

pealing clause, so that, should the courts declare any of the features of the bill invalid, the present law would be in force. The amendment was modified and adopted.

Allen, for the committee on public health, reported adversely on the bill to prevent the use of certain medicines, referred to that committee this morning. Adopted.

Moyle moved that the high license bill pass. It passed by a vote of 20 to 1. The solitary negative was McLoughlin.

At 12:20 the House took a recess until 2 p. m.

The live stock committee, by Kimball, chairman, reported a substitute for the bill providing for a revision of the brand sheets. Filed for second reading.

H. F. 71, relating to life insurance companies, was read the second time by sections.

A debate occurred on the provision which permits life insurance companies to loan money on "stocks or bonds of any solvent dividend-paying institution."

Allen moved to strike it out, and was opposed by Moyle.

Richards offered an amendment providing that such securities must be worth double the amount loaned on them. Carried.

The rules were suspended and the bill was read the third time, by sections, and passed.

The insolvency bill, a very long one, passed by the Council, was under consideration when we went to press.

HOUSE.

March 2.

C. F. 2, providing for proceedings in insolvency, was considered on second reading. It is a long bill.

The joint resolution accepting the site for capitol buildings on Arsenal Hill was read twice and filed for third reading.

Consideration of C. F. 2 was resumed, pending which a communication was read from the Council announcing that that body had amended several bills which had been passed by the House.

The House concurred in the Council amendments to the townsite bill.

A debate occurred on the Council's amendment to the deaf mute institute bill, making the annual appropriation \$10,000 instead of \$5,000, but it was agreed to.

The Council struck out the provision in the cruelty to animals bill making police officers guilty of a misdemeanor for failing to enforce its provisions, and after a debate the House concurred.

The House concurred in the Council amendments to the bill making judgments a lien on real property acquired after rendition.

The above bills, in the Council amendments to which the House concurred, were sent to the enrollment committee.

The insolvent bill was made special order for tomorrow.

H. F. 72, amending the penal code, in relation to fast driving was considered, amended and ordered printed.

Hoge's marriage bill came up on third reading.

Clark moved to strike out the section punishing a person not authorized for performing a marriage. Lost.

The bill was filed for third reading.

H. F. 60, the medical practice bill, came up on second reading.

King moved to strike out the enacting clause, and made a brief argument showing that the Territory did not need such a law.

Hoge supported the motion in a brief speech.

Allen, chairman of the health committee which reported the bill, opposed the motion to strike out the enacting clause.

Moyle favored the bill saying it was designed to protect the community against quacks.

Creer thought that, in some rural districts, the bill would work hardship.

Thurman differed from Creer and favored the bill.

The motion to strike out the enacting clause prevailed by a close vote.

C. F. 11, defining the boundaries of the first and fourth judicial districts, was read the second time by sections, and made special order for Monday, as Lund said a petition in regard to it was on the way from Sanpete.

The Council bill defining Millard County was read the second time by its title and filed for third reading.

The Council bill in relation to doors and fire escapes in public buildings was read and ordered printed.

The Council amendments to the county government bill were considered. They were numerous but unimportant to the main features of the bill, and all but one were concurred in.

The Council bill in relation to the insane asylum was referred to that committee.

The Council bill amending the civil code in relation to documentary evidence from foreign countries, was read twice and passed.

The Council bill in relation to the manufacture of sugar, was read the second and third times and passed.

The Council liquor bill came up, and on motion of Creer was laid on the table.

H. F. 29, a bill prohibiting the sale of liquor on election days, was read the second time and filed for third reading.

The bill to establish an agricultural college, etc., came up on second reading and was made special order for Monday.

The House adjourned till to-morrow at 10 a. m.

March 3.

Opening exercises. Hatch introduced a statement of expenditures made by the School Commissioner, accompanied by vouchers, and asking an appropriation to cover the same. Committee on claims.

Rouche, for the committee on agriculture, reported C. F. 24, a bill relating to occupying claimants, recommending that it be referred to the judiciary committee. Adopted.

Richards, for the conference committee, reported that the committee was unanimous in recommending that the Council recede from its amendments to the counties boundaries bill.

Wood, for the asylum committee, reported favorably on the asylum bill.

