

UTAH LEGISLATURE.

COUNCIL.

Thursday, March 10, 10 a.m.

Council met pursuant to adjournment. Councilor Smoot, of the committee on revenue, reported back H. F. 64, and recommended its passage. The bill was then read and passed.

Councilor Smoot, of the committee on revenue, to whom was referred the report of the territorial auditor, reported that they had placed themselves in communication with the clerks of the First and Third District Courts and find that they have not collected any fines or forfeitures in these districts.

Councilor E. Snow, of the committee on appropriations, reported back the deficiency bill, with amendments and recommended that it be passed.

Councilor E. Snow, of the committee on claims reported back the accounts of the sergeant-at-arms, finding them correct and recommended that they be placed in the appropriation bill.

Concurrent resolution No. 10, authorizing the auditor to cancel and collect taxes, passed its third reading.

H. F. 32, providing for fees of jurors in civil cases, was read the third time and passed.

H. F. 65, providing penalties for cruelty to animals, was read, and on its second reading was rejected.

C. F. 29, changing the boundaries of Iron, Washington and Kane Counties and creating Snow County, with the House amendments, was read, and the amendments not being concurred in, the bill was referred to the committee on counties, with Councilor Thurber added to the committee to consider the boundary lines.

House resolution No. 4, for the election by the joint session of one special commissioner on irrigation matters of the Territory, was read and passed.

H. F. 91, a bill prescribing fees for the Secretary of the Territory in certain cases, and for other purposes, was read and passed.

H. F. 76, a bill relating to costs in criminal cases, was read and referred to the committee on judiciary.

The deficiency appropriation bill was taken up, read and referred to a special committee to investigate some items.

Recess until 2 p.m.

2 p.m.

A message from the Governor was read returning C. F. 30, on the manner of paying appropriations, with a suggested amendment, was read and referred to the committee on revenue.

The deficiency appropriation bill was passed. Councilor Cliff, of the committee on roads, reported back the report of Emanuel Bagley and Jens Jensen, concerning the expenditure of 2,000 of the Salina Canyon and Meadow Gulch wagon road, recommended that it be adopted. Carried.

H. F. 69, the bill to protect the maternal rights of married women concerning their children, was amended by adding to it C. F. 28, to establish and protect the identity of married women, and was passed.

Councilor Barton, from the committee on counties, reported back C. F. 29, changing the boundaries of Kane, Iron and Washington counties and creating Snow county, and the bill passed.

H. F. 52, to appropriate \$10,000 to the D. A. & M. Society for the erection of permanent exhibition buildings, was read and referred to the committee on trades and agriculture.

A message was received from the Governor stating that he had approved C. F. 33, the bill designating legal holidays.

H. F. 42, providing for an equalization board, was amended by naming the assessors of Cache, Weber, Davis, Utah, Sanpete and Salt Lake counties, and the assessor of Salt Lake City as such board. The amendment was adopted and the bill passed.

C. F. 32, in relation to clerks of district courts keeping roll of attendance of jurors and witnesses, was read as amended by the committee and passed.

The committee on revenue reported back C. F. 30, how appropriations shall be made; the committee had considered the suggestion of the Governor, and upon their recommendation the suggestions were adopted and the bill passed.

H. F. 65, providing penalties for cruelty to animals, was taken up and eventually rejected.

Recess until 7 p.m.

7 p.m.

Council took recess for joint session.

JOINT SESSION.

Councilor E. Snow stated that he was an admirer of Hon. George Q. Cannon, and would like to propose him, if he is likely to be deposed from his position in Congress, but as some of us may have to step down and out Mr. Cannon with us I nominate Hon. James Sharp, and no one, I hope, will object to him as a polygamist.

James Sharp was elected Chancellor of the Deseret University.

The board of regents was then elected as follows:

Mr. Stout nominated Wm. Jennings as regent.

Mr. Peery nominated R. T. Burton as regent.

Mr. Cliff nominated J. T. Caine as regent.

Mr. Wells nominated H. Dinwodey as regent.

