SENATE JOURNAL.

FOURTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH,

1901.

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MEMBERS OF THE SENATE.

First District—H. S. Larsen, Brigham City, Box Elder County.

Second District—Joseph Howell, Wellsville, Cache County.

Third District—J. G. M. Barnes, Kaysville, Davis County.

Fourth District—Fred J. Kiesel, Ogden, Weber County; Edward M. Allison, Jr., Ogden, Weber County.

Fifth District—J. R. Murdock, Charleston, Wasatch County.

Sixth District—George N. Lawrence, Salt Lake City; Hoyt Sherman, Salt Lake City; O. F. Whitney, Salt Lake City; R. K. Thomas, Salt Lake City; S. H. Love, Forest Dale, Salt Lake County.

Seventh District—A. O. Smoot, Provo, Utah County; A. J. Evans, Lehi, Utah County.

Eighth District—George C. Whitmore, Nephi, Juab County.

Ninth District—Ferdinand Alder, Manti, Sanpete County.

Tenth District—Willis Johnson, Circleville, Piute County.

Eleventh District—R. R. Tanner, Beaver, Beaver County.

Twelfth District—Harden Bennion, Vernal, Uintah County.

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OFFICERS OF THE SENATE.

President—Abel John Evans, Lehi, Utah County.
Secretary—Noble Warrum, Salt Lake City.
Sergeant-at-Arms—Joseph Phillips, Eureka, Juab County.
Chaplain—B. S. Young, Salt Lake City.
Minute Clerk—Henry H. Blood, Kaysville, Davis County.
Docket Clerk—Alice White, Beaver, Beaver County.
Engrossing Clerk—C. D. W. Fullmer, Logan, Cache County.
Committee Clerks—L. C. Johnson, Salt Lake City; William Howard, Huntington, Emery County; George F. Felt, Salt Lake City.
Doorkeeper—Justus Witherell, Ogden, Weber County.
Watchman—C. J. Gulbransen, Salt Lake City.
Messengers—Bert Smoot, Provo, Utah County; M. A. Wright, Coalville, Summit County.

STANDING COMMITTEES.

AGRICULTURE AND IRRIGATION.

Howell, Chairman; Larsen, Murdock, Allison, Tanner, Barnes, Johnson.

APPORTIONMENT.

Allison, Chairman; Bennion, Johnson, Thomas, Tanner.

APPROPRIATIONS AND CLAIMS.

Thomas, Chairman; Howell, Barnes, Lawrence, Kiesel, Allison, Whitmore.

BANKS AND BANKING.

Whitmore, Chairman; Sherman, Barnes, Lawrence, Kiesel.

CONTINGENT EXPENSES.

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COUNTY AND MUNICIPAL CORPORATIONS.

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EDUCATION.

Whitney, Chairman; Lawrence, Thomas, Johnson, Smoot, Allison, Bennion.

ELECTIONS.

Murdock, Chairman; Alder, Tanner, Johnson, Bennion.

ENGROSSED AND ENROLLED BILLS.

Whitney, Chairman; Howell, Whitmore.

FEDERAL RELATIONS.

Alder, Chairman; Whitmore, Whitney, Love, Smoot.

FISH AND GAME.

Smoot, Chairman; Love, Barnes, Larsen, Murdock, Sherman, Kiesel.

FORESTS AND FORESTRY.

Barnes, Chairman; Love, Smoot, Bennion, Alder.

HIGHWAYS AND BRIDGES.

Larsen, Chairman; Bennion, Love.

JUDICIARY.

Bennion, Chairman; Lawrence, Thomas, Allison, Smoot, Howell, Murdock.

LABOR.

Barnes, Chairman; Sherman, Allison, Kiesel, Alder.

LIVE STOCK.

Whitmore, Chairman; Howell, Alder.

MANUFACTURES AND COMMERCE.

Kiesel, Chairman; Howell, Whitmore, Allison, Bennion.

MILITARY AFFAIRS.

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Murdock, Chairman; Johnson, Thomas, Tanner, Howell.

STANDING COMMITTEES.

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Howell, Chairman; Larsen, Murdock, Allison, Tanner, Barnes, Johnson.

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Allison, Chairman; Bennion, Johnson, Thomas, Tanner.

APPROPRIATIONS AND CLAIMS.

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Love, Chairman; Kiesel, Murdock.

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EDUCATION.

Whitney, Chairman; Lawrence, Thomas, Johnson, Smoot, Allison, Bennion.

ELECTIONS.

Murdock, Chairman; Alder, Tanner, Johnson, Bennion.

PRIVATE CORPORATIONS AND INSURANCE.

Kiesel, Chairman; Sherman, Thomas, Larsen, Smoot.

PUBLIC HEALTH.

Thomas, Chairman; Howell, Barnes, Johnson, Tanner.

PUBLIC INSTITUTIONS.

Smoot, Chairman; Lawrence, Whitmore, Sherman, Murdock, Howell, Whitney.

PUBLIC LANDS.

Sherman, Chairman; Bennion, Larsen, Whitmore, Murdock, Johnson, Whitney.

PUBLIC PRINTING.

Tanner, Chairman; Whitney, Lawrence.

RAILROADS.

Tanner, Chairman; Sherman, Kiesel, Howell, Smoot, Larsen, Whitney.

RULES.

Bennion, Chairman; Lawrence, Whitney.

SALARIES.

Johnson, Chairman; Barnes, Alder, Thomas, Sherman.

STATE AFFAIRS.

Allison, Chairman; Kiesel, Johnson, Whitney, Love.

WAYS AND MEANS.

Love, Chairman; Bennion, Alder, Kiesel, Murdock.

RULES OF THE SENATE.

FOURTH LEGISLATURE OF THE STATE OF UTAH.

1. A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day, or for less time than one day, and compel the attendance of absent members.

2. The Senate shall keep a journal of its proceedings, which shall be published at the close of the session. At the request of five members the yeas and nays shall be taken on any question and entered on the journal.

3. The Senate may punish its members for disorderly behavior, and with the concurrence of two-thirds of all the members elected expel a member for cause; and the reason for such expulsion shall be entered upon the journal, with the names of the members voting on the question.

4. The Senate, during its session, may punish by imprisonment any person, not a member, who shall be guilty of disrespect to the same, by any disorderly or contemptuous behavior in its presence; but such imprisonment shall not at any time exceed twenty-four hours, unless the person shall persist in such disorderly or contemptuous behavior.

5. The doors of the Senate shall be kept open, except while in executive sessions.

6. The Senate shall not adjourn without the consent of the House of Representatives for more than three

days, nor to any other place than that in which the two houses shall be sitting.

7. The enacting clause of every law shall be: "Be it enacted by the Legislature of the State of Utah," and no bill or joint resolution shall be passed, except with the assent of a majority of all the Senators elected. On the final passage of all bills the vote shall be by yeas and nays, upon each bill separately, and shall be entered upon the Journal; and no law shall be revised or amended by reference to its title only; but the act as revised, or section as amended, shall be re-enacted and published at length.

8. Except general appropriation bills, and bills for the codification and general revision of laws, no bill shall be passed containing more than one subject, which shall be clearly expressed in its title.

9. The President, in the presence of the Senate, shall sign all bills and joint resolutions passed by the Legislature, after their titles have been publicly read immediately before signing, and the fact of such signing shall be entered upon the Journal.

10. Every bill shall be read three times, but the first and second reading may be on the same day. On the final passage of a bill the President shall immediately put the question, "Shall the title of the bill be the title of the act?"

11. The President, or in his absence, the President pro tempore, or, in the absence of both, any Senator called to the chair by the Senate, shall take the chair every day precisely at the hour to which the Senate shall have adjourned; shall immediately call the members to order, and on the appearance of a quorum, shall cause the Journal of the proceeding day to be read.

12. The presiding officer shall preserve decorum and order, and may speak to points of order, in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to

the Senate by any two members; on which appeal no member shall speak more than once, unless by leave of the Senate.

13. He shall rise to put a question, but may state it sitting.

14. Questions shall be put in the following form, viz.: "As many as are in favor of (as the case may be) say aye," and after the affirmative vote is expressed, "as many as are opposed say no." If the President doubt the result of the vote, or a division be called for, the Senate shall divide; those in the affirmative shall first rise from their seats, and afterwards those in the negative.

15. The President shall have the general direction of the Senate Chamber; he shall have the right to name any member to perform the duties of the chair, and such substitute shall be vested with all the powers of the President during the time he shall act as such.

16. In case of any disturbance or disorderly conduct in the lobby or gallery, the President shall have power to order the same to be cleared.

17. The President shall assign to the officers and employees of the Senate their respective duties and stations.

DECORUM AND DEBATE.

18. When any member is about to speak or deliver any matter to the Senate, he shall rise from his seat and address himself to "Mr. President," and shall confine himself to the question under debate and avoid personalities.

19. When any member, in speaking (or otherwise) transgresses the rules of the Senate, the President shall, or any member may call him to order, in which case the member so called to order shall sit down, unless permitted to explain; and the Senate, if appealed to, shall decide on the case without debate. If the decision be in

favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the Senate.

20. If any member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down by the Secretary; but no member shall be held to answer or be subject to the censure of the Senate for words spoken in debate, if any member has spoken in debate, or other business has intervened after the words spoken and before exceptions to them shall have been taken.

21. If two or more members rise at once, the President shall name the member who is first to speak.

22. No member shall speak more than twice to the same question, nor more than once until every member choosing to speak shall have spoken, without the consent of the Senate.

23. While the President is putting a question, or addressing the Senate, no member shall walk out of or across the room; nor in such case, or when a member is speaking, shall enter into private discourse, nor when a member is speaking shall pass between him and the Chair.

24. Every member who shall be in the Senate when a question is put, shall give his vote, unless the Senate shall excuse him.

25. No member shall be permitted to vote on any question, unless within the bar before the vote is announced.

26. No motion shall be entertained and debated until the same shall be seconded.

27. When a motion is made and seconded, it shall be stated by the President, or, being in writing, shall be handed to the Secretary, and read aloud before debate.

28. Every motion shall be reduced to writing, if the President or any member desires it.

29. When the yeas and nays shall be taken on any question, no member shall be permitted to vote or to change his vote after the decision is announced from the chair, unless by the two-thirds vote of Senators present and voting.

30. After a motion is stated by the President, or read by the Secretary, it shall be deemed in the possession of the Senate, but may be withdrawn at any time by the unanimous consent of the Senate, before decision.

31. When a question is under debate no motion shall be received, but:

To fix the time to which to adjourn.
To adjourn.
To call the Senate.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit or to amend.

Which several motions shall have precedence in the order in which they stand arranged.

32. A motion for adjournment shall always be in order, except when the roll is being called, and be decided, as well as the motion to lay on the table, without debate.

33. No motion to postpone to a day certain or indefinitely or to commit, being decided in the negative, shall again be allowed on the same day at the same stage of the bill or proposition.