Rouche, for the committee on agriculture, recommended that an appropriation of \$10,000 be made for Territorial fair buildings, provided that Salt Lake City would donate a portion of Washington Square for a site, to be expended under the direction of the D. A. & M. Society. The recommendation was referred to the committee on appropriations.

Howell, for the committee on ways and means, reported the revenue bill.

King, from the municipal committee, reported adversely on a Council municipal bill, for the reason that its points were covered in the general bill. Adopted.

The joint resolution accepting the site for capitol buildings, was read the third time and passed.

Thurman, for the compilation committee, reported the compilation complete, including all laws passed to date at the present session.

Spencer, for the fish and game committee, recommended that \$8000 be appropriated for a fish hatchery.

Hatch objected to the appropriation being made, and discussion of the subject ensued.

Richards moved to reconsider the vote by which the bar association bill was killed.

Clark stated that the reason why the bill was killed was that the House thought lawyers were able to buy their own books.

Moyle made a speech in favor of the bill.

Hatch sarcastically said he would favor the bill provided \$10,000 were included in it to buy plows, etc., for farmers. (Laughter.)

The motion to reconsider was lost, and the House refused to resurrect the bill.

While the vote was being taken, Hatch asked that if any members who were lawyers were absent, the sergeant-at-arms, be required to bring them in. (Laughter.)

The bill defining the boundaries of Juab and Millard counties was passed.

The Council amendments to the board of equalization bill were considered and concurred in.

The insolvency bill was sent to the judiciary committee with instructions to report Monday.

On motion of Heyborne, the bill relating to assignments went to the same committee.

Hatch's bill giving \$1000 to each county for road purposes, came up on second reading.

Hatch made a cogent and highly humorous speech in favor of the bill.

Allen made a reply to some of Hatch's remarks respecting Tooele County.

The bill was sent to the highways committee.

Hatch moved that all of the committees of the House be instructed to report not later than 2 p. m. on Monday, on all business in their hands. Carried.

Richard's revenue bill, an elaborate and carefully drawn measure, came up on second reading and was recommended.

The House took recess till 2 p. m.

The insane asylum bill was read the second time by sections.

Hoge moved to strike out the section giving the board of directors of the Territorial Insane Asylum supervision over all houses or places in the Territory where insane persons may be confined. Withdrawn.

Pending the reading of the asylum bill a message from the Council was read announcing its refusal to adopt the report of the conference committee on the county boundaries bill.

King moved that the House refuse to concur in the amendment of the Council in question. Carried.

A communication from the Governor announced his approval of the following bills: Fixing the time at which new laws go into effect; offering bounties for wild animals; in relation to the normal department of the University of Deseret; providing for changing the names of towns, etc.

Consideration of the asylum bill was in progress when we went to press.

March 3, 1888.

Consideration of the asylum bill consumed the greater part of the time of the afternoon. It is a very long one, and numerous but important amendments to it were made. The second reading was completed at about 5 o'clock, and it was filed for third reading.

Rouche, for the agricultural committee, recommended that, if Salt Lake City corporation would give the Ten's Ward Square to the Territory for fair grounds, the Assembly would appropriate \$20,000 for territorial fair buildings.

Hatch questioned the wisdom of making such liberal appropriations as had been proposed in this session, and suggested that if they should be made

anditor's warrants would greatly depreciate in value. He thought \$20,000 entirely too much for such a purpose.

The subject was discussed in a lively manner and the report was adopted.

Clark, for the appropriations committee, recommended that \$1000 be appropriated to help build a jail in Kane County, as that county has to deal with a great many border outlaws.

The council bill, in relation to doors, fire escapes, etc., came up on third reading and passed by a unanimous vote.

Hoge's marriage bill came up on second reading.

Richards proposed a substitute for the first section, covering about the same ground, but changing the language. Adopted. It prohibits marriage between relatives within the fourth degree, negroes and whites, whites and Mongolians, etc.

A number of minor amendments were made, and the bill was put upon its passage. There were only fourteen members present, and as three voted against the bill, in order to save it, the final vote was deferred till Monday.

At 6:05 the House adjourned till 10 a. m. Monday.

March 5, 1888.

Opening exercises. The Council adhered to its amendments to the county boundaries bill, which resulted in the rejection of the measure.

