

THE TERRITORIAL LEGISLATURE.

Monday, Feb. 12.

COUNCIL.—Council met pursuant to adjournment.

Councilor Woodruff, from committee on Agriculture, Trade and Manufactures, reported back "an Act for the protection of game and fish, and defining the duties of the County Courts in relation thereto," with amendments, and recommended its passage. Passed.

The House amendment to the "Joint resolution to defray certain incidental expenses of the Legislative Assembly," was not concurred in, and Councilors Jennings and Bigler were appointed to act with a like committee from the House in relation thereto.

On motion of Councilor Woodruff the Council took recess till 1 p. m.

1 p. m.

Council resumed its session.

Councilor Bigler presented petition of Joel Grover and 136 others, citizens of Juab County, praying for the establishment of a free school system, which was read and referred.

Councilor Jennings gave notice that tomorrow he would introduce a bill for "an Act providing for granting licenses to persons engaged in certain kinds of business." Leave granted.

"An Act to amend the Charters of the incorporated cities of the Territory of Utah," was referred.

On account of the sickness of Councilor Harrington, the President appointed Councilor Jesse N. Smith to act with said committee.

"An Act authorizing the Utah Southern Railroad Company to close the State road at the point of the mountain," was passed.

"An Act concerning the property rights of married persons," was read and concurred in.

"An Act to amend an act entitled an act providing for incorporating associations for mining, manufacturing, commercial and other industrial pursuits," was read and laid on the table to come up in its order.

Councilor Cannon presented the following:

Mr. President—We have now in our capital city a distinguished Embassy, the members of which are leading princes of the Japanese Empire. Through the statesmanlike conduct and remarkable ability of our minister to the Court of the Mikado, Hon. Charles DeLong, these gentlemen have come from their ancient and renowned nation, which, for long centuries, has sustained its reputation as the most progressive and enlightened power in Asia, to visit our land first before going to Europe, to examine our institutions, to study our polity and to gather all the knowledge possible of our manufactures and commerce, of our system of government, our laws and their operation and effect upon the people. The object of their visit is a worthy one, and in making it they evince a desire for improvement; which, in view of the fact, that, for upwards of 2,500 years, according to authentic records, their system of government has been maintained, other nations might, without loss of dignity, imitate.

I motion that a committee be appointed upon the part of the Council, to act with a like committee upon the part of the House to draw up a document on behalf of our constituents, the people of the Territory, expressive of our admiration of the liberality and spirit of progress which prompted the appointment of an Embassy composed of such eminent and enlightened princes, and to express to them our warm feelings of welcome to our land. Carried.

The President appointed Councilors Cannon, Woodruff and Thatcher, said committee.

"An Act to prescribe the manner of conducting criminal proceedings," was called up, and its second reading by sections resumed, commencing with Section 124; pending the reading of section 173 the bill was laid on the table to come up in its order.

The joint resolution authorizing the Agricultural Society to hold a fair, was passed.

On motion of Councilor Lot Smith the Council adjourned till Tuesday at ten a. m.

Feb. 12, 1872.

HOUSE.—The Committee on engrossing reported back the bill for an Act concerning the property rights of married persons, which was read and passed.

The Committee on private incorporations reported back the bill for an Act to amend the Act providing for incorporating associations for mining, manufacturing, commercial and other industrial pursuits, and recommended its passage. Passed.

Mr. Callister introduced a bill for an Act amending certain Acts providing for poll tax for road purposes; read and passed.

The Committee on claims reported adversely to the claim of J. W. Fox, Surveyor General, for money paid by him for a plot of Ogden City; report endorsed.

The ex-assessor and collector of taxes in Davis county petitioned for a remittance of delinquent taxes which had accumulated during eight years, with an endorsement by the Auditor of public accounts that it would be an act of justice to so remit; read and referred.

A bill for an Act to enable the Municipal authorities of St. George to enforce their water regulations, was presented by Mr. J. W. Young; read and referred.

The Committee on mineral resources re-

ported back the bill for an Act to provide rules for the working and development of mines, with amendments, which were adopted.

Messrs. Richards, Taylor and Thurber were appointed House portion of joint committee to draft a testimonial for presentation to the Japanese Embassy.

Adjourned till Tuesday at ten a. m.

Feb. 13.

COUNCIL.—Council met pursuant to adjournment.

The House amendment to "an Act for the protection of game and fish and defining the duties of the County Courts in relation thereto," were read and concurred in.

"An Act to amend an Act entitled, an Act providing for incorporating associations for mining, manufacturing, commercial and other industrial pursuits," was taken up and passed.

Councilor Jennings presented a bill for "an Act providing for granting licenses to persons engaged in certain kinds of business," which was read and passed.

On motion of Councilor Lot Smith, the Council took recess till 1 p. m.

One p. m.

Council resumed its session.

"An Act amending certain acts providing for poll tax for road purposes," was taken up and amended. The title was amended to read "an Act amending an Act providing for poll tax for road purposes."