34. A motion to strike out the enacting clause of a bill shall have precedence of a motion to amend, and, if carried, shall be deemed equivalent to the bill's rejection.

35. When a blank is to be filed, and different sums or times are proposed, the question shall first be put on the largest sum and the longest time.

36. No person shall be permitted to smoke in the Senate Chamber, or to give any sign of approbation or disapprobation while the Senate is in session.

OFFICERS' DUTIES.

37. It shall be the duty of the Secretary to keep a journal in which he shall seasonably record the motions, resolutions, rules and decisions of the Senate, and to do and perform all such other acts appertaining to his office as may be required of him by the Senate or its presiding officer.

38. It shall be the duty of the Seargeant-atArms to attend the Senate during its sittings, to execute the command of the Senate from time to time, together with all such process, issued by order of the Senate, or any committee thereof, which shall be signed by the President.

STANDING COMMITTEES.

39. The following standing committees shall be appointed by the President:

Agriculture and Irrigation, seven members.
Apportionment, five members.
Appropriations and Claims, seven members.
Banks and Banking, five members.
Contingent Expenses, three members.

County and Municipal Corporations, seven members.
Education, seven members.
Elections, five members.
Engrossed and Enrolled Bills, three members.
Federal Relations, five members.
Fish and Game, seven members.
Forests and Forestry, five members.
Highways and Bridges, three members.
Judiciary, seven members.
Labor, five members.
Live Stock, three members.
Manufactures and Commerce, five members.

Military Affairs, five members.
Mines and Minerals, five members.
Private Corporations and Insurance, five members.
Public Health, five members.
Public Institutions, seven members.
Public Lands, seven members.
Public Printing, three members.
Railroads, seven members.
Rules, three members.
Salaries, five members.
State Affairs, five members.
Ways and Means, five members.

40. The following named committees shall have leave to report at any time on the matters stated, viz.: Committee on Rules, on rules, joint rules and order of business; Committee on Engrossed and Enrolled Bills, on enrolled bills.

41. It shall always be in order to call up for consideration the report of the Committee on Rules, and pending the consideration thereof the President may entertain one motion that the Senate adjourn, and after the result is announced, he shall not entertain any other dilatory motion until said report shall have been fully disposed of.

42. No committee except the Committee on Rules shall sit during the sitting of the Senate, without special leave.

PRACTICE.

43. All resolutions presented to the Senate shall lie one day on the table.

44. If the question in debate contains several points, any member may have the same divided; but on motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition.

45. When a question has been once made and carried in the affirmative or negative, it shall be in order for a member of the majority to move for a reconsideration thereof; or give notice that he will make such motion within the time prescribed by the rules, for which time he shall control the motion. No motion for reconsideration shall be in order, unless made within the next day of actual session of the Senate; Provided, That should the member giving notice of a motion to reconsider not make such a motion within the time prescribed by the rules, any other member voting with the majority may make such motion within the next succeeding legislative day. Such motion shall take precedence of all other questions except a motion to adjourn.

46. A bill may be referred to a committee without reading, but shall be read before being amended, and may be amended in every particular on second reading. A bill read once and referred shall be read a second time before being amended.

47. Amendments shall be in order at the third reading of a bill, resolution or motion requiring three readings, and it shall be at all times in order, before the final passage of such bill, resolution or motion, to move its commitment or recommitment.

48. Two hundred copies of every bill, joint resolution and memorial shall be printed when ordered by the committee to whom referred, and all bills shall be printed before second reading.

49. When motions are made for reference of the same subject to a select committee, and to a standing committee, the question of reference to a standing committee shall be put first.

50. Any five Senators may make a call of the Senate and require absent Senators to be sent for, but a call of the Senate cannot be made after the voting has commenced; and a call of the Senate being ordered, the doors shall be closed and the absentees noted, and no Senator permitted to leave the room without the consent of the

President, until the report of the Sergeant-at-Arms be received and acted upon, or further proceedings in the call be suspended, or the Senate adjourn. Previous to the reception of such report, further proceeding in the call shall not be suspended, except by the vote of two-thirds of the Senators present.

51. No amendment, by way of rider, shall be received to any bill on its third reading.

52. The rules of parliamentary practice, comprised in Roberts' Rules of Order shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the Senate.

53. A motion to commit, until it is decided, shall preclude all amendments and debate on the main question, and a motion to postpone indefinitely or to a day certain, until it is decided, shall preclude all amendments on the main question.

54. Upon a motion to reconsider the vote on the final passage of any bill, a majority of all the members elected shall be required to reconsider the same.

55. If a bill shall fail to pass on account of not having received the constitutional majority, any Senator having voted in the negative shall have a right to move a reconsideration.

56. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

57. No rule of the Senate shall be altered, suspended or reconsidered, without the vote of two-thirds of the members present.

58. No person, except members of the House of Representatives and their officers, members and ex-members of Congress, heads of Executive Departments of this

State, Chaplains, Judges of the United States Courts, and Supreme and District Judges of this State, former Governors and ex-members of the Legislature and the Mayor and members of the City Council of Salt Lake City, and general field and staff officers of the National Guard of Utah and officers of the United States Army, and reporters of the press, shall be admitted to the floor of the Senate unless by leave of the President, or on special invitation of a member.

59. The Daily Order of Business shall be as follows:

1. Roll-call.
2. Prayer by the Chaplain.
3. Reading of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports from Select Committees.
7. Presentation of Resolutions.
8. Introduction of bills.

After the daily order of business shall have passed the following general order of business shall be observed:

1. Reading bills of the Senate the third time.
2. Reading bills of the Senate the second time.
3. Reading bills of the Senate the first time.
4. Reading bills from the House of Representatives the third time.
5. Reading bills from the House of Representatives the second time.
6. Reading bills from the House of Representatives the first time.
7. Consideration of resolutions.
8. Miscellaneous business.

The item of unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the general order of business, and when the Senate shall have passed from one order to another no action shall be had upon the orders passed except by leave of the Senate, and to give this leave two-thirds of the Senators present must concur.

Messages from the House of Representatives may be received at any time except when the President is putting the question or the yeas and nays are being called, and upon motion, may be considered at any time.

60. The previous question shall not be entertained or be a rule of practice in the Senate.

EXECUTIVE COMMUNICATIONS AND NOMINATIONS.

61. Messages from the Governor and communications from State officers may be received at any time, except when the President is putting the question and the yeas and nays are being called, and upon motion may be considered at any time. The consideration of nominations or other executive business shall take place with closed doors.

62. Nominations may be referred to a standing or select committee. On considering nominations the President shall put the following question: "Does the Senate advise and consent to the nomination just made?" While any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

HOUR OF MEETING.

63. Until otherwise ordered, the regular hour of meeting of the Senate shall be at 2 o'clock p. m. daily, Sundays excepted.

JOURNAL OF THE SENATE.

FOURTH SESSION.

FIRST DAY.

State of Utah, Senate Chamber, January 14, 1901.

Hon. James T. Hammond, Secretary of State, called the Fourth session of the Senate of the State of Utah to order at high noon and read the roll of members prepared by him from commissions issued from his office to Senators-elect in districts composed of more than one county and from duplicate certificates of election to members in districts composed of one county, as follows:

SENATORS.

First District, H. S. Larsen of Brigham City.

Second District, Joseph Howell of Wellsville.

Third District, J. G. M. Barnes of Kaysville.

Fourth District, Fred J. Kiesel and Edward M. Allison, Jr., of Ogden.

Fifth District, J. R. Murdock of Charleston.

Sixth District, Hoyt Sherman of Salt Lake City, S. H. Love of Forest Dale, George N. Lawrence, R. K. Thomas and O. F. Whitney of Salt Lake.

Seventh District, A. O. Smoot of Provo, A. J. Evans of Lehi.

Eighth District, George C. Whitmore of Nephi.
Ninth District, Ferdinand Alder of Manti.
Tenth District, Willis Johnson of Circleville.
Eleventh District, R. R. Tanner of Beaver.
Twelfth District, Harden Bennion of Vernal.

The rollcall showing all members present, the oath of office was then administered by Chief Justice Miner.

Secretary of State Hammond then informed the Senate that the next order of business was the election of a President of the Senate.

Mr. Whitney placed in nomination Senator Abel John Evans of Utah county.

Mr. Lawrence nominated Senator Joseph Howell of Cache county.

The roll showed: Evans, 10; Howell, 8.

Those voting for Mr. Evans were: Barnes, Bennion, Howell, Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney.

Those voting for Mr. Howell were: Alder, Allison, Evans, Johnson, Larson, Lawrence, Love, Sherman.

Mr. Whitney and Mr. Howell escorted the President to the chair.

Mr. Kiesel offered the following resolution:

S. R. No. 1, by Mr. Kiesel.

Resolved, That the following named persons be the regular officers of the Senate:

Secretary—Noble Warrum, Salt Lake.
Sergeant-at-Arms—Joseph Phillips of Juab.
Chaplain—B. S. Young of Salt Lake.
Minute Clerk—Henry H. Blood of Davis.
Docket Clerk—Alice White of Beaver.
Engrossing Clerk—C. D. W. Fullmer of Cache.
Committee Clerks—L. C. Johnson of Salt Lake (at large); William Howard of Emery, George F. Felt of Salt Lake.
Doorkeeper—Justus Wetherell of Weber.
Watchman—C. J. Gulbransen of Salt Lake.
Messengers—Bert Smoot of Utah, M. A. Wright of Summit.

The following substitute was offered by Mr. Lawrence:

For Secretary—Thomas Hull of Salt Lake county.

For Minute Clerk—Jacob Larsen of Cache county.

For Docket Clerk—Miss Lu Dine Christensen of Sanpete county.

For Enrolling and Engrossing Clerk—Joseph McKnight of Salt Lake County.

For Sergeant-at-Arms—Gilbert R. Bebee of Piute county.

For Chaplain—William Spry of Tooele county.

For Doorkeeper—N. L. Sheffield of Wayne county.

For Watchman—Thomas A. Kerr of Cache county.

For Clerks of Committee—R. L. Fisburn, Jr., of Box Elder county and George L. Dean of Weber county.

The substitute was defeated and the original resolution carried by a vote of 10 to 8.

By the request of the President the oath of office was administered by Chief Justice Miner to the officers appointed, except Mr. Fullmer and Mr. Howard, who were not present.

Mr. Smoot moved that the House be notified that the organization of the Senate had been perfected.

Mr. Bennion moved that a committee of three on rules be appointed. The motion carried and the President appointed Messrs. Bennion, Lawrence and Whitney.

Mr. Whitney moved that pending the report of this committee the rules of the last Senate be used.

Prayer was offered by Chaplain B. S. Young.

PETITIONS.

Mr. Allison presented a petition from E. P. Ellison of the Third District contesting the election of John G. M. Barnes and his right to a seat in the Senate. It was read and referred to the Committee on Elections, when appointed.

