

to exercise its lawful authority on needed subjects of legislation, and has undertaken in many instances to confer power on local municipal organizations to deal with the same subject.

Acts regulating the conduct of the sexes towards one another are of vital importance in every Territory, State and nation. They are peculiar to no district, territory or clime. They affect the welfare, the social happiness, the reputation of every community in the civilized world.

The character of any community for order, elevation and decency may be gauged by the laws that exist in it for the suppression of vice, the protection of chastity, the preservation of the morals and purity of its social condition. Weighed in this standard, the social condition in Utah is not such as gives her a very elevated place.

This bill is one evidence that legislation is needed, but an authority to permit the city of Ogden to do what the Territory of Utah ought to do, even if it were ever so well conferred, would be only an acknowledgment of the duty without performing it. If such practices may be punished in the restricted limits of Ogden, they should equally be offensive on the Sand Ridge adjoining, and the thousands of square miles which constitute the Territory. If a law on a general subject is good, why not give the Territory the benefit of it? If bad, it should not effect even one little locality.

The proposed bill does not go far enough in dealing with the offenses. It proposes to allow the city of Ogden to punish. It leaves the crimes of incest, seduction, bastardy, adultery, enticing and allowing women to be victims of unlawful sexual intercourse or to visit houses or rooms of prostitution and other like offenses, untouched, without any prohibition, and touches those it creates in a crude and indefinite way.

I am opposed to leaving the city incorporation only; the power to deal with offenses of this class. They are not petty, trifling offenses, but are vital crimes, affecting the very constitution of society. They should be dealt with in a way to strike at all evils of the kind, and enable the social state which is attacked by them to defend itself fully and thoroughly, not by ordinances enforced through petty municipal courts, but by the strong, mailed hand of the courts of general jurisdiction.

While just can blight the whole Territory without finding any rebuke at the hands of the Legislature, the attempt to confer power on a municipal corporation to punish local transgressions against morality, in the indefinite, inadequate and inoperative way done in this bill, cannot have my sanction.

I am very respectfully,

ELI H. MURRAY, Governor.

And still another veto, that of House bill 57, the apportionment bill. Here is the epistle in relation thereto:

SIR: I herewith return without my approval H. F. No. 57. If this is a proper basis of representation, it is then clear that the boundaries of three-fourths of the counties of the Territory should be changed. The fundamental principles of fair apportionment is overlooked in this important measure.

In the very first Representative District created by this bill, Summit county, which is entitled to one Representative, is divided. A number of the precincts of this county are joined with Rich and Morgan counties, in a district running far to the north. This is certainly wrong. What is true of District No. 1 is equally true of District No. 2. In this district the remainder of Summit county is joined with the counties of Wasatch and Uintah, running far to the east. By this means one of the greatest wealth-producing and most thriving cities of the Territory and of the West is deprived of a voice and a place in the General Assembly of the Territory.

A number of other misjoinders are apparent in the bill, and for these reasons I am unable to give it Executive approval.

I am, very respectfully,

ELI H. MURRAY, Governor.

The articles were incorporated in the minutes of the "day's doings."

The House agreed to the Council amendments to the House bill revising the code of civil procedure of Utah Territory.

The House bill to prevent the spread of contagious diseases was filed for third reading.

The House adopted the adverse report of the committee on manufacture to the petition for the appropriation of \$1,500 for the encouragement of silk manufacture.

A substitute bill in relation to the charter of Fairview was read and filed for third reading.

Several other bills were advanced a stage or two, and filed for further action.

Mr. West moved that the Council be invited to meet with the House in joint session, to elect Territorial officers; carried, and the motion sent to the Council, and that body having concurred the joint session met at 5 p.m.; after its deliberations were over, the House adjourned till 10 a.m. on Tuesday.

COUNCIL—MARCH 9TH.

The Council was called to order at 10 a. m., and after roll call and prayer by the chaplain, the journal of Monday was read and adopted.

A communication from the House was read, asking for a conference committee on the Cazier item, and stating that they stood by their item of \$1,000 to build a bridge in Uintah county. The Council receded from their amendment on this item, and concurred in other amendments to the appropriation bill.

Mr. Shurtliff moved to reconsider Mr. Sharp's motion in regard to the payment of jurors; adopted.

Mr. Sharp again moved that the sum of \$40,000 be inserted in the appropriation bill for the payment of witnesses and jurors, in lieu of item nine, and that this item be placed at the end of the appropriation bill.

Also that the sum of \$2,000 be appropriated for the expenses of the executive office and messenger thereof, or so much as may be necessary to pay said expenses. He stated that as no provision had been made for this office he deemed this item necessary and just.

Messrs. Hammond, Grover and Barton supported the motion; in view of

the importance of this office and as no provision had been made by the general government for the expenses of the same, they considered this item necessary and proper.