The House did not concur in the Council amendments to the bill providing for corporations for the prevention of cruelty to animals, and the chair appointed, as a conference committee, Allen, Wood and Rouche.

The House concurred in the Council amendments to the reform school bill, striking out the Auditor as one of the directors, and increasing the capacity of the buildings from 100 to 200 inmates.

A debate occurred on the increase of the appropriation from \$50,000 to \$75,000. Hatch opposed the increase, and the House refused to concur therein. The House concurred in striking out the provision authorizing justices of the peace to commit to reform school.

Lund, for the counties committee, recommended that \$1000 be appropriated to Andrew Jenson to aid him in publishing his geographical encyclopedia of the Territory. The House rejected the recommendation by one vote.

Hatch, for the claims committee, reported adversely the auditor's claim for an increase of salary from \$1500 to \$3000 per year. Adopted unanimously; and favorably on the claim of M. L. Shepherd for overpaid taxes. Adopted.

Hatch also rendered an adverse report on the claim of the treasurer for an increase of salary similar to that made by the auditor.

Lund, for the counties committee, reported that pending bills afforded the opportunity for the people of Ashley to change the name of their town. Adopted.

Creer introduced a bill providing for the organization of a militia. Committee on militia.

Clark introduced the claim and vouchers of L. John Nuttall for incidental expenses of the office of Territorial School Superintendent for 1886, amounting to \$125. Claims committee.

Hoge's marriage bill passed by a vote of 16 to 5.

The Council bill defining the boundaries of the first and fourth judicial districts was read the third time by sections and put upon its passage.

Thurman made a speech in opposition to the feature of the bill which provides for court at both Provo and Nephi. He showed the great disadvantage of such an arrangement.

Hoge replied to Thurman, and was followed by Moyle, who also favored the bill.

Hatch offered an amendment providing for holding court at Provo only, and made an argument in support.

Thurman supported the amendment, and Richards opposed it.

Hatch's amendment was lost. The bill passed by a vote of 15 to 8.

The Council insisted on making the appropriation for the reform school \$75,000 instead of \$50,000, and asked a conference committee, which was appointed.

The Council bill creating a board of commissioners on capitol grounds, was read. The commissioners are to take control of and improve the capitol grounds donated by Salt Lake City corporation.

The Council amendments to the bill relating to life insurance were considered and all concurred in.

At 12:30 the House took a recess till 2 p. m.

2 p. m. C. F. 27, another liquor bill, was read the second time and ordered printed.

The governor returned the anti-tobacco bill with suggestions that a provision be inserted making it a misdemeanor to sell tobacco to a minor only after written notice from parent or guardian forbidding such sale.

The Governor returned the deaf mute bill, urging an appropriation for erecting buildings on the University grounds, instead of with a view to having other land, and making some other suggestions.

The Governor vetoed the bill for removing the library to the University, but approved the bills relating to townsites, cruelty to animals and amending the civil code in regard to documentary evidence from foreign countries.

King, for the committee on memorials, reported that in the opinion of the committee, there was no need for action on the part of the Assembly asking Congress not to remove the tariff on wool. In support of the report, King said the democrats of the House were not protectionists.

Allen said that to adopt the report would indicate that Utah was in favor of free trade.

King said it was not the desire of the committee to raise any political question in regard to this matter, but that the feeling of the committee was in favor of tariff revision.

The report was rejected, and the committee were instructed to prepare a memorial to Congress protesting against the placing of wool on the free list.

King thought that if the sheepmen got the kind of memorial they wanted, it would have to be prepared by some other committee.

Richards suggested that perhaps there was a disposition in that committee to discourage sheepmen.

Hatch, for the claims committee, reported favorably on the claim of F. A. Perkins, as district court clerk, of over \$300; also on a bill for record; also on the claim of Benjamin Bachman of \$917 45, as district clerk.

The bill amending the present law relating to corporations was read and passed.

The conference committee reported in favor of \$75,000 for the reform school, but Hatch made a minority report in favor of \$50,000. By a vote of 12 to 10 the House adopted the majority report.

March 5, 1888.

After we went to press, the bill amending the stock law was read the second time.

Another bill amending the law respecting corporations was read the second time and filed for third reading.

Hatch, for the claims committee, reported in favor of the claims of John M. Zane, amounting to \$1,056.35. Adopted.