MESSAGE FROM THE HOUSE.

Salt Lake City, Utah, January 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House of Representatives has this

day effected a permanent organization with the following officers:

Speaker—William Glasmann, Weber county.
Chief Clerk—M. M. Steele, Jr., Garfield.
Docket Clerk—Le Roy Woolley, Kane.
Minute Clerk—Sheldon Irwin Clawson.
Engrossing and Enrolling Clerk—F. J. Hendershot, Weber.
Committee Clerks—Miss Flora Smith, Utah county; Helen Jones, Estella Smith, Salt Lake county.
Sergeant-at-Arms—B. S. Marshall, Rich county.
Messenger (inside)—James A. Kelley, Millard.
Messenger (outside)—James E. Meeks, Wayne.
Chaplain—William Stewart, Sevier.
Doorkeeper—Abner Lowry, Jr., Sanpete.
Assistant Doorkeeper—C. C. Wilson, Box Elder.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Whitney the Democratic members were allowed their seats on the north side and the Republican members on the south side of the Senate chamber.

Messrs. Tanner, Alder and Kiesel were appointed a committee to act in conjunction with a like committee from the House to wait upon the Governor and inform him of the organization of the Senate.

MESSAGE FROM THE HOUSE.

Salt Lake City, January 14, 1901.

Mr. President:

I am directed to inform your honorable body that the House has this day appointed Representatives Smith, Hamlin and Holzheimer as a committee to act in conjunction with a like committee from your body, to notify the Governor of the organization of both houses, and that they await his further pleasure.

Respectfully,
M. M. STEELE, JR.,
Chief Clerk.

A communication from J. C. Leary, chairman of a citizens' committee, addressed to Senator George C. Whit-

more, was read, announcing that the Wyoming Legislature will arrive in Salt Lake on Tuesday, January 15th, at 7 o'clock a. m., and inviting the members of the Senate to participate in their entertainment while in the city.

On motion of Mr. Whitmore the invitation was accepted, and the Senate decided to meet the Wyoming Legislature in a body.

On motion of Mr. Bennion, a committee, composed of Messrs. Bennion, Allison and Whitmore, was appointed to confer with a like committee from the House to arrange for the reception and entertainment of the Wyoming Legislature.

Mr. Kiesel of the committee appointed to inform the Governor of the organization of the Senate, reported that His Excellency desired to meet the Legislature in joint session at 2 o'clock p. m., Tuesday, January 15th. The report was accepted and the committee was discharged.

MESSAGE FROM THE HOUSE.

Salt Lake City, January 14, 1901.

Mr. President:

I am directed to inform your honorable body that the House has this day appointed Representatives Van Horn, Axton and Hatch as a committee to act in conjunction with a like committee from your body to arrange for the reception of the Wyoming legislators at 8 o'clock tomorrow morning.

Respectfully,

M. M. STEELE, JR.,
Chief Clerk.

Mr. Alder moved that a committee of five, including the President, be appointed to invite the Wyoming Legislature to meet with this Legislature in joint session tomorrow at 2 o'clock, and that the House be so notified. The following committee was apointed to act with the President: Messrs. Alder, Howell, Smoot and Whitney.

The following communication was received:

Salt Lake City, Utah, January 14, 1901.

To the President and Senate of the State of Utah:

Gentlemen:

The Rocky Mountain Bell Telephone Company desires to extend the usual courtesy of a telephone for the use of your honorable body during the session; and also free use of the toll lines to your members when called for from the Senate telephone, or from anyone of our public stations.

If acceptable, will you kindly instruct the Sergeant-at-Arms to select a location for the instrument, and furnish this company with a list of persons entitled to use of lines under this privilege?

Very respectfully,

D. S. MURRAY,
Gen'l Sup't.

The courtesy was accepted with thanks.

Mr. Allison, of the committee on reception and entertainment of the Wyoming Legislature, recommended that the members in a body meet at the Short Line depot Tuesday morning at 8 o'clock; that they attend the Live-stock convention at 10 o'clock and that they meet in joint session at 1:30 o'clock with the Wyoming visitors as guests.

The report of the committee was accepted and the recommendations adopted.

The Senate adjourned until 1:30 p. m., Tuesday, January 15, 1901.

SECOND DAY.

Senate Chamber, State of Utah,
January 15, 1901.

The Senate met at 1:30, pursuant to adjournment, President Evans presiding.

Roll-call; quorum present.

Opening prayer by Chaplain B. S. Young.

Mr. President called Senator Murdock to the chair.

REPORT OF COMMITTEE.

Committee Rooms,
January 15, 1901.

Mr. President:—Your Committee on Rules, to whom was referred the matter of draughting a set of rules for the guidance of the Senate, respectfully report that they have had the same under consideration and unanimously recommend that the rules of the Senate of 1899 be adopted as the rules of the present Senate.

BENNION, Chairman.

On motion of Mr. Bennion the report was adopted.

Mr. Alder, of the committee to invite the Wyoming Legislature to meet with the joint session today, reported that the committee had prepared to issue printed invitations to the members of the Wyoming Legislature.

Mr. Howell moved that the report of the committee be accepted and that the sergeant-at-arms be instructed to have printed a sufficient number of the invitations to present one each to the Wyoming visitors as a souvenir.

The invitation was as follows:

Salt Lake City, Utah, January 15, 1901.

The Senate and House of Representatives of the State of Utah to the Visiting Members of the Wyoming Legislature:

Gentlemen:—Upon your visit to our commonwealth and capital city, we give you glad greeting, extend to you a hearty welcome and invite you to meet with us in Joint Assembly at 1:30 p. m. this day, the occasion being the delivery of the Governor's Message.

Very Respectfully,

A. J. EVANS, President.
O. F. WHITNEY,
JOSEPH HOWELL,
A. O. SMOOT,
FERDINAND ALDER,
WILLIAM GLASMANN, Speaker.
W. G. VAN HORN,
J. T. AXTON,
O. P. HATCH,
Special Joint Committee on Invitation.

INTRODUCTION OF BILLS.

S. B. No. 1, by Mr. Smoot, "An act to provide for the regular and contingent expenses of the Fourth Session of the Legislature of the State of Utah," was read.

On motion of Mr. Smoot, the bill was read the first and second times by its title, and, under a suspension of the rules, was read the third time, and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting aye were: Allison, Alder, Bennion, Barnes, Howell, Johnson, Larson, Lawrence, Love, Murdock, Smoot, Sherman, Tanner, Whitmore, Whitney, Mr. President. Absent and not voting, Kiesel, Thomas.

The title of the bill was made the title of the act.

S. B. No. 2, by Mr. Allison, "A bill for an act creating Senatorial and Representative Districts in this State and prescribing the boundaries thereof and numbering the same, and prescribing the number of Senators and Representatives, respectively, to be elected to the Legislature from each of said districts," was read, and by unanimous consent was laid upon the table until the proper committee shall be appointed.

S. B. No. 3, by Mr. Allison (by request), "A bill to provide for the burial of honorably discharged soldiers, sailors and marines of the United States who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones for their graves, and to relieve such honorably discharged soldiers, sailors and marines from the payment of poll-tax," was read by its title and laid upon the table,to be referred to the appropriate committee, when appointed.

Mr. Smoot moved that a recess be taken and that the House be notified that the Senate is ready to meet them in joint session.

The Senate then recessed and repaired to the hall of the House.

JOINT SESSION.

House of Representatives,
Salt Lake City, Utah, January 15, 1901.

The Fourth Legislature of the State of Utah met in joint session at 2:10 p. m., with the Wyoming Legislature as guests.

The joint session was called to order by Speaker William Glasmann, and President Abel John Evans was introduced as the presiding officer of the joint assembly.

The Secretary of the Senate and the Chief Clerk of the House of the Utah Legislature called the roll of members; quorum present.

The Secretary of the Senate and the Chief Clerk of the House of the Wyoming Legislature called the roll of members, showing the following present:

WYOMING LEGISLATURE.

MEMBERS OF SENATE.

John McGill—Rock Creek, Albany.
H. G. Balch—Laramie, Albany.
A. C. Thomas—Meeteesee, Big Horn.
David L. Rusk—Rawlins, Carbon.
L. G. Davis—Saratoga, Carbon.
Melvin Nichols—Sundance, Crook.
William Madden—Wolton, Fremont.
Wilson McBride—Buffalo, Johnson.
P. J. Black—Cheyenne, Laramie.
C. A. Guernsey—Guernsey, Laramie.
P. Sullivan—Casper, Natrona.
M. S. Brittain—Sheridan, Sheridan.
J. Iredale—Rock Springs, Sweetwater.
J. W. Hawk—Green River, Sweetwater.
George Osmond—Afton, Uinta.
G. N. Griffen—Diamondville, Uinta.
G. G. Verbryck, Cambria, Weston.

MEMBERS OF HOUSE.

J. S. Atherly—Sherman, Albany.
Richard Butler—Laramie, Albany.
George A. Hertzog—Laramie, Albany.
William L. Hicks—Laramie, Albany.
John Reid—Hatton, Albany.
C. E. Shaw—Ten Sleep, Big Horn.
Harry S. Ellas—Dixon, Carbon.
C. F. Fishback—Rawlins, Carbon.
Hans Hansen—Rawlins, Carbon.
William Platt—Collins, Carbon.
L. B. Cooper—Guthrie, Converse.
Henry T. Gray—Lusk, Converse.
W. H. White—Box Elder, Converse.
L. Salisbury—Linden, Crook.
William F. Smith—Farrall, Crook.
James M. Graham—Rongis, Fremont.
E. H. Fourt—Lander, Fremont.
L. R. A. Condit—Barnum, Johnson.
G. W. Creswell—Buffalo, Johnson.
R. W. Breckons—Cheyenne, Laramie.
John A. Carley—Uva, Laramie.
H. B. Emigh—Cheyenne, Laramie.
John Roberts—Cheyenne, Laramie.
J. F. Rossman—Cheyenne, Laramie.
T. L. Wilson—Cheyenne, Laramie.
E. S. White—Freeland, Natrona.
E. R. Dinwiddie—Dayton, Sheridan.
Charles Lewis—Sheridan, Sheridan.
O. P. Hanna—Sheridan, Sheridan.
A. P. Bugas—Rock Springs, Sweetwater.
T. Cottle—Rock Springs, Sweetwater.
R. H. Reed—Rock Springs, Sweetwater.
Joseph Black—Big Piney, Uinta.
C. G. Jarman—Bench, Uinta.
David O'Brien—Evanston, Uinta.
W. H. Wyman—Cokeville, Uinta.
C. A. Badgette—Moorcroft, Weston.

The following Wyoming guests were also present:

Ex-Members of the Legislature—H. E. Beuchner, C. W. Riner.

Officers of the Senate—George W. Perry (Rawlins),

Joe Ohnhuas, S. Salamaker, Harry Langheld, S. W. Ashford.