The motion was carried.

Mr. Sharp read from last year's journal the action of the House of Representatives on the Cazier item, and moved that the Council accept the invitation of the House for a committee on conference and that further information be asked for. On motion of Mr. Sharp, the general appropriation bill—without the Cazier item—was passed on the call of the roll. Ayes 9, noes 1, absent 1.

A communication from the House was read announcing its concurrence in H. F. No. 66, a bill to amend the act incorporating Lehi City; also its rejection of S. to C. F. No. 2.

Mr. Tuttle, from the committee on manufacture and commerce, reported back C. F. No. 6, a bill amending section 5, chap. 25, laws of Utah, the liquor bill, vetoed by the governor, without recommendation; adopted.

Mr. Francis reported that the committee on insurance companies had considered the governor's veto message in relation to C. F. No. 34, a bill in relation to fire insurance companies, and returned it with amendments. Said amendments covered his excellency's objections. The bill passed on the call of the roll.

Recess till 2 p.m.

HOUSE MARCH 9.

Opened in the usual way. Quorum present.

Mr. West moved that the item in the appropriation bill appropriating \$1,000 to Weber County, for repairing the roads in Weber Canyon be amended so as to provide for the amount being expended under the direction of Weber County instead of Davis County; carried.

The Council having amended the bill relating to incorporating the city of Lehi, the House concurred.

Substitute for House bill No. 2, in relation to disputed boundary lines between the counties of Juab and Millard, as amended by the Council, was, under the suspension of the rules, read the third time; when Mr. King, who has opposed the bill from the beginning, made another vigorous speech against it.

He said this measure if passed, will, instead of promoting a reconciliation, only widen the dispute between the two counties. It takes from Millard county much more than it proposes to give it. The gentleman said it was an unjust bill, and he hoped it would not pass. A vote was called and the bill was killed by 16 noes to 5 ayes.

The House next proceeded to consider the ponderous bill introduced by Mr. Creer, to authorize the incorporation of companies for the construction of union railroad stations and depots with the necessary connecting tracks for the maintenance of the same.

There are 27 long sections in this bill, and when section 8 was reached Mr. Young moved to postpone the further consideration of the measure for the purpose of considering the Council amendments, one of which was that \$40,000 be appropriated for witnesses and jurors in criminal cases in the District Courts, for the years 1880 and 1887.

This amendment strikes out the former amount of \$30,000 for witnesses alone. A motion to concur resulted in 15 ayes and 7 noes. The amendment was therefore adopted.

The House did not concur in the Council amendment to add \$2,000 for the expenses of the executive office.

A long discussion ensued on the motion that the House recede from its action in striking out of the bill the amount formerly allowed to Mr. Cazier, constable of Juab county, the amount expended by him in capturing criminals, etc. The sum was upwards of \$400. The motion to recede was lost.

A sort of dead-lock was now reached.

Mr. Thurman then moved that another conference committee be appointed to consider the matter again. The motion was carried, and the Speaker appointed Messrs. Thurman, West and Cannon on the part of the House.

A recess was taken till 2 p.m.

COUNCIL MAR. 9TH.

2 p. m.

A communication from the House was received notifying the Council that the Representatives had concurred in the jury appropriation and that for the executive office, but had not concurred in the Cazier item; also asking for the appointment of a conference committee to consider this item.

Messrs. Slack, Hammond and Barton were appointed said committee to settle the difference between the Council and House on this question, according to parliamentary rule.

Mr. Sharp moved to recede from the Council's amendment as to the amount in item nine, and that instead \$2,000 the sum of \$2,250 be inserted in the bill as this amount was found to be the actual sum necessary to meet the expenses of the executive office. Carried.

The general appropriation bill was again passed on the call of the roll, and sent to the House for their action thereon.

Mr. Page, from the committee on the asylum for the insane, reported back H. F. No. 64, a bill providing for the removal of insane convicts to the asylum, with amendments, and asked that said amendments be read and the bill put upon its passage; adopted, and the bill was shortly afterwards read the third time and passed.

HOUSE, MARCH 9.

2 p. m.

In consequence of sickness in his family the Speaker was absent this afternoon, and Mr. West was appointed Speaker pro tem.

The House resumed the discussion of the union railroad depot bill, but at 2:55 further consideration of it was deferred, and the appropriation bill was taken up.

The Council notified the House that it had amended the item in the bill in relation to the amount for the expenses of the Executive office, by striking out \$2,000 and inserting \$2,250.

Mr. Francis reported that the joint committee had destroyed the redeemed Auditor's warrants by burning them in the stove in the Auditor's office.

The rules were suspended for any business that might come before the Council.