Mr. Penrose nominated F. Little as regent.

Mr. Thorber nominated L. J. Nuttall as regent.

Mr. Dusenbury nominated H. S. Eldredge as regent.

Mr. Thurber nominated J. R. Park as regent.

Mr. Teasdale nominated H. P. Richards as regent.

Mr. Caine nominated W. H. Hooper as regent.

Mr. Farr nominated H. G. Whitney as regent.

Mr. Attwood nominated G. J. Taylor as regent.

Mr. Murdoch nominated G. F. Gibbs as treasurer of the University.

Mr. Jaques nominated F. Kesler as warden of the penitentiary.

Mr. Barton nominated W. R. Smith as director of the insane asylum.

Mr. Blackburn nominated W. N. Dusenbury as director of the insane asylum.

Mr. Farr nominated G. D. Snell as director of the insane asylum.

Mr. Neal nominated A. O. Smoot jr., as director of the insane asylum.

Mr. Snell's nomination was lost and the others were elected.

Mr. Booth nominated A. Miner for member of the library committee, and Mr. Partridge nominated T. B. Lewis. Both were elected.

Joint session dissolved.

After the joint session dissolved, the deficiency bill was agreed to.

The report of the conference committee on H. F. 45 was adopted.

A message from the House was received relating to the passage of a memorial to Congress asking an appropriation of \$5,000 to assist in defraying the expenses of revising and compiling the laws of Utah; also that the House had passed a joint resolution abolishing the office of Surveyor General.

C. F. 26, in relation to the identity of married women, was read as amended by the House and passed.

A message from the House stated the passage of a report to pay the contingent expenses, and to increase the pay of the minute clerks.

Councilors Thurber and Cliff opposed the enlarging the pay of the minute clerks, and the Council sustained them in their views.

The joint resolution abolishing the office of Surveyor General was taken up, and Councilors Caine and Wells spoke against the resolution, as the original surveyors of the Territory were in constant demand in settling the metes and bounds of property, and legislation should be had to strengthen and enlarge the duties and facilities of the office rather than destroy it.

The resolution was rejected.

Recess for 30 minutes.

The committee on judiciary reported back H. F. 76, in relation to costs in criminal cases, recommending its passage. The bill passed its third reading.

The House notified the Council that a resolution had been passed asking Congress to appropriate \$100,000 for the erection of public buildings. The Council rejected the resolution.

The appropriation bill was reported by the committee. The committee raised the proposed \$20,000 for the courts to \$30,000, and \$20,000 for the Insane Asylum, instead of \$12,000.

Councilor Cliff moved to increase the appropriation for the Deseret University to \$15,000, with the proviso that 80 normal students shall be received annually.

The vote on the motion was 5 to 5, the chair cast the deciding vote in the affirmative.

A message from the Governor was read, stating that he had approved C. F. 37, the general liquor bill, and C. F. 30, how appropriations should be made.

The committee on trades and manufactures reported back H. F. 52, appropriating \$10,000 to the D. A. & M. Society, for the erection of exhibition building on Washington Square, reported favorably on the same, if funds enough were left after paying other appropriations. The bill passed.

An appropriation of \$200 was voted in favor of J. L. Barfoot, fish commissioner.

Friday, 4 a.m.

The House resolution, in relation to a memorial to Congress for \$100,000 to erect suitable buildings for government offices, was considered and adopted.

The Governor returned the Park City charter disapproved, but recommended a substitute therefor, which was read and adopted.

The Governor also returned the jury fee bill unapproved, suggesting a substitute, which was read and adopted.

Councilor Murdoch presented a petition, stating that Morten Petersen was arrested in Sevier County and sent to the insane asylum; that this county is paying the expenses, and said Petersen is not and never was a resident of Sevier County, and asking that the Territory pay the expenses of his confinement.

The Governor sent word that he had approved C. F. 32, in relation to attendance rolls of jurors and witnesses.

At 12:30 p.m. the Council went into executive session on a communication from the Governor.