Officers of the House—A. J. Mokler, O. A. Hamilton.

State Officers—George E. Abbott, Leroy Grant.

Press Representatives—E. A. Slack, Cheyenne Daily Leader; Frank Vreeland, WyomingTribune; J. S. Bartlett, Denver News; G. D. Walker, Denver Republican, Industrial Journal; Frank Spafford, Laramie Republican; J. Roy Williams, Laramie Boomerang; George W. Perry, Rawlins Republican.

Invited Guests—Thomas A. Rendle (Rawlins), L. Foster (State University), L. G. Smith, W. C. Irvine, L. W. Clelland, C. W. Round.

On motion of Representative Holmgren, a committee of three, consisting of Representative Holmgren, Senator Allison and Senator Smoot, was appointed to wait upon the Governor and inform him that the joint assembly of the Legislature of the State of Utah is now in session and is ready to receive any message he may desire to communicate.

At 2:25 the arrival of the Governor was announced and he delivered his annual message, as follows:

GOVERNOR'S MESSAGE.

Salt Lake City, Utah, Jan. 15, 1901.

To the Legislature of the State of Utah:—In obedience to the fundamental law of the State, requiring that the Governor shall communicate by message the condition of its affairs to the Legislature at every regular session, and recommend such measures as he may deem expedient, I have the honor to submit this, my fourth message, to the Legislature.

Permit me, at the outset, to extend greeting and congratulation to you as the representatives of the people, that the Sate enters upon its sixth year under such favorable circumstances. There is cause for rejoicing in the prosperity which has gradually returned to us, in the greater business opportunity for capital, in the more steady employment and increased wages for the laborer, in the better market and advanced prices for the farmer and the manufacturer, and in the wholesome improvement in the yield and profits of our mines.

In what follows it is not my intention to suggest to you, except in the most general way, the legislation you have assembled to enact, but only to give you a review of the condition of the affairs of state in order that you may be the better informed, and make such recommendations as my frail judgment has deemed advisable. If any of you shall entertain views differing with those that are here expressed, I desire the courtesy of a conference before final conclusions are reached.

The ends to be accomplished, in my opinion, at this session are not so much the enactment of a multitude of laws, as to correct the errors and omissions in those already existing, to assist in every proper way in the development of our resources, to encourage immigration of the right kind of citizens, to protect our industries, to enhance the efficiency of our public schools, to foster our institutions of higher learning, to maintain our penal and charitable institutions, and to provide the means of running our government. To the accomplishment of these purposes, as well as to the enactment of such other wholesome and necessary laws as your united wisdom may determine, I promise you my unalterable support.

ELECTION OF SENATOR.

Among the first and most important of your duties will be the selection of one of your fellow citizens to the exalted position of United States Senator to fill the vacancy occasioned by the failure of the third State Legislature to elect. In the discharge of this great responsibility, the motives which should and doubtless will actuate you, will be the impelling motives upon which the best American citizenship is founded. I am sure that at this writing it is the unanimous desire and determination of the members to elect a Senator with the utmost dispatch consistent with the character and dignity of the duty to be performed, and it is earnestly to be hoped that no consideration will be allowed to intervene to prolong the balloting in any manner that will entrench upon the other public business you were elected to transact.

I deem it opportune at this time to direct your attention to the fact that the State Legislature of Pennsylvania, in which State there also occurred a recent failure to elect, on April 6, 1899, adopted a resolution providing

for the appointment of a committee to confer with the Legislatures of other States of the Union regarding an amendment to the Constitution of the United States which shall provide for the election of United States Senators by direct vote of the people. The committee so appointed has adopted a resolution requesting Congress to call a convention for the purpose of proposing such amendment. The chairman of the committee, in his letter to me of November 30, 1900, sets out that the present national House of Representatives, by a vote of 240 to 15, adopted a resolution in favor of submitting to the Legislatures of the various States an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; that the national Democratic convention incorporated in its platform a resolution in favor of it, and that the last Republican State convention of Pennsylvania unanimously voted in favor of the change proposed; that the amendment is now before the United States Senate, but there is little possibility of favorable action until at least two-thirds of the States have adopted the resolution providing for a convention to consider the proposed amendment to the Constitution of the United States. To secure uniformity of action, a copy of the resolution to be adopted has been forwarded to each of the States, and the same is now in my possession. If you shall deem it proper to adopt this resolution, certainly our own experience and that of Pennsylvania, California and Delaware, as well as the former experience of many of the States, will furnish me abundant reason to approve it.

FINANCIAL.

It is a pleasure to be able to report to you that the revenues of the State are in excellent condition. We begin the new year with no past-due obligations that can not be discharged; with a credit and financial standing both at home and abroad that is the equal of any State in the Union and with a surplus in the treasury when all the balances of the revenues are collected and all outstanding indebtedness extinguished of $188,125. The retiring State Auditor has not been able to complete his report and will not be able to do so for two or three

weeks, but has given me these figures in advance, and they may be relied upon as an accurate estimate.

While the condition of our finances is extremely gratifying, it is apparent to me that the money to be derived from our usual sources of revenue will be entirely insufficient to meet the estimated demands for the ensuing two years. The governing boards of various of our State institutions set forth in their reports the urgent need of greater facilities and extensive additions to their buildings. More than $250,000 is asked for such improvements in addition to increased demands for general maintenance, supplies and equipment. Perhaps no other subject will consume as much time and require the exercise of so much judgment as the apportionment of the revenues among the various public institutions. No one of them should be favored to the extent that another one is neglected; yet all are managed by high-minded and conservative citizens of the State, who labor disinterestedly and without remuneration for the public good, and their recommendations should not go unheeded.

The tax rate cannot be increased. Absolutely the appropriations must be kept within the revenues. To maintain the credit and reputation of the State is essential to its prosperity. The question which confronts us is a serious one, requiring the test of business principles rather than sentiment. While I am convinced the estimates in certain instances may be materially cut down and while I am an advocate of the most rigid economy consistent with efficiency and conservative progress, it is my opinion that the solution of the difficulty lies in the direction of a material increase in our revenues rather that in any serious curtailment of actual and reasonable needs. Last year the total assessment of all property in the State was $105,629,041. In 1899 it was $99,713,499, an increase of $5,915,542. By the exercise of greater diligence and firmness on the part of assessors and County and State Boards of Equalization, I believe the present assessed valuation may be still further increased. Let me call your attention to some facts:

All money, solvent credits, judgments and mortgages in the State were assessed in 1900 at $3,540,334, while on deposit in the banks of Salt Lake City alone on January 1, 1901, it is currently reported there was more

than $20,000,000. Somebody owns this money, and it is property as much as the poor man's cow, and should be assessed. Merchandise and trade fixtures in the State were assessed in 1900 at $5,050,266; three mercantile houses in our capital city have constantly on hand more merchandise than that. Live stock is assessed at $8,600,090; the Government ceusus will show that it is worth $23,000,000. Railway, car, depot, street railway, telegraph and telephone companies are assessed at $13,564,760; it is safe to say that this class of property is worth three times the amount of the assessment. I am firmly convinced, also, that there are iniquities in the assessment of real estate as relates to the respective counties. While none of them are assessed too high, it will be apparent to any fair-minded person from a careful study of the report of the State Board of Equalization, which will be laid before you, that many of them are unreasonably low. The remedy for these inequalities does not perhaps devolve upon the Legislature, as the law on the subject may be said to be ample if properly enforced, but attention is here invited to the subject for the purpose of appealing to you as representatives of the people to exert an influence upon County Assessors and County Boards of Equalization to consider the interests of the State in the making up of their assessments, as well as local interests, to the end not only that the burdens of taxation will be equalized but that necessary State revenues may be legitimately provided.

It is believed the State Board of Equalization has made in the past the most strenuous efforts to equalize assessments, but there has existed such an unreasonable resistance to the increase of assessments once made, that compromises have been effected which in themselves are frequently but little better than original assessments. The following suggestions are also made with a view to correcting past injustices to the State, and increasing our revenues

Under the present law, the State, State School, county, county school, municipal and district school tax is all assessed by the County Assessors and collected by the County Treasurers of the several counties. Within municipalities the aggregate tax levy exceeds 20 mills, and in cities of the first and second class it reaches as

high as 28 mills. While the State and State school tax is only 8 mills, the State is required to furnish the assessment rolls and blanks for the Assessors of the several counties of the State, and to pay one-half the salaries of the County Assessors and County Treasurers and their deputies and assistants, and the counties get all the fees collected in each of these offices. I believe this apportionment of the cost of assessing and collecting the taxes to be unjust to the State, and recommend that it be remedied by proper legislation. At present the State pays the salaries of all the Judges and stenographers while engaged in reporting criminal cases, and the entire salary of the district attorneys, and one-half the salaries of County Attorneys and all the fees or per diem of jurors engaged in trying criminal cases, and all the cost of maintaining the State prison. Much of the crime committed is a direct result of the sale of intoxicating liquors; at the present the county and municipal corporations receive the full financial benefit from the licensing of the sale of intoxicating liquors. I believe the State is entitled to a proportion of the money received from such licenses. I commend to your consideration the propriety of further increasing the revenue by legislation that will authorize a moderate inheritance tax to be paid by wealthy estates in probate.

STATE LANDS.

The State land laws give such general satisfaction in their operation that I have few changes to suggest. There has been a steady but rapid increase of business since the opening of the State Land office. The binennial period of 1899-1900 has undoubtedly marked the limit in the matter of large selections of lands in satisfaction of the various grants by Congress. Hereafter there will necessarily be a decline in the annual aggregates of these selections until the grants have all been satisfied, which will be the case in the near future. During the two years there were selected 629,448.12 acres, making the total selections since the admission of the State, 865,900.10 acres; or, including the original university grant, 911,736.25 acres. These selections have been carefully apportioned among the several grants, with the view to keep-

ing the ratio of satisfaction pro rata. It will thus be readily understood that the grants must soon be filled.

The State Board of Land Commissioners has fixed the minimum price at which selected lands can be sold at $1.50 per acre, and no land has been selected, except that taken under relinquishments of entries in the United States Land office, the price of which is fixed by statute at $1.25 per acre, which is not considered worth at least $1.50 per acre. There is no longer apprehension that the State will be unable to satisfy all the grants without selecting lands of less value than this minimum. Of all the lands selected in 1900, comparatively little was taken for leasing, the overwhelming area having been selected on applications to purchase at not less than $1.50 per acre.

Since the last session of the Legislature the work of appraising State lands has progressed satisfactorily, 322,962.41 acres having been appraised by the Commissioners, the valuation being fixed at $361,778.72. These are almost exclusively school lands. During the two years leases were executed embracing an aggregate area of 162,897.80 acres, the appraised value being $242,516.91. The leases cover grazing lands with few insignificant exceptions. The selections made are largely of grazing lands, practically the only other lands taken being those embraced in relinquishments of homestead and desert entries.