Councilor Smoot, from Committee on Municipal Corporations and Town Sites, reported back "an Act to amend the charters of the incorporated cities of the Territory of Utah," with amendments, and recommended its passage as amended. Further amended and passed.

"An Act for the protection of elk, deer, antelope and mountain sheep," was read and passed.

"An Act incorporating Kaysville City, in Davis county," approved February 13th, 1868, was read and referred.

On motion of Councilor Jennings, Councilor Lot Smith was added to the committee for the consideration of this subject.

Councilor Smoot, from Committee on Judiciary, reported back "an Act prescribing a summary mode of procedure, for the recovery of the possession of real property, forcibly or unlawfully withheld," without amendments, and recommended its passage. Laid on table.

Councilor Jennings, from Special Committee, reported back "an Act authorizing and requiring the Auditor of Public Accounts to procure a seal," amended, and recommended its passage as amended. Recommended.

"An Act amending certain charters of incorporated cities," was read and passed.

"An Act to amend an Act incorporating Ogden City," was referred.

On motion of Councilor Jesse N. Smith the Council adjourned till Wednesday at 10 a. m.

Feb. 13, 1872.

HOUSE.—The committee on roads, bridges, &c., reported back the petition of Moses Gifford and 150 others, praying for an appropriation to erect bridges over the Sevier river in Sevier county, with the statement that in their judgment one bridge should be erected at present, and recommended that \$1000 should be appropriated therefor; report endorsed.

Mr. Farr presented a bill for an act to amend certain charters of incorporated cities of the Territory of Utah; read and referred.

Mr. Rockwood presented a bill for an act for the protection of Territorial officers in the discharge of their official duties, and persons from malicious prosecution or persecution; read and referred.

The committee on claims, &c., reported in favor of appropriating four thousand dollars to the Salt Lake city hospital and insane asylum; \$2000 for 1872 and \$2000 for 1873; report endorsed.

Mr. Callister presented a bill for an act for the protection of elk, deer, antelope and mountain sheep.

The bill for an act providing for granting licenses to persons engaged in certain kinds of business, was taken up and passed.

The committee on municipal corporations reported back the bill altering the boundary lines of Kaysville City, which was passed.

Adjourned till 2 p. m.

Feb. 14, 1872.

HOUSE.—The bill for an Act limiting the time of commencing civil actions was taken up on its second reading. The question of reading the bill the third time was negatived.

The Committee on Elections reported the number and kind of officers to be elected by joint vote of the Assembly; report referred back.

The Governor, by messages, informed the House of his approval of the following bills:

An Act further defining the duties of the Superintendent of the Salt Lake and Washship Wagon Road, &c.

An Act authorizing the erection of County jails and defining the duties of the officers thereof.

An Act authorizing the Utah Southern Rail Road Company to close the State road at the point of the Mountain.

The bill of Drs. Andersom, Richards and Benedict for medical opinion as to condition of rooms prepared for meeting of assembly, amounting to \$15, was read and referred.

The bill for an Act relating to the dis-

covery of gold and silver quartz lodes, was reported upon adversely and laid on the table indefinitely.

The bill for limitation in criminal actions, was passed.

Adjourned till 2 p. m.

Feb. 14.

Council met pursuant to adjournment.

Councilor Woodruff moved that the appropriation for building a bridge across the Sevier river be increased from \$1,000 to \$2,000, and that the committee be instructed accordingly. Carried.

Councilor Smoot, from committee on municipal corporations and townsites, reported back "an Act to amend an act incorporating Ogden city," without amendments, and recommended its passage. Report accepted.

The following was received and read:

EXECUTIVE DEPARTMENT.

Salt Lake City, Utah Territory,

Feb. 14, 1872.

Gentlemen of the Legislative Assembly:

I herewith return to the House, in which it originated, "an Act entitled an act concerning the property rights of married persons," without my approval.

[Signed,] GEO. L. WOODS,

Governor of Utah Territory.

A message was also received from Governor Woods, signifying his approval of "an Act establishing district and precinct pounds, and prescribing regulations for conducting the same, and for disposing of stray animals."

A communication was also received from his Excellency the Governor, in relation to the nomination of certain officers, which was read, and referred to committee on elections, and the House was requested to instruct a like committee to act in conjunction with the committee from the Council.

On motion of Councilor Woodruff, Councilors Jennings and Jesse N. Smith were added to said committee for the consideration of this subject.

Councilor Jennings, from special committee, reported back "an Act authorizing and requiring the Auditor of Public Accounts to procure a seal," with amendments, and recommended its passage as amended. Report accepted, and title of bill amended to read, "An Act authorizing and requiring the Auditor of Public Accounts to procure a new Territorial seal, and an auditor's seal." Passed.

On motion of Councilor Smoot the Council took recess till 2 p. m.

Two p. m.

Council resumed its session.

Councilor Jennings moved that a committee of conference be appointed to take into consideration "an Act defining the time of commencing civil actions." Carried.