The Governor had asked that the name of the new county be Garfield instead of Snow. Councilor E. Snow said that he had no particular feelings in the matter, but if there was anything in a name and it applied to him, he would like to see the mountains filled with Snows, but was willing to have it named Garfield, if that was necessary to save the bill.

A committee was appointed to wait on the Governor and inform him that the table was clear of business. Councilors Barton and Cliff were the committee.

Councilor E. Snow made a pretty speech extolling the members and officers of the Council for the good feeling and unanimity that had pervaded during the whole of this long session. He felt the effects of age growing upon him, and this session might, in the dispensation of Providence, be the last opportunity of sitting with his fellow-laborers in a legislative body. Expressing the utmost satisfaction in his God, his country, his constituents and our children, the Councilor finished with a touching peroration, knowing that history will do us all justice and perfect the plans of our God.

Councilor Teasdale made a pleasing speech.

Chaplain Milo Andrus expressed his thanks for the kindness received from the members, and pleasure at renewing old associations and making new acquaintances.

Councilor Smoot and Pres. Jos. F. Smith made speeches.

A message was read from the Governor approving the bill creating Garfield County, and acknowledging the vote of thanks, and returning the bill of the new charter of Salt Lake City, not considered, as the enrolled bill did not reach him until 5 p.m., to-day.

The committee who waited upon the Governor reported that he had no further communication to make.

The appropriations for the Deseret University having been stricken out of the appropriation bill, the question was raised if the Council wished to provide means by resolution for the University. The sense of the Council was expressed to let the matter stand without change, as the Governor had left it.

At 7 p.m., Friday, March 10, the Council dissolved, after a continuous session of twenty-nine hours without recess.

HOUSE.

Thursday, 10 a.m.

The House was called to order as per adjournment. The speaker in the chair.

The highways committee, by Mr. Peterson, reported favorably upon the petition of How-

ard O. Spencer and 74 others, asking an appropriation of \$1,000, to construct a road through Long Valley. The sum is to be expended under the direction of William M. Block, of Kanosh.

Mr. Penrose stated that the county court had been instructed to furnish the county report, to conform with other county reports, and that the court had taken steps to do so.

By permission, Mr. Booth introduced a bill to provide for the revision and compilation of the laws of Utah. Read twice by the title and filed.

On motion, the report of the committee on agriculture was taken up. The bill reported provides for the appropriation of \$15,000 for the erection of buildings on Washington Square, one half of which amount to be drawn in each of the years 1882-83.

The amendment to appropriate \$10,000 was adopted. The bill passed—ayes 13. Title approved.

The committee on ways and means, by Mr. Peery, concerning the office of territorial surveyor-general, that they had found but few persons who considered the necessity for the perpetuation of the office.

Mr. Stout moved that the committee be instructed to introduce a measure abolishing the office of surveyor-general and transferring the records to the auditor. Carried.

The bill appointing P. H. Emerson, John T. Caine and S. R. Thurman a committee to revise and publish the Compiled Laws, was read. An appropriation is made to defray expenses and pay the committee for services.

Mr. Booth moved to add the name of A. S. Thomas to the committee.

The motion prevailed. The bill passed—ayes 16. Title approved.

The bill to license the sale and manufacture of intoxicating liquors was read, under a suspension of the rules. The bill passed—ayes 17.

The rules were suspended and the Council joint resolution 10, authorizing the auditor to cancel \$33,553.52 of certain territorial tax indebtedness accruing prior to 1876 was read. The ayes were taken and the bill rejected by a vote of 13 to 8.

Mr. Francis presented the public printer's bill which, without reading, was referred to the committee on contingent expenses.

On motion of Mr. Booth the general appropriation bill was taken up. The following items were approved: For salary of Mr. Supt. of District Schools for 1882, \$3,000; to auditor public accounts two years, \$3,000; to treasurer two years, \$1,200; for expenses of Supt. of district schools two years, \$500; for incidental expenses of auditor's and treasurer's offices two years, \$1,000; for rent of auditor's treasurer's and librarian's offices, \$1,400; for the support of the University of Deseret two years, \$10,000.