The General Land office at Washington has acted more promptly than formerly on State selections, having approved or patented within the two years 343,238 acres, the patents being distributed among the respective grants.

Since my last previous binennial message, sales of State lands at public auction have been held in Sanpete, Emery, Davis, Millard, Cache, Weber, Iron, Washington, Rich and Utah counties, the total offerings in these counties amounting to 186,376 acres, and the sales aggating 31,926 acres. The sales of State lands for the years 1899-1900 were 388,308 acres, and the price $700,380, making the total sales from all grants to the close of the year 1900, 497,032 acres, and the total price $1,061,777.

The Commissioner of the General Land office has courteously permitted me to designate areas of unsurveyed lands for public survey without cost to the State,

and under the advice of the State Board of Land Commissioners I have in each year designated tracts for survey to the limit of the Government appropriation for surveys in this State. The State thus acquires a preference right to select these lands after survey, and this right has been judiciously exercised upon the filing of the official plats in the United States Land office.

By act of the Legislature, approved February 24, 1899, the State Board of Land Commissioners was required to convert sufficient investments of the University of Utah permanent land fund into cash, and loan the University $100,000. The Board of Regents gave notice of its requirement of the money early in 1900, and the securities were converted and the money loaned at the periods requsted. Instead of disposing of the University securities to outside parties, they were purchased as investments of the other land grant funds, the result being the suspension during the latter part of the year of farm loans and the purchase of such lands as the State Board of Land Commissioners is authorized to buy. The loan to the University having been completed in December, 1900, there was a resumption of farm loans. It is believed that the funds will be sufficient to take all safe farm loans that may be offered, and to buy such legitimate local bonds as it may be deemed wise to purchase. It is proper here to say that the investments heretofore made by the State Board of Land Commissioners have proven to be safe, no losses of principal or interest having occurred, and no legal proceedings been necessary to make collections. Lists of the investments will be found in the annual reports by the secretary of the board.

By the provisions of the act of the Legislature above referred to, the State Board of Land Commissioners was required to take charge and possession of the lands and buildings formerly occupied by the University of Utah when the University was permanently located on the site granted by Congress. The buildings and grounds were turned over to the State Board of Land Commissioners on December 1, 1900, the same being conveyed to the State by proper deed. Arrangements were at once made for the temporary care of the property. The buildings and grounds were appraised, and notice was published offering them at public sale to the highest bidder at not less than the appraised value, on January 12, 1901. No bids

were presented. It will be necessary for you to make provision for the care and custody of the premises until such time as they can be advantageously disposed of.

In November, 1900, the Commissioner of the General Land office, with the approval of the Secretary of the Interior, withdrew from settlement, entry, sale or other disposal, all the present unappropriated public lands within a great area, extending from township 2 north to township 14 south, and from ranges 2 west to 6 east, the withdrawal being nominally for a forest reserve, but was really made at the solicitation of parties ostensibly as a protection for the water supply of certain cities and towns. While all good citizens will cheerfully acquiesce in, and applaud any action looking to, the proper protection of the water supply for our cities, this reservation is so disproportionate to the benefits to be derived, and affects beneficially such a small area as compared with the extensive tract involved, as to make the withdrawal appear almost ludicrous. Good will follow a limited reservation, the withdrawal being confined to such tracts as may affect the mountain streams from which the water supply of the towns and cities is derived; but to withhold from entry or selection such a vast area as has been designated by the Government is certain to work great hardship on our citizens in depriving them of grazing lands, and in taking from them the right and privilege of making settlement and homes upon lands which can in no manner affect the water supply of cities. In my opinion, this reservation was made under a misapprehension of the situation, and the withdrawal should be revoked as to all the lands withheld, save the comparatively small tract which may properly be held from entry and settlement. Furthermore, this reservation, and others which are liable to follow, will materially reduce the value of the State land grants by compelling the State to select comparatively worthless lands in remote parts. I will be pleased to cooperate with the Legislature in such action as may be deemed proper to secure a revocation of the withdrawal as to all lands not necessarily withheld for the benefit of the citizens.

The provision of the law permitting those who have made entries in the United States Land office to relinquish the entries and contract with the State to purchase the land at $1.25 per acre should be amended by requiring

the entryman to deposit with the State at least 25 cents per acre as a condition precedent to a contract to buy the land after it has been selected by the State and patented by the Government. A large percentage of the cancellations of certificates of sale is of relinquished land. As no examination of this land is made by a Commissioner prior to selection, you will readily understand how the State can be imposed upon by being made to become the owner of valueless tracts which have cost the entrymen nothing beyond the Government Land office fees. If a deposit shall be required, the entrymen will either not apply for a contract, or they will make payment for the land after patent.

The field work of the State Board of Land Commissioners has been so lessened by reason of the adjustment of the preference right claims and the advanced condition of the appraisements of school lands, that I suggest, in the interest of economy, the reduction of the membership to five instead of seven. In my opinion, this can be done without injury to the service or lessening the efficiency of the board. It is apparent that it is only a matter of a few years when the business will practically all be conducted in the State Land office; meantime, it is our duty to take such action as will be in the interest of economy without permitting the service to suffer.

In 1899 the Legislature re-enacted the law Creating and Defining the Powers and Duties of the State Board of Land Commissioners, which law appears in the Revised Statutes as Chapter 1 of Title 62. The repealing clause of the Act of 1899 repeals all of Title 62 of the Revised Statutes, which includes Chapter 2, providing for the acceptance of the conditions of what is known as the Carey Act; Chapter 3, relating to the Reservoir Land Grant Fund, and Chapter Four, providing for a relinquishment of the unsurveyed school lands upon the condition that a similar quantity of lands may be selected from the surveyed lands. I am of the opinion that the repeal of Chapters 2, 3 and 4 of the Revised Statutes was an inadvertence and that there ought to be legislation upon each of the subjects covered by these chapters.

The report of the secretary of the State Board of Land Commissioners for the years 1899 and 1900 show in

detail the operations of the board for the two years, and the status of the business to the end of last year.

EDUCATION.

No more important duty nor one that will be performed by you with greater satisfaction, devolves upon you than to provide for the education of the children of the State. The history of modern civilization teaches that in the struggle for supremacy the highest results are attained not by the State most richly endowed by nature, but by the State that best succeeds in training its citizens for all the duties of life. Our school children constitute our richest resource and the measure of our future greatness will be in comparison to the educational advantages we afford them. It is a source of pride to all our citizens that the public schools of this State have attained their present high standard of excellence, and I am confident that the universal sentiment of the taxpayers is that their efficiency must in no manner be impaired, but rather, if possible, increased.

The State Superintendent of Public Instruction in her biennial report states that there has been a gradual improvement in the condition of the schools during the past two years; that they are more carefully graded, more and better teachers employed, a slightly increased average salary paid, and a much larger number of school population enrolled; also, that there seems to be at the present a widespread and intelligent interest in all departments of education throughout the State. She reports a total enrollment of 84,419 school children, and estimates the total amount expended for their education, from all sources, $2,496,460. She directs attention to the improper use of school money by school boards, in that funds apportioned for maintenance of the schools is frequently diverted to the purchase of apparatus and supplies, and she asks that the law be amended by putting the funds back into the hands of County Treasurers instead of school boards. She repeats, also, numerous recommendations made by her predecessor in office for improvements to the school law, the most important of which is that the present school district organization of county schools be consolidated into a single district in

each county, to be controlled by the County Board of Education. I commend these suggestions to your favorable consideration.

In this connection it becomes my painful duty to announce to you the death, which occurred in September last, of former State Superintendent Dr. John R. Park. I believe that his valuable services to the educational interests of the State, the conscientious discharge of his official duties and the irreparable loss suffered by the community in his demise call for resolutions of respect to his memory, and I doubt not there are those among you who have been pupils of his who will regard it a labor of love to indite them. To fill the vacancy so occasioned, I appointed Mrs. Emma J. McVicker, who immediately took possession of the office, completed the biennial report which Dr. Park had begun, made personal visits of inspection to the schools in almost every portion of the State, and in every way demonstrated her ability to discharge all the important duties of the office. By the election held in November she was succeeded by Prof. A. C. Nelson, who began his incumbency January 7, 1901, under the most promising auspices.

BUREAU OF STATISTICS.

A most urgent need of the State is statistical information concerning its resources. The embarrassment of public officers as well as private citizens at being unable to supply accurate and official information respecting our State in answer to hundreds of requests therefor, is constantly in evidence. Nothing of the kind bearing the impress of authority has emanated from this State since the pamphlet published by the Territorial Librarian and Statistician in 1895, and owing to the hopelessly inadequate means and facilities provided for him, that report was woefully inexact. But even this minimum quantity of statistical information is denied us now, as the law authorizing the same is no longer in existence, and there is no official means of knowing whether our State is forging ahead or retrogressing; whether we raise a million bushels of potatoes or five million; whether our mining, agricultural and manufacturing interests are growing or are at a standstill. I cannot emphasize too strongly the

need of supplying official and accurate statistics, not only for the information of those desirous to learn concerning our State, but for our own satisfaction and convenience. I therefore suggest the creation of a State Bureau of Statistics and a proper appropriation to make its work efficient and authentic.

IRRIGATION.

In my last message to the Legislature I said: "I earnestly recommend that the State Engineer's suggestions as to needed legislation on the subject of irrigation be given careful attention at this session. No subject that will be brought before you is of greater importance. No vital interest of the State has gone so long uncared for by the lawmakers. The time has come for Utah, already distinguished as the pioneer user of water for irrigation in this country, to devise a law on the subject that will be commensurate with her reputation. The State Engineer will hold himself in readiness for conferences with your committees, and his knowledge and experience will be found invaluable to them. A law that would lessen the evils and vexations of litigation over water rights in this State and that would define the titles without infringing vested rights and provide for the just distribution of the waters, would certainly be a benefaction to the people. Let us unite to frame such a law." This recommendation seemed to meet with an immediate and hearty response by the last Legislature, and during the session a number of conferences were held by the committees of both houses and the State Engineer, looking to the formulation of an adequate irrigation law, but for some reason, despite the almost universal sentiment in favor of it, the law failed of passage. I earnestly hope that at this session the proper committees will devote themselves steadfastly to the accomplishment of this duty, as I am convinced that in no way could they better serve the interests of the people of the State.

The State Engineer, in his biennial report, points out in detail the omissions and errors in the present law, and has taken the pains to draft a bill which is copied after the law on that subject of the State of Wyoming, which has been in operation for about ten years with the most

satisfactory results. By the adoption of such a law the following changes would be secured in our present irrgation methods:

1. The office of the State Engineer would be made the office of record of all claims to water, and the law would compel all owners of existing rights to record their claims.

2. All county records of all claims to appropriations of water would be transferred to the office of the State Engineer, who would file and classify the same.

3. All persons or corporations desiring to appropriate water would be required to secure a permit for the same before beginning the construction of any ditch or canal.