A communication from the House was read, notifying the Council that the House had concurred in the amendment to the appropriation bill, which placed the sum of \$2,250 for the contingent expenses of the executive office.

A communication from the House was read, announcing that the House had inserted the sum of \$3,000 for clerical services in the Auditor's office, and \$500 for the increasing of the Treasurer's salary. These items were concurred in.

Mr. Sharp moved to consider the action of the Council on the Cazier item. While he believed the item to be as just as any other item in the bill, rather than compromise the whole measure he would ask the Council to recede from their action and let the responsibility rest where it properly belonged.

Messrs. Grover, Hammond, Barton and Page, each sustained the statement of Mr. Sharp that this item should be paid out of the Territorial Treasury. It was a just claim, and as such should be paid, but, that harmony might be maintained, they would vote to strike out the item and let this go on record, that the Council had acted from a principle of justice and equity, but out of two evils they preferred to choose the least. The appropriation bill was again sent to the House.

A message was received from the House announcing the passage of S. for C. F. No. 34, a bill in relation to fire insurance companies, with amendments. The amendments were concurred in and the bill passed and was sent to the committee on enrollment to be again forwarded to his excellency, the Governor, for his action thereon.

Another communication was received announcing the approval by the House of the Council amendments to H. F. No. 64, a bill providing for the removal of insane convicts to the Territorial insane asylum.

Adjourned at 4:45 till Wednesday at 10 a. m.

MARCH 10.

The Council met at 10 a. m., and after roll call and prayer by the chaplain, the journal of Tuesday was read and approved.

A communication from the House announced the final passage of the general appropriation bill, and that the same had been sent to the committee on enrollment.

Mr. Hammond, from the committee on enrollment, reported that C. F. No. 41 had been correctly enrolled, and forwarded to the Governor for his official action thereon.

At 10:22 a recess was taken subject to the call of the chair, and at 11:10 a. m. the Council resumed business.

A communication from the House was read announcing the passage of H. F. No. 81, a bill amending the act incorporating Mount Pleasant in Sanpete County; also H. F. No. 80, a bill to amend the incorporating act of Fairview. Both bills were read the first and second times and referred to the committee on corporations and towns.

Another communication from the House was read, announcing the passage of H. F. No. 68, a bill to suppress and prevent the dissemination of contagious diseases among stock, and to provide for the appointment of a veterinarian; read the first and second time by its title, and referred to the committee on agriculture. This bill supersedes C. F. No. 39, a bill to prevent the spread of contagious diseases among stock.

A communication was received from the House announcing the passage of H. F. No. 32, a bill amending the act incorporating Smithfield City with amendments. The amendments were read and the bill was, under the suspension of the rules, read the first, second and third time by its title.

Also, that the House had passed H. F. No. 78, authorizing the construction of railroad depots; read by its title and laid on the table till called for.

Mr. Grover, from the committee on municipal corporations and towns, reported back H. F. No. 80, a bill to amend the act incorporating Fairview City; read the third time and passed on the call of the roll, and the House notified.

Also H. F. No. 81, a bill amending the act incorporating Mount Pleasant, was read the third time and passed on the call of the roll, and the House was so notified.

At 12:10 the Council took recess till 2 p. m.

HOUSE, MARCH 9.

2 p. m.

A communication from the House announced the passage of C. F. No. 40, a bill amending the act incorporating Cedar City, with amendments; amendments concurred in, the bill passed and sent to the committee on enrollment.

The following communications were received from the House: That the Representatives had rejected C. F. No. 38, a bill amending the code of civil procedure, and concurred in the Council's amendments to H. F. No. 32, a bill amending the act incorporating Smithfield City. Also that they had passed H. F. No. 78, a bill amending the act incorporating Provo City; read the third time and passed, and the House notified.

A communication was received from the Governor, announcing his approval

thieves in this Territory. After considerable debate the report was rejected.

Messrs. Thurman and West were excused from the committee on conference, and Messrs. Stratford and Howell were appointed by the Chair to fill their places.

Mr. Thurman moved that \$3,000 be inserted in the general appropriation bill to reimburse Mr. Clayton, Territorial Auditor, for the amount spent by him for clerk hire in his office during the past four years.

Mr. McLaughlin opposed the motion, and Mr. Creer supported it. The Auditor's salary is \$1,500 per annum, and he is under bonds to the amount of \$100,000 for the faithful performance of his duty. Mr. Thurman strongly supported his motion.

Mr. McLaughlin made further opposition, stating among other things that he had been credibly informed by a member of this House from Utah County that the salary of the Auditor was kept low because it was feared that the offices would go into the hands of other parties. He charged this remark to Mr. Thurman, who emphatically denied it, and said the gentleman from Summit County was mistaken. This part of the dispute rested then. The motion was carried.

The Auditor's salary was also increased from \$1,500 to \$2,250 per annum.