The House took a recess till 2 p.m.

2 p.m.

The committee on enrollment stated that the bill incorporating the towns of Kanab, Rockville and Tropicville had been enrolled and that at 11:40 a.m. had been presented to the Governor.

A message from the Governor stated his approval of the above mentioned bills. Another stated his disapproval of the bill extending the franchise to those who have declared their intention to become citizens of the United States stating that the present system is quite extended now.

The committee on memorial to the memory of President Jas. A. Garfield made their report under a suspension of the rules.

The appropriation bill was again taken up. The appropriation of \$40,000 for the erection of the Deseret University was discussed and approved. The remainder of the bill was read as follows: For the construction of a wagon road in Iron and San Juan Counties, \$2,000; for the construction of a wagon road in Seaboard Canyon, Iron County, \$1,000; for building a bridge over Weber River at Riverdale, \$5,000; to purchase a safe for the auditor, \$500; to construct a road from Ashley Fork to Fort Thornburg, Uintah County, \$750; also for same purpose, to be drawn by county court, of Uintah County, \$750; for constructing a road in Kanab Canyon, \$500; to bridge Provo River, \$1,000; to remove the office of the auditor and transfer same to Ogden, \$500; to distribute, etc., fish eggs and small fry, \$500; for the construction of a wagon road between Cache and Rich counties, \$1,000; for making a road through Long Valley, \$500; for improving Peterson and Morgan City bridges and improving the Weber Canyon road between Morgan City and Lost Creek, \$1,000.

The total amount appropriated for roads and bridges is \$15,500; and the total of the whole appropriation bill is \$88,840. The sum of \$12,000 was appropriated for the asylum. The following additional amounts were added by the Council and concurred in by the House:

To J. R. Wilkins, for services as clerk of Second District Court, \$1,021.51; Beaver County post, for care and keeping of Ben Tasker, \$150; to J. R. Murdoch, special commissioner for Second District, \$200; Z. Saw, sen., for legal services to county and territorial offices, \$400; to T. E. Taylor, public printer, for balance due from 1881, \$24.95; to Edwin Hall, sub-treasurer of Juab County, \$45.32; to E. A. Clark, sub-treasurer of Davis County, \$50; to Henry Evans, for receiving and disbursing school funds, \$20; to Wm. Y. Baker, sub-treasurer of Sevier County, \$40.82; to W. H. Clark, for uncollectable taxes, \$75.40; to Fred. Kingston, for like claim, \$46.65; to R. Bentley, sub-treasurer of Washington County, \$50.

Mr. Penrose presented a digest of the Salt Lake County financial report, which had been prepared by a clerk employed as per instructions of the House. Read and ordered published in connection with the Salt Lake County report, in the Journal.

The judiciary reported favorably upon the bill to protect the identity of married women.

Recess till 7 p.m.

7 p.m.

Mr. Hatch presented a memorial to Congress, asking an appropriation of \$5,000 to assist in defraying the expenses of revision and compilation of the Compiled Laws. Adopted.

The House concurred in the amendments to the bill concerning the revision of the laws. Also the bill appointing a board of equalization, consisting of the Assessors of Cache, Davis, Weber, Salt Lake, Sanpete, and Utah Counties, and the Assessor of Salt Lake City, who shall meet at stated times to consider grievances of unjust assessments. The House concurred in the amendments. The bill requiring the clerks of district courts to keep rolls of attendance of jurors and give certificates of service to jurors and witnesses was passed.

On motion, the House went into a joint session on the election of certain territorial officers.

The bill amending chapter 4 of title 11 was taken up. It relates to foreign corporations doing business in the Territory. The bill passed—ayes 13. Title approved.

The bill to declare and protect the identity of married women was read. It gives a woman equal rights at law with her husband, or the same rights she possessed at law prior to marriage. Also that parents shall have equal control of the earnings of their children.