4. The State would be divided into four water divisions, provision being made for the appointment of one superintendent for each division, who would report to the State Engineer. Division superintendents would have authority to make such regulations as will secure the proper distribution of water, reserving the right of appeal from the regulations of the superintendents to the State Engineer.

5. The State Engineer and division superintendents would be constituted a board of control, to adjudicate the rights to all the public waters of the State, reserving the right of appeal from the decisions of the board of control to the courts.

6. The State Engineer would be authorized and directed to make an examination of any stream to be so adjudicated, such examination to include measurements of discharge of streams, surveys of canals or ditches, diverting water therefrom, measurements of lands irrigated by the said canals or ditches, and the securing of any other information that would be of assistance in the adjudication.

7. The board of control would be authorized and directed to divide each water division into water districts, said water districts to be so arranged as to secure the best protection to the claimants of water, and the most economical supervision on the part of the State. For each water district thus created, there would be appointed one Water Commissioner, whose duty it would be to divide the water in the natural stream or streams of his district among the several ditches taking water there-

from, according to the prior rights of each, as determined by the adjudications of the board of control.

If objection is urged to such a law on the ground that its operation would entail too great an expense upon the taxpayers, the answer is that the expense would be insignificant as compared with the amount now expended in litigation by irrigators, who, it must be admitted, constitute numerically the greater portion of the taxpayers of the State. I again commend to your attention that the State Engineer will be glad to confer with your committees and give them the benefit of his expert knowledge and valuable experience on this subject.

PUBLIC HEALTH.

The State Board of Health reports that owing to apathy on the part of county authorities, the work of securing complete organizations of local boards of health throughout the State was accomplished with extreme difficulty until the epidemic of smallpox occurred about a year ago, since which results have been more gratifying, in that the health organization of the State is now almost complete. It may be truthfully said, however, that this result is about the only beneficial one that can be accredited to the presence in the State of this most loathsome disease. It is a deplorable fact that the disease has become firmly entrenched in various parts of the State. The expense and interference with business and other affairs has already amounted to vast proportions, to say nothing of the loss of life, suffering and hardship involved. Happily, the disease has not appeared generally in a virulent form, as out of the 2,300 cases reported to the health authorities there have been but twenty-six deaths reported. The State Board of Health, however, argues that it is the opinion of all those who are qualified to pass upon the question that the type of the disease, which has already advanced in severity, will end in becoming malignant, and that the danger is that owing to the comparative mildness in which it has prevailed, it will have become so disseminated that the damage resulting from the severer form will be incalculable.

For more than a year a bitter conflict has waged within the State over the subject of the efficiency of vac-

cination as a preventive of smallpox, and especially as to the rights of boards of health to close the public schools to unvaccinated children. On the one hand the State Board of Health, the highest health authority in the State, has insisted on vaccination and at sundry times when the epidemic seemed to be growing dangerously widespread, upon the exclusion of the unvaccinated from the schools. In this position the board has had the support of the best medical authority in the State; and the highest State tribunal, the Supreme Court of Utah, has decided that the board was acting properly and within the limits of the law. On the other hand, a very large proportion of the people have resisted the regulations prescribed in regard to vaccination, some of them denying its efficacy and insisting that it is a relic of barbarism and only being urged in the interest of physicians and druggists, and have openly and persistently fought the closing of the public schools to unvaccinated children as a high-handed and unwarranted interference with the personal liberty of the individual. It is not improbable that the controversy will be brought before you at this session, and you will be importuned to curtail the powers of the Board of Health and also to increase them. Believing that the State Board of Health has in no manner transcended its duties, but on the contrary, has labored intelligently and conscientiously for the eradication of the epidemic which still menaces the health of the people in almost every county of the State, I urge you to vindicate its course and strengthen its hands by refusal to restrict any of its present powers. I am not impressed that the law requires much, if any, change, and that if the health authorities shall continue to receive the encouragement and support of officers of the law, and particularly that of the Legislature, the sentiment of hostility to existing health regulations will pass away and the disease be permanently stamped out.

THE NATIONAL GUARD.

A wise requirement of the Constitution of the State is that which makes it the duty of the Legislature to provide for the organization, equipment and discipline of the militia. The Constitution of the United States is but

followed in this respect, for by that instrument Congress was given power to provide for the organizing, arming and disciplining the militia, also for its call into the national service and for its government when so employed. Our scheme of government implies the necessity of the military training of the citizen, to the end that while there should always be sufficient available power to execute the law, suppress insurrection and repel invasion, the menace of militarism, growing up through the existence of a large standing army, might be averted. The wisdom of the fathers and framers of our plan of government in this particular has been abundantly established during the nation's history, and especially within a recent period. The American heart glows with pride at the recollection of the gallantry of the American citizen soldier in the late war; and in this proud feeling we in Utah enjoy a full share. Happily, peace again broods over our nation, and in the prospects before our own fair commonwealth there is nothing to disturb or excite a fear. Yet the duty before us in providing for the proper needs of the organized militia is none the less plain and imperative. No young man need shrink at the thought of a term of service as a National Guardsman. On the contrary, if associated with officers of prudence and with comrades of integrity, such service would and should be of distinct benefit. If peace is the time to prepare for war, so should he who may be called to command have first learned how to obey. The patriotic love of country and of the flag, which voluntary service stimulates in the breast of every right-minded Guardsman, is no more to be likened to swaggering and brutal militarism than is a hearty and intelligent obedience to rules of discipline to be compared to the servility of human machines with which tyrants prop up their thrones. Membership in the National Guard ought to be considered an honor; and with proper encouragement officially and from the public, it will more and more come to be so regarded. Your co-operation and aid are asked in bringing about this desirable condition, and your best efforts are solicited in the enactment of such laws, or such amendment of existing ones, as will tend to promote the efficiency of the State forces.

For a more explicit statement of the operations of the National Guard during the past two years, and for

estimates of appropriations necessary, and other recommendations looking to the interest and benefit of the service, all of which I cordially approve, your attention is respectfully invited to the report of the Adjutant-General, which will be laid before you.

RETURN OF THE VOLUNTEER BATTERIES.

It was my pleasure to refer at some length two years ago to the magnificent response which Utah had made to the call of the President for volunteers in the war with Spain. At the time that message was written, some of the troops sent forward by this State had returned, the war being ended and their services being no longer needed. The Utah batteries, however, the first organizations within the State to be mustered into the Government service and the ones which had been sent farthest away, were still in the Philippine islands, not yet released from the arduous and distinguished duty with which their name had become associated from the very moment of their arrival on those distant shores. During the early summer of 1899 the word came that these troops were to be returned, and there at once arose a universal demand that the date of their arrival in their own State be made an occasion of general gratitude and rejoicing in their honor, as well as in honor of the other State volunteers who had previously returned. The desire was, in fact, to provide for a reunion of all our valiant sons wherever they had served, and to celebrate their return in an appropriate and impressive manner. The 19th of August, 1899, was the day of the arrival of the batteries, after an absence of fifteen months, and it was most splendidly observed. To meet and greet the last of their returning compatriots, all the volunteers in the State whose whereabouts could be ascertained, were assembled in this city, without expense to themselves, and the procession which was formed and which paraded the principal streets amid lavish decorations and through fine triumphal arches, excited a degree of proud enthusiasm probably never before equalled in the community.

This was made the occasion for the distribution of the volunteer medals which your predecessors two years ago made generous provision for; and amid tears and

cheers, praise and patriotism, feasting and thanksgiving, the day passed a delightful memory in our history. To meet the expense of such an occasion no public funds were available, but adequate contributions from the citizens were not less prompt than cheerful, and an ample sum was immediately at hand to cover every necessary outlay. These contributions reached the figure of $13,772.05. Drafts were made upon this fund to pay for a special train from San Francisco to Salt Lake, conveying the batteries home, and later to assist in defraying the expenses of entertainment of returning volunteers from neighboring States who tarried with us temporarily on their homeward journey; and an important disbursement, one which will appeal to the heart of every citizen, was for the interment of the bodies of our gallant dead with military honors and with that degree of sympathetic ceremony which, within our modest circumstances, their bravery and devotion entitled them to receive. There remains in the hands of the treasurer of this fund an unexpended balance of $2300.

I feel sure that had the legislative representatives of the commonwealth been in session when means was required for the execution of the foregoing purposes, no call for public contributions would have had to be made. The State is proud of its volunteers, as it has reason to be, and it would have been its sincerest pleasure to expend whatever sum might be necessary in showing its appreciation of them living and its honor for them dead. Impressed with this conviction, I recommend that an appropriation be made from the State treasury equal to the amount of the fund above named, from which, if desired and deemed advisable, the donors may be reimbursed, or, preferably, that this constitute the nucleus of a fund for the erection of a monument, arch or other suitable memorial to our brave sons who marched forth at the call of duty beneath the national emblem to defend the national honor. I advise, further, that to such amount there be added by legislative appropriation a sum sufficient for the construction of such a memorial at some appropriate point within the State as shall be an enduring external evidence, beyond that which is held in the hearts of their fellow citizens, of the exalted esteem in which these patriots forever will be held.

In this connection I am reminded that in many of the States of the Union laws have been enacted making provision at public expense for the interment and marking the graves of honorably discharged soldiers, sailors and marines who die within the State without leaving sufficient means for their burial. The loyalty and patriotism of Uah forbid the thought that her statute book is intentionally silent on a matter where public gratitude for honest service can be so easily shown, and I earnestly recommend the enactment of a measure covering such cases.

THE SCOFIELD MINE DISASTER.

A calamity almost unparalleled in the history of coal mine disaster throughout the world, fell upon Utah on the morning of May 1, 1900. An explosion in Winter Quarters mine No. 4 at Scofield, owned and operated by the Pleasant Valley Coal company, caused the death of 200 men and injuries to seven others. A large proportion of the men so killed were heads of families, and to the awful horror of the disaster itself were added the tears, the cries, the misery of widows and orphans. The whole country stood stricken and benumbed in the presence of the appalling visitation. On the 3rd of May I issued a public appeal to the people of the State, presenting such facts in connection with the disaster as were obtainable, asking for assistance for the widowed and fatherless, and appointing a central relief committee, with Hon. James T. Hammond, Secretary of State, as chairman, to take charge of and administer the funds and provisions contributed. The response was immediate, noble and generous. The people of Utah bravely sustained their reputation for open-heartedness and self-reliance in the dreadful emergency. Many thousands of dollars were contributed by municipalities, corporations and religious organizations and individuals within the State. But believing that the magnitude of the disaster fully justified it, on the 5th day of May I issued a further appeal for assistance to the people of the United States, and procured its transmission to every portion of the Nation through the medium of the Associated Press. Money was received from all parts of the Union, and messages of sympathy came

from every section, the most distinguished of which, perhaps, were those of the President of our own Republic and the President of France.

The total amount received and distributed to the sufferers by the relief committee was $116,289.81, and the beneficiaries consisted of 113 widows, with 306 children, 12 full orphans and 91 dependent parents whose sons were killed.