One thousand dollars was also added to the general bill to reimburse the Territorial Treasurer for amounts expended by him for the expenses of his office during the past two years.

Reports of conference committees were made and some other miscellaneous business was attended to.

The Council having amended C. F. 34, the fire insurance bill, so as to meet the objections of the Governor as stated by him in his recent veto message of that bill, the amendments were adopted, others made to it in the House, when it passed by a vote of 16 to 2.

The Council notified the House that it had passed the House bill in relation to convicts with amendments, in which the House concurred.

The union depot bill was made the special order for Wednesday.

The contagious disease bill was again called up for consideration, but when the reading had reached sec. 10, further consideration of it was deferred.

The Council concurred in several additions made by the House to the appropriation bill, including the item of \$2,250 to defray the expenses of the executive office. The bill then passed by a vote of 19 to 1.

The Prove charter bill was read the second time, and the House adjourned at 5:20 p.m. till 10 a.m. Wednesday.

MARCH 10.

At 10 a. m. after the reading of the minutes, the House proceeded with unfinished business. The contagious disease bill was taken up, read by sections and passed, by a vote of 12 to 6. The Speaker voted, and his "cast" was decisive.

The bill amending the act incorporating Fairview was read the third time and passed.

The bill in relation to the incorporation of Mount Pleasant was the next measure that received attention. It was read the third time and passed unanimously.

The special joint committee reported the destruction of worthless Auditor's warrants.

By unanimous consent, Mr. Howell introduced a bill amending an act incorporating the city of Smithfield, which was read once by title, and under suspension of the rules passed by unanimous vote.

The House bill for the incorporation of companies, etc., was called up on its third reading and passed—ayes 15, noes 3.

C. F. 40, a bill amending an act incorporating Cedar City, was read in full, and on reading section 12 the House took recess till 2 p. m.

COUNCIL—MARCH 11TH, 2 P. M.

Mr. Grover, from the committee on agriculture, reported back H. F. No. 68, a bill to prevent the spread of contagious diseases among animals, without amendments. The bill was read to section 2, when Mr. Sharp moved it be rejected; adopted.

Also H. F. No. 55, a bill in relation to the impounding of animals and sale of estrays, with one amendment. This bill was partially read, when Mr. Barton moved to reject it, as he considered it was a bill in favor of pound-keepers more than for the benefit of estrays. This motion was lost by the President's casting vote.

Mr. Sharp moved to strike out the enacting clause, which resulted in a tie vote, and the President's vote threw out the bill.

A communication from the House announced the passage of C. F. No. 40, a bill amending the act incorporating Cedar City, with amendments; amendments concurred in, the bill passed and sent to the committee on enrollment.

The following communications were received from the House: That the Representatives had rejected C. F. No. 38, a bill amending the code of civil procedure, and concurred in the Council's amendments to H. F. No. 32, a bill amending the act incorporating Smithfield City. Also that they had passed H. F. No. 78, a bill amending the act incorporating Provo City; read the third time and passed, and the House notified.

A communication was received from the Governor, announcing his approval

of C. F., numbers 10, 19 and 34. C. F. No. 10 is the amendment to the fish and game law; No. 19, a bill amending sec. 18, session laws of 1884, and No. 34, a bill in relation to fire insurance companies. The message was read and ordered spread upon the minutes.

Mr. Hammond, from the committee on enrollment, reported that C. F. No. 34, a bill in relation to fire insurance companies had been correctly enrolled and was forwarded to the governor this afternoon.

Mr. Page, from the committee on highways, reported back C. F. No. 8, a bill pertaining to highways, with amendments covering the governor's objections thereto. The amendments were read, the bill passed and the House notified.

A communication was received from the House notifying the Council that the Representatives had laid on the table indefinitely C. F. No. 29, a bill to provide revenue for the Territory of Utah, and that the House concurred in the Council's amendments to H. F. No. 79, a bill to amend the act incorporating Provo City.

At 4:40 the Council adjourned till Thursday at 10 a. m.

MARCH 11.

The Council met at 10 a. m., and after the usual opening exercises the journal of Wednesday was read and approved.

Mr. Sharp moved that the rules be suspended for the transaction of any business that might come up, and at 10:28 a recess was taken till 10:50.

When the Council resumed business, C. F. No. 8, a bill pertaining to highways, was considered. The bill had been vetoed by the Governor, who suggested certain amendments to it. The committee on highways had drafted amendments covering these objections. Referred to the committee on enrollment.

A communication having been received from the House announcing the passage of H. F. 82, a bill providing for the payment of the officers of the 27th session of the Legislative Assembly, it was read the first time and, on motion of Mr. Sharp, referred to the committee on judiciary.

At 11:30 recess was taken till 2 p. m.

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