to the committee on highways.

The special order of the day, H. F. No. 8, a bill amending the law establishing district pounds and prescribing regulations for conducting the same and for the disposing of stray animals was called up and considered.

Mr. Dusenberry wished additional light upon the subject, whereupon a short discussion ensued. Mr. Johnson was highly in favor of the bill as its measures would prevent cattle thieves from appropriating to their own use much of that class of stock now stolen from the rightful owners. If necessary Mr. Johnson's constituents would en masse petition for the passage of the amendment. Messrs. Partridge and Lee were in sympathy with the measure.

Mr. Atwood considered the amendment advisable as it required that all yearlings should be branded. The bill was finally passed with the amendment, ayes 20.

The title of the bill was amended to read "A bill to amend section 415 of the Compiled Laws of Utah." The bill requiring amendment to conform with the title it was, on motion of Mr. Penrose, reconsidered and the necessary amendment made. The bill was passed, ayes 21.

Resolutions:

By Mr. Penrose: "I move that rule 31 of the House rules be referred to the committee on rules for amendment." Adopted.

By Mr. Dusenberry: "Resolved, by the House of Representatives, the Council concurring, that 500 copies of the report of Regents of