The Pleasant Valley Coal Company, although exonerated from responsibility, has also donated $500 to the family of each of the men killed, a total of $100,000, making a grand total distribution to the sufferers of $216,289.81,. The relief committee has been extremely diligent in its work, and the money has been distributed to the beneficiaries not only throughout the State, but to various other States of the Union and to Finland, France and Italy. The labors of the relief committee for the benefit of their suffering fellows were so disinterested, conscientious, intelligent and painstaking that, in my opinion, they call for some public expression of appreciation from you as the representatives of the people, to which I should also be most happy to subscribe. The names of the committee are as follows: J. T. Hammond, E. W. Wilson, W. F. Colton, Ezra Thompson, A. W. Carlson, A. L. Thomas, William Iglehart, Mrs. O. J. Salisbury, Mrs. George M. Downey, of Salt Lake City; Mrs. A. R. Heywood, of Ogden; Lafayette Holbrook, of Provo; John Jones, of Spanish Fork; O. G. Kimball and T. J. Parmley, of Scofield.

The State Coal Mine Inspector was on the ground immediately after the casualty, and in addition to rendering important assistance in the rescue work, made careful investigation as to the cause of the explosion. He communicated with me frequently and kept me fully advised as to the situation. My only instructions to him were to endeavor to ascertain the cause of the explosion, and give out nothing for publication as to such cause until after a most thorough examination of all the circumstances, and that if he needed assistance to so advise me. It is the opinion of the Coal Mine Inspector and of almost every man of experience with whom I have conversed on the subject that the explosion originated from an accidental discharge of powder and was augmented

by coal dust. The Inspector, however, regards it is an anomaly that an explosion of this nature could take place without the presence of fire-damp, and he insists that fire-damp is unknown in this mine. A chemical analysis of the coal was made by Mr. C. B. Sprague, chemist, with a view to arriving at the facts with reference to the explosiveness of the coal dust and the gases of the coal itself. His analysis and conclusions are included in the State Coal Mine Inspector's report, which will be laid before you. I quote a paragraph from Mr. Sprague's report:

"If the coal dust had itself exploded, we should expect to find a large amount of ash mixed with the materials affected; as pointed out there was found a large admixture of mineral matter, but this is not ash, or only in a small degree. All this makes it appear that the explosion was of the gases given off from the coal, and not the actual explosion of the dust as such."

The grand jury of Carbon county, after three days' investigation, decided that the responsibility or blame for the results of the explosion could be attached to no one. The Coroner's inquest upon the bodies taken out of the mine also held that no one was to blame. The Coal Mine Inspector, however, has put into effect a new rule that "for the safety of miners, not more than six and one-quarter pounds of powder shall be allowed to be taken into the mine by any one man in one day."

The whole dreadful tragedy was so shocking to the civilized world that it calls for the most studious thought and the most searching investigation into precautionary methods adopted elsewhere. The facts in this case seem to be that the explosion was the result of accident that could not have been foreseen or prevented, and for this reason, the Inspector, the company and the State itself are perhaps exonerated in the eyes of the world. If, however, another explosion of the same or similar nature should occur within our boundaries, it would constitute a reproach that would fasten itself everlastingly upon Utah. In my opinion, therefore, it is a duty we owe to civilization, in addition to the protection which we should extend to the men engaged in the precarious occupation of coal mining, to now make this department of the public service as efficient as it is possible to make it, both by the enactment of the best laws that human experience

and ingenuity may devise and by adequate appropriation to secure the most experienced and expert inspectorship obtainable. To the accomplishment of these ends I invite your co-operation.

HORTICULTURE.

The Board of Horticulture reports abundant evidence of progress in the fruit industry within the State. Prior to the establishment of such board, the plantations of fruit trees, as a rule, consisted of very small lots in which innumerable varieties of each class of fruit were included. The result of such indiscriminate planting was each year a crop of fruit far in excess of the local consumption, yet of varieties unsuited for transportation to distant markets. As a remedy for this unfavorable condition the board has taken pains to ascertain and make known the varieties most suited for commercial orcharding, and it is gratifying to note, as a result of its work, that orchards planted during the past five years have been made up very largely of the varieties recommended, and that these sorts have been used in such numbers of each as to enable the grower to ship in car lots when such orchards shall come into bearing. Another encouraging sign of improvement in Utah horticulture is the decided betterment of the fruit in the freedom from the ravages of insects and fungus diseases. The board has devoted itself assiduously, through the free distribution of bulletins and by personal visitation, to the dissemination of the best known methods of orchard disinfection, and that the intelligent work performed by it has been productive of most satisfactory results is attested in the superior quality, condition and appearance of the fruit found on the local markets.

In its bulletin No. 4, issued in March, 1900, the board announced the presence in the orchards of Plain City and other places in Weber county of that most pernicious of insects known as San Jose scale. Immediate and intelligent efforts were made to eradicate the pest, and in so doing, approximately, 1500 infected trees were destroyed. In this connection it may be proper to advise you that the people of Plain City and vicinity have appealed to me for reimbursement for the loss of trees so destroyed and about 1000 other trees that it will be necessary to destroy,

as they believe the pest was introduced into their orchards by the importation of infested nursery stock before the law required that such nursery stock should be inspected. While there is no legal liability on the part of the State, and while it was vastly to the interest of these citizens to eradicate the evil by the destruction of the trees, I suggest that a conference be had between the interested parties, your committees and the Attorney-General to ascertain if it is possible to grant them any relief.

The commissioners appointed to select a site for an experiment farm in the southern portion of the State, have chosen a tract of land near St. George, in Washington county. The experiment building has been erected and the property turned over to the Board of Horticulture. The farm only awaits further appropriation to begin its experiments, and it is the plan of the board that these shall include experiments to determine the advantages arising from cultivation, pruning, spraying, thinning, grading, packing and all the advanced ideas pertaining to fruit culture. The sum of $8000 for the two years is asked for the purpose of maintaining the experiment farm, and increased compensation to the members of the board is suggested.

Believing that the horticultural law has already proven a benefit to the fruit interests of the State, elevating them from a mere incident in farming to an important element in the agriculture of the State, and that the board is now in a position to become of even greater practical benefit than in the past, I recommend favorable action upon the requests made.

UNIVERSITY OF UTAH.

The new buildings of the University of Utah on the bench overlooking Salt Lake City, for which provision was made by the last Legislature, have been completed and are now being occupied. The Board of Regents reports that although the buildings are plain and not embellished with towers, steeples and broken roofs, yet on account of the rise in price of all kinds of building material it was impossible with the $200,000 provided to erect the number of buildings necessary for the present depart-

ments of the University as anticipated and also provide a heating plant, a tunnel to conduct heat to the buildings, water service, sewerage, gas, electric lighting, walks, besides fencing and grading the grounds. Accordingly but three buildings, instead of four as planned, have been erected, the one omitted being the museum building, designed to be used for geological, mineralogical and biological museums, class-rooms and laboratories and a large assembly hall. All these important departments are, therefore, necessarily crowded into the other three buildings. But the Regents feel that they have used the means entrusted to them for the beginning of a permanent home for the University to the best possible advantage. After ascertaining that the four buildings could not possibly be constructed with the money at their disposal, the Regents thought it would not be either economical or wise to modify the three buildings to the extent that would best subserve the purposes of all the departments, for in doing so a great waste of money would result in readjusting matters after another building would be provided. Only slight changes, therefore, were made in the new buildings, with the expectation that the Legislature would appreciate the conditions and make appropriation for the fourth building at this session. An unexpected expense of $3,525 was found to be necessary in the purchase of deadening felt and linoleum in order to prevent the noise occasioned by students moving about the buildings, and the appropriation for buildings having been exhausted, an indebtedness of the sum named was incurred, consent thereto having been obtained from the State Board of Examiners.

Following are the amounts asked for the ensuing biennial period

Deficit on furnishings, as above explained	$ 3,525.00
Museum or School of Mines building and heating, plumbing and furnishings	56,078.40
Machine shops and machinery	10,675.00
Gymnasium	30,000.00
General maintenance	100,000.00
Apparatus, books and other supplies	8,000.00
For critic teachers and director for training school	3,900.00
For kindergarten general maintenance and supplies	5,000.00
For branch normal at Cedar City, general maintenance and supplies.	16,000.00
Total	$233,178.40

It is my belief that the University will suffer by the curtailment of any single item of its estimated needs, yet the aggregate is so enormous as to appear wholly beyond the ability of our revenues. I would advise a conference between the committees of the two houses and the Board of Regents for the purpose of ascertaining how these estimates may be reduced with the least disparagement to the welfare of the University.

AGRICULTURAL COLLEGE.

The Board of Trustees of the Agricultural College report that the college is in good condition, financially and educationally. By the exercise of rigid economy expenditures have been kept within the available means, and the present academic year will be completed without a deficit. The board asks for appropriations as follows:

To complete and furnish the front part of the main building	$ 50,000.00
For farm buildings	11,200.00
Cement floor in dairy rooms	250.00
Vegetation house and equipment	1,500.00
Additional land and water right	1,250.00
For purchase of pure-bred stock	3,800.00
Equipment of agricultural laboratory, museum and class rooms	1,000.00
Insurance	2,100.00
General maintenance	44,000.00
	$115,100.00

It is represented by the board that notwithstanding the liberality of the State in the past in its appropriations to the college, the institution has now reached a point in its development where its further growth will be arrested unless provision be made for additional buildings and equipment. Especially is the completion of the main building urged as an imperative need. If, after a careful review of our financial condition, it is ascertained that the sum named as the cost of completing and furnishing the college building may be spared without restricting other important requirements, I should favor the appropriation, as I am fully in accord with the trustees in the view that additional room for the administrative work, for the library and reading rooms, the assembly hall and additional class rooms has long been needed. If a conclusion favorable to building is reached, it might be probable that some of the other appropriations asked for might be curtailed to some extent, although it is hoped that the excellent work which the college is doing may not be impaired for lack of funds.

STATE SCHOOLS FOR THE DEAF AND DUMB AND THE BLIND.

It is believed that at the present, practically all the deaf and dumb and blind between 5 and 30 years of age, resident within the State, attend the schools provided for them at Ogden, and it is a gratifying fact that adjoining States, recognizing the good standing and high character

of these schools, are sending their deaf and blind to be taught therein.

There are now in attendance 76 pupils, of which 65 are in the school for the deaf and 11 for the blind. Of these 56 come from Utah, 15 from Idaho, 3 from Wyoming and 2 from Arizona. From each of the non-resident pupils the school receives a tuition of $250 a year, or a total of $5000 from those States.

The trustees ask the following appropriations for the biennial term:

Maintenance	$47,000
Repairs and improvements	1,000
Books and apparatus	500
Greenhouse	500
Total	$49,000

The trustees report that the work and progress in all the departments of both schools have been satisfactory, and that the schools are performing the work for which they were established. I recommend the appropriations asked.