Mr. Booth moved a proviso that nothing in the law shall be construed to restore the right of dower to married women.

The proviso was adopted. The bill passed—ayes 17.

The committee on contingent expenses of the House reported the following expenses recommended they be placed to the general appropriation bill: J. F. Wells, minute clerk, \$300; Milano Pratt, usher, 243, extra enrolling clerk hire \$77; stamps, wrappers, etc., \$518.75; H. G. Boyle, chaplain, \$150; bill of public printer \$1455.20. The report was adopted.

The item of \$2749.01 was placed in the appropriation bill as contingent expenses of the House.

Mr. Hatch presented a memorial to Congress asking for an appropriation of \$100,000, for the erection of public buildings in the Territory.

House bill 22 in relation to irrigation was returned with amendments. The House concurred in them.

A Council message stated that the memorial to Congress asking for \$100,000 to erect public buildings had been rejected, and that the amount appropriated to the University from \$10,000 to \$15,000, and the Insane Asylum account from \$15,000 to \$25,000. Also the amount for jurors and witnesses fees \$30,000 instead of \$20,000. The amendments were concurred in. The sum of \$5,000 was appropriated to be expended on the road between St. George and Silver Reef. The House failed to concur.

The following additions were made by the Council:

To Jeter Clifton, usher of the Council, \$240.

W. W. Taylor, minute clerk of the Council, \$275.

To expenses of sergeant-at-arms of the Council, \$355.34.

To chairman of enrolling committee for extra clerk hire, \$50.

The House concurred, and also inserted \$450 for papers not paid for by other appropriations.

Mr. Hatch presented a resolution of respect and approbation of the manner in which the Speaker, the chief clerk and other officers had discharged their respective duties.

The resolution was adopted.

The Council informed the House of the passage of the bill appropriating money to the D. A. & M. Society.

2 a.m., 10th.

A Council message stated that the resolution petitioning Congress to appropriate \$100,000 to the erection of public buildings had passed with amendments. The House concurred with amendments.

The rules were suspended and a substitute suggested by the Governor for the jury fee bill in civil cases, was introduced by Mr. Preston.

Mr. Thurman was in favor of its reference to a special committee; as referred.

Messrs. Thurman, Penrose, Preston, Booth and Stout comprising that committee.

A message from the Council announced the adoption of resolutions thanking the Governor and the Secretary for the courtesies extended to the Assembly during the present session. The resolutions were adopted.

The Governor, by message, stated that he had approved of H. F. 22 to amend sections 509-13, and 519 of the Compiled Laws; 60, amending section 524 of the Compiled Laws; 91 prescribing for secretaries in certain cases, and also that he had not approved of the Park City charter, for which he offered a substitute, which was read and passed.

The special committee on the jury fee bill reported a substitute which requires the payment of the fees from the treasury. Cases are taxed \$10 per day for services of jurors which fee shall be paid into the treasury. The law expires on the 1st of Jan., 1884. The bill was read and passed.

The Governor returned the bill for the support of district schools suggesting an amendment, which was made and the bill sent to him for approval.

A Council message stated that the Governor had approved of the jury fee bill, and disapproved of the bill appropriating money to the D. A. & M. Society.

The Governor refused to sign the bill appointing an irrigation commissioner unless the bill provided that the appointment be made by the Governor. He also returned the appropriation bill.

Messrs. Hatch and Thurman were appointed to ascertain the Governor's wishes as to the appropriation for the University.

Mr. Penrose introduced a concurrent resolution in relation to the constitutional convention, asking the people's central committee to make arrangements for primary conventions to elect delegates in the several counties to the people's convention in April. Adopted.

A Council message announced the Governor's disapproval of the bill to protect the maternal rights of married women.

A message from the Governor announced his approval of a number of bills, and his disapproval of the bill appointing a board of equalization of tax assessments.