A bill amending the estray law was read the second time by sections, the third time by its title and passed under a suspension of the rules.

The life insurance bill had gone to the enrolling committee, but on the suggestion of Thurman that it contained imperfections, was recalled for further consideration. Finally the House refused to concur in one of the Council amendments.

Farnsworth, for the highways committee, reported adversely on Hatch's bill giving \$1000 to each county, and recommending that amounts varying from \$1000 to \$3500 be given to the counties who have petitioned at this session for an appropriation or were included in the appropriation bill last session. Adopted.

The chairman of the committee says they have legal advice that the Assembly has the right to vary the amounts given to counties. The appropriations advised by the committee aggregate over \$38,000.

Farnsworth, for the same committee, reported adversely on the bill making employers responsible for the poll tax of employees. Adopted.

Lund, for the committee on counties, reported an error in the financial statement of Garfield County, and recommended that it be returned to the clerk. Adopted.

He also recommended that the statements of the other counties, which had been found correct, be printed in the journal. Adopted.

Hatch, from the claims committee, reported adversely on the claim of O. J. Averill.

King, for the municipal committee, reported adversely on the bill providing for bonding towns, etc., for the reason that provision had been made for the same objects in other bills. Adopted.

Richards' bill to prevent the sale of intoxicating liquors on election days, was passed.

Thurman, for the judiciary committee, reported favorably on the insolvency bill, which was made the special order for March 6.

The bill to prevent fast driving was read the third time and passed.

The bill providing for the revision of the brand sheets passed to its third reading and was made a special order for March 6.

The Council substitute for the high license bill was read.

A communication from the auditor, in reference to accounts due the Territory, accompanied by a statement, was read and referred to the ways and means committee.

7:30 p. m.—The Speaker not appearing, on motion of Thurman, Hatch was elected Speaker pro tem.

The Council had a committee on the municipal bill, and it was referred to that committee for consideration of the amendments, on motion of King.

The elections committee reported liquor bill, without recommendation, and on motion of Howell, were instructed to report their recommendations.

Thurman, for the judiciary committee, recommended that the assignment bill be rejected, as the insolvency bill was a better one. Adopted.

Richards, for the corporations committee, reported a substitute for the bill to incorporate sportsmen's clubs, etc. Filed for second reading.

King, from the memorial committee, returned to the table the communication from the Chamber of Commerce relative to petitioning Congress for a portion of the Fort Douglas military reservation for the Orphans' Home, and recommended that it be referred to the judiciary committee, before whom a bill upon the same subject is pending. Adopted.

The asylum bill came up on third reading.

Hoge offered a substitute for section 18, which gives the directors of the asylum charge of all insane persons in the Territory, even though detained with private parties or cared for in private places. The substitute gives the directors charge only of patients committed to their care. Adopted.

Richards offered an amendment looking to the drawing of warrants only when there remains money in the treasury which the Assembly has appropriated to the asylum. Adopted.

Stewart called attention to the fact that, in some counties, there is not to be found one practicing physician, but under the bill an insane person could not be committed to the asylum unless first examined by two practicing physicians. He offered an amendment providing that the probate judge might, when no physicians could be had, appoint other persons to make the examination.

Moyle thought no person should be committed to the asylum except on the statement of an expert that he was insane, and opposed the amendment.

Jones took a similar view, while Hoge supported the amendment. He stated that parties well acquainted with a person whose sanity was in question were in law competent witnesses as to the sanity of such person.

Thurman said that we had no law defining what is a physician, and that there was not a county in the Territory that did not have from a dozen to five hundred so called. The law had worked well so far, and he did not think Stewart's amendment ought to prevail.

Stewart made another argument in favor of his amendment.

King explained that no inconvenience need be experienced in having insane persons examined by physicians, and opposed the amendment.

Rouche favored the amendment, and Allen opposed it, thinking that commitment for insanity was too grave a matter to intrust to any but scientific persons. The amendment was lost.

Richards offered an amendment making the term of office of the asylum directors two years instead of four.

Hoge opposed shortening the term, as did King, Creer and Thurman, each of whom made a speech.

Moyle favored the amendment, but it was lost.

Some further amendments were made and the bill passed.

The Council made amendments to the bill providing for banking, suggested by the Governor, and sent the bill to the House.

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