The president appointed Councilors Jennings and Jesse N. Smith said committee of conference.

Councilor Thatcher, from committee, reported the auditor's and treasurer's books correct, that the committee had canceled redeemed warrants, and that "the house committee will report an Act authorizing and requiring the Auditor of Public accounts, to call in, within a stated period, all outstanding warrants, and issue under his official seal, new ones instead thereof, and requiring the treasurer to procure a cancelling stamp with which to impress all redeemed warrants." Report accepted.

Councilor Lot Smith presented petition of James McGowan and 77 others, citizens of Bingham cañon, praying for the appointment of A. D. Heaton to the office of Notary Public, which was read and referred.

Councilor Smoot, from Committee on Municipal Corporations and Townsites, reported back "an Act to amend an act incorporating Kaysville City in Davis County," without amendments, and recommended its passage. Report accepted.

The House amendments to "an Act to provide rules for the working and developing of Mines," were read and concurred in.

The House amendments to "an Act authorizing and requiring the Auditor of Public Accounts to procure a new Territorial Seal and Auditor's Seal," were read and concurred in.

"An Act to amend an act incorporating Ogden City," was read and passed.

Communication from John Nebeker, Probate Judge of Kane County, tendering his resignation, and recommending the appointment of Joshua T. Willis as his successor, was received and read, and referred.

"An Act to amend an act incorporating Kaysville City in Davis County," was passed.

"An Act in relation to auditing accounts," was passed.

Councilor Jesse N. Smith, from Committee on Counties, reported back "An Act relative to the assessment and collection of school and other special taxes in certain counties of Utah Territory, substituting therefor "An Act further defining the duties of County and School District Collectors."

Councilor Jennings, from joint committee, reported back Joint Resolution to defray certain incidental expenses of the Legislative Assembly, with amendments, and recommended its passage as amended. Passed.

"An Act to prescribe the manner of conducting criminal proceedings," was taken up, and referred.

On motion of Councilor Smoot, Councilor Bigler was added to said committee, in the absence of Councilor Harrington.

"An Act extending and defining the boundary of Rich County," was read the first time and passed.

On motion of Councilor Wm. Snow, the Council adjourned till Thursday at 10 a. m.

2 p. m.

HOUSE.—House resumed its sittings. Mr. Rockwood, from committee on Roads, Bridges, etc., reported back petition of Mr. Erastus Snow and 238 others, praying for an appropriation of one thousand dollars to be expended on the road between St. George in Washington county, and Kanab in Kane county, recommending that the Committee on Claims, etc., be instructed to insert said sum in the Territorial Appropriation bill, and that Mr. Daniel D. McArthur, of St. George, be the agent to let the contracts, accept the labor, draw and disburse the money as contemplated by law. Report accepted and Committee on Claims instructed accordingly.

Mr. A. P. Rockwood, from committee on Roads, Bridges and Ferries, reported back petition of Geo. G. Snyder, claiming pay due for labor performed on Salt Lake City and Washship Wagon Road, with recommendation that \$220.86 yet due him be inserted in the Appropriation Bill. Report accepted and Committee instructed accordingly.

Mr. Thurber presented the claim of Auditor of Public Accounts for eight dollars, for printing 500 Auditor's Warrants. Referred.

On motion of Mr. Snow, Messrs. Taylor, Richards, Thurber and Rowberry were added to the Committee on Elections.

The Council amendments to "An Act authorizing the Auditor of Public Accounts to procure a Seal, were read and amended.

Mr. Pitchforth, from Committee on Printing, presented a bill for "An Act to provide for the printing, distributing and sale of the Laws and Journals of the Twentieth Session of the Legislative Assembly of the Territory of Utah," which was read the first time and laid on the table.

Mr. Thurber from special committee reported accounts of Auditor and Territorial Treasurer. Committee had also cancelled redeemed auditor's warrants.

Mr. Thurber from Committee on Revenue, reported for a bill for "an Act in relation to auditing accounts," a substitute and recommended its passage. Passed.

Mr. Pace, from Committee on Counties, reported back a bill for "an Act extending and defining the boundaries of Rich County," with amendments, and recommended its passage. Second amendment not concurred in and bill passed.

Mr. Rich, from Committee on Claims, etc., reported back petition of Z. Snow, for services as Attorney-General of Utah Territory, as follows:

For Office rent for the years	
1870 and 1871,	\$ 400 00
For services for 1872,	1,000 00
For services for 1873,	1,000 00
	\$2,400 00

Report adopted.

A bill for "an Act amending an Act entitled an Act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases, approved January 18, 1861," was read and the enacting clause was stricken out.

Mr. Farr, from Committee on Judiciary reported back Territorial Marshal's report, after having examined the same and finding no law or rule applicable to that class of claims. Referred to Committee on Claims, etc.

Mr. Farr, from Committee on Judiciary, reported back a bill for "an Act for the prevention of frauds and perjuries," and recommended its passage. Bill rejected.

Mr. Rich, from Committee on Claims,

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