Mr. Hatch reported that the Governor's objection to the appropriation of \$50,000 to the University was that in connection with the item, no provision was made prohibiting instructions of a religious nature to be imparted in that institution. The committee stated that the Governor would in all probability not sign the bill unless his right to nominate under section 7 of the Organic Act was recognized. The appropriation was stricken out of the bill. The Council concurred and placed \$5,000 additional for jurors and witnesses fees. The House concurred in this amendment.

Messrs. Preston and Partridge were appointed with a like committee from the Council to inform the Governor that the tables were clear of business.

Mr. Dalton made a statement that the Governor suggested the name of the new county created in southern Utah to be changed from Snow to Garfield, when he would be pleased to sign the bill. The change was made.

A few remarks were made on a suggestion by Mr. Penrose that if the proviso prohibiting religious instructions to be given in the University was inserted, the Governor would sign the appropriation bill.

The Governor signed the bill on its return.

At 6:30 p.m. Mr. Preston, from the joint committee to wait upon the Governor, stated that His Excellency extended his best wishes to the Assembly, thanking them for their courtesies and also stated that he had no further business to lay before the House.

The Council notified the House that that body was ready to adjourn.

At 6:55 Mr. Dusenbury moved to adjourn sine die, which motion prevailed and the Chaplain offered the benediction.

Correspondence.

Interesting Letter From Elder O. F. Whitney.

LONDON, February 24, 1882.

Editor Deseret News:

It is just four months to-day, since I left my home in the mountains and started upon my second mission as a servant of our Lord and Savior Jesus Christ. Thinking my friends in Zion might be desirous of knowing how I have been occupied during this time, and that myself and associates might also be interested in learning of the welfare and whereabouts of your sometime co-laborer with paper and quill, I have resumed my former occupation, for a short time, for the purpose of acquainting you with the facts in reference.

After a comparatively pleasant and exceedingly prosperous voyage over the ocean, I landed in Liverpool on the 16th of November and having tarried in that city for several days with the object of regaining my strength, which had been subjected to the usual ordeal of sea experience, I was assigned by President Carrington to a regular field of labor and immediately set out for London, with instructions to report to Elder John Cooper, who at present presides over the London Conference. By him I was appointed to labor with Elder Newton Farr, in the Whitechapel District, and immediately entered upon my duties as a Traveling Elder. Of my subsequent experience I can speak with much pleasure and satisfaction. My traveling companion, a young man of sterling worth and integrity, was all that could be desired as an associate, and the Saints, warm-hearted and hospitable, as they are all over the world, in a measure supplied the absence of friends and loved ones left far behind. I found them, with scarcely an exception, fully alive to their duties, manifesting a sincere desire to "hold on to the iron rod" and not only hold on but march on, keeping pace with the growth and progress of the Church and kingdom of our God. A good spirit prevailed in their meetings, which were attended by numbers of strangers, anxiously inquiring after and patiently investigating the truth, and among the Saints generally was apparent a heartfelt inclination to live the law of the Lord and to gather speedily to Zion that they might do it the more thoroughly and efficiently. While operating conjointly with Elder Farr, we had the pleasure of baptizing eight persons, of preaching the gospel to many more and of witnessing various wonderful manifestations of the spirit and power of Israel's God.

On the 30th ult. I was released from the Whitechapel branch and given the freedom of the London Conference, with the privilege of circulating more generally among the Saints and attending all their meetings. This change was duly appreciated by myself, as it had been my paramount desire, next to scattering the seeds of righteousness, to acquire a general knowledge of the affairs and operations of the British Mission, previous to being called to Liverpool to assume my intended duties in the editorial department of the *Millennial Star*.

On the 19th inst. a district meeting was held at the Whitechapel hall, which was attended by President Albert Carrington and nearly all of the Elders now travelling throughout the Conference. The meetings in the morning and afternoon were of medium size, but in the evening the hall was thronged. President Carrington and other Elders in turn addressed the congregation, much good instruction was imparted, and it was truly a season of rejoicing and spiritual refreshment. A day or two afterwards I received a notification, through President Cooper, that my presence in Liverpool would be required about the latter part of March to succeed Elder C. W. Stayner in the *Star* office, as he expected to sail