INDUSTRIAL SCHOOL.

Of the $7500 appropriated by the last Legislature for an annex to the State Industrial School, $6569.55 only was expended, the annex was completed and the balance of the appropriation, $930.45, remains unused. Of the $24,000 appropriated for general maintenance of the institution, $21,133.32 was expended, and the balance, $2866.68, was unused. Of the $3000 appropriated for manual training, $1615.08 was expended, and the balance, $1384.92, was unused.

The board of trustees is to be specially commended for economy and safe-guarding the interests of the State. By reason of the increase in cost of building material since original estimates were made, the trustees find themselves unable to finish the cottage for girls with the amount heretofore appropriated, to-wit, $3500. If the unused balance above recited could have been applied to the cottage it would have been completed, but the Attorney-General decided that the funds could not be so diverted.

Marked improvement has been made in the efficacy

and general conveniences of the school, and the reformatory and educational facilities are in greater evidence than heretofore. Complaint is made that the general public and also several of the District Judges who commit children to the school have the mistaken idea that it is a place of punishment instead of reformation and moral and educational betterment. To more fully subserve these ends and improve the standard of the school, appropriations are asked for the ensuing term as follows:

Maintenance	$24,000
Manual training	5,000
Completion of cottage for girls	3,000
Total	$32,000

Believing that the school more nearly approximates the objects for which it was established than ever before, and that it is an indispensable institution of the State which should not be permitted to retrograde, I recommend that its needs be supplied.

THE STATE PRISON.

The distinctive feature in the management of the State prison during the past two years has been an increase in the industrial facilities and consequent increase in the receipts from sale of convict-made goods. Care has been taken to manufacture nothing that would enter into competition with honest labor or with any of the home industries of the State. The profits arising from sale of goods manufactured at the prison, sale of excess products of the farm, live stock, etc., during the two years has been $6259.90, and this amount has been applied on the expense of general maintenance. There have been two deficits authorized by the State Board of Examiners for amounts expended in excess of appropriations:

For the completion of the new boiler-house and purchase of new boiler.	991.40
For general maintenance account....	4,887.44
Total deficit	$ 5,878.84

Estimates of the needs of the institution for the coming two years, based upon rigid economy and deducting from maintenance account the probable proceeds from sale of goods, are as follows:

Cost maintenance of prison for two years	$58,000.00
Gratuities to discharged convicts	2,500.00
Fire insurance	600.00
Knitting and finishing machines	500.00
Machinery for brush factory	300.00
Electric plant, engine and dynamos	2,300.00
Building for electric plant	514.00
Administration building and furniture	6,350.00
Bath-house for prisoners	685.00
Blacksmith shop	485.00
Building and fixtures for soap making	675.00
New floor in prison dining-room	275.00
Setting old boiler	150.00
Cream separator	125.00
Two ranges	400.00
New gateway and miscellaneous	1,350.00
Hot water heating plant	1,000.00
Addition to root cellar	536.00
Trusty house	320.00
Four jacket steam cooking kettles	350.00
Paint, oil and brushes	250.00
Total	$77,665.00

The estimates have been carefully made and are as accurate as possible. The last Legislature cut down the estimates then made by the Board of Corrections, and thus the deficiency heretofore stated is explained. I recommend the amount asked be supplied. I also recommend that the provision of law prescribing maximum salaries for employees of the prison be repealed, as I believe that in certain meritorious cases the board, in its judgment, should be allowed greater latitude, and that the whole subject may safely be entrusted to the board.

INSANE ASYLUM.

The Board of Insane Asylum Commissioners reports the biennial period as very scucessful, that the inmates have been carefully and faithfully considered, and expenditures zealously guarded, also that the affairs of the asylum are in splendid condition, free from infectious or contagious diseases, the health of patients and employees having been most excellent.

The actual expenses of the asylum for all purposes for the biennial period were $75,459.78. The average daily cost for each patient has been a trifle under thirty-two cents. Of the $83,600 appropriated at the last session for general maintenance, only $60,068.41 has been drawn from the State treasury, leaving an unused balance of $23,531.59. Of the appropriation of $1,400 for insurance of the buildings there will remain an undrawn balance of $330.50 after paying the premium on $100,000 insurance for three years beginning December 16, 1900. After paying expenses of the asylum for the month of December, 1900, about $2,000 of the total appropriations made for the biennial period will remain in the State treasury unused.

There is a gradual increase in the number of inmates of the asylum. In 1896 there were 236; in 1898, 273; in 1900, 307, an increase for the last two years of 34.

The board reiterates its request of two years ago that some action be taken to prevent the commitment to the asylum of imbeciles, idiots and feeble-minded persons, who are not harmful to themselves or others, as they cannot be cured and discharged, and when once admitted, become permanent inmates. Because of this the asylum is crowded, there being now 314 patients, whereas the present building properly accommodates but 300, and it is conservatively estimated that there will be 325 inmates in daily attendance before the close of the ensuing year, and from 340 to 350 before the close of the year 1902. The board recommends that the asylum building be completed by the erection of the two additional wings, as originally planned.

The board estimates that the following appropriations will be necessary for the ensuing two years:

General expenses, including care and maintenance, repairs, renewals, improvements and contingent expenses	$101,200.00
Building two additional wings, as per plan	107,647.00
Total	$208,847.00

The estimates here made for additional buildings are based upon proportionate increase of population for the ensuing two years. It is my opinion that the State is not prepared to expend this amount of money for that purpose at present, but that it will be preferable to so amend the law that only the insane shall be committed there and not people who are infirm,imbecile and feeble-minded. The various counties are charged with the maintenance of the poor and infirm, and these should be kept in county infirmaries or other places provided for them, and the State institution should not be made an asylum for all indigent people who are infirm in mind any more than if they were infirm in body. It is believed that if provision be made to have the State represented at the examination of insane suspects before the courts, preferably by the District Attorney, that it will result in fewer erroneous commitments and perhaps obviate the necessity of building additions to the asylum.

DISTRICT ATTORNEYS.

Part of the act passed by the last Legislature, creating the office of District Attorney, has been declared unconstitutional by our Supreme Court. The question arose in the case of the State vs. James W. Beddo. The decision holds that when the Legislature attempted to amend sections 633, 2061, 2449, 4692 and 4693 of the Revised Statutes of Utah by conferring certain powers therein enumerated upon the District Attorneys, which had heretofore been performed by the County Attorneys, without setting forth the entire sections as amended, it was in conflict with the latter part of section 22 of Article 6 of the State constitution. The provision is: "No law shall be revised or amended by reference to its title only; but

the act as revised, or section as amended, shall be re-enacted and published at length." The issue upon which the decision turned was that the information of the case in question had been signed by the District Attorney instead of the County Attorney.

The defects in the District Attorney's act should be speedily rectified, and I direct your attention thereto in order that you may give the subject your earliest consideration. Two remedies are suggested: First, amend Chapter 56 of the session laws of 1899, in accordance with the constitutional provision as cited by the Supreme Court; second, pass an entirely new act defining the duties of District and County Attorneys. Whatever law is passed relative to this subject should be framed so as to carry out the original intent of the District Attorney act. The several District and County Attorneys were chosen at the last election with the understanding that the duties of each office were clearly defined, and it is but justice to all concerned to pass a law that will clearly perpetuate this understanding.

ATTORNEY GENERAL.

The Attorney General reports that the volume of business transacted in his office during the past two years has not been as great as for the three preceding years, due to greater familiarity of officers with their official duties, thus lessening the number of legal opinions to be furnished, and to precedents established by the courts.

Numerous important decisions in which statutory and constitutional questions are involved have been rendered by the Supreme Court of the State, and one case, that of Charles L. Maxwell vs. George N. Dow, involving the question of validity of that provision of our State Constitution providing for trial of felony cases by a jury of eight persons, was appealed to the Supreme Court of the United States, and there the decision of the State Supreme Court was affirmed and the provision held to be valid. The questions presented in this controversy were entirely new to the jurisprudence of this country, and the decision therefore was most important, not only to the State of Utah in holding its constitutional provision valid, but a rule was thereby established applicable to

every other State in the Union. The decision was certainly fortunate to the State of Utah, for had it been otherwise, of the 158 prisoners then confined in the State prison, 133 would have been released.

The retiring Attorney General, Hon. A. C. Bishop, is to be commended for his able and successful prosecution of this case, as well as for his conscientious and zealous watchcare of all the legal interests of the State during his incumbency.

FISH AND GAME.

Your attention is invited to the interesting and exhaustive report made by the State Fish and Game Commissioner of the operations of his department during the past two years. Your immediate predecessors provided for the establishment and maintenance of a State fish hatchery, and the institution has yielded very satisfactory and encouraging results.

Through the public press the community has been informed from time to time of the efforts made to stock our streams with desirable food fishes, and these attempts have generally been attended with success. A wise protection of its fish and game interests is an indication of progress on the part of any community toward that better civilization which shrinks from the indiscriminate slaughter of beast, bird or fish; and as population increases, the need for closer protection of these interests is obvious. Laws framed for this purpose should be so humane, reasonable and impartial in their requirements as to appeal to the higher sense, and excite the most hearty approval of every intelligent citizen. Any appearance of favoritism for the few as against the customs and inclinations of the many, is certain to arouse an antagonism which would not exist if the measures proposed were in the outset less radical and more educational in their tendency. In any legislation which may be necessary upon this subject, your prudence and wisdom will no doubt lead you to conclusions which in their enactment and enforcement will commend general favor and respect.

UTAH ART INSTITUTE.

Under the law authorizing the creation of an art in-

stitute, two public art exhibits have been held during the past two years, one in Salt Lake City and one in Logan, and many public lectures have been given under its auspices in various places within the State, the object in view being to awaken a greater interest in art and to cultivate public taste in the direction of true appreciation of the beautiful in nature, the worthy in art and the useful in manufacture, decoration, home furnishing and the like.

There have accumulated in the collection, which belongs to the State, and which is known as the Alice Art Collection, seven fine paintings, acquired by purchase and donation, and it is estimated that the value of these paintings is perhaps equal to the entire appropriation made by the Legslature for the maintenance of the institute, and certainly they form a very respectable nucleus of a permanent State gallery of art, which it is not too much to expect may be established in the future. I recommend an appropriation of at least $2,000 for the needs of the institute for the ensuing two years.

ANNUAL FAIRS.

Under the direction and management of the Deseret Agricultural and Manufacturing Society, a highly successful and extremely creditable annual fair was held in October of each year 1899 and 1900, and the directors, in their financial statement, make the unusual report that they have a balance of appropriation unexpended of $2938.31, and a further sum in the hands of the treasurer of the society of $3839.19. The directors are to be commended for their economy and business methods, and the next appropriation to be made should not be curtailed in consequence of their exceptional prudence in causing the gate receipts to meet the expenses so far as possible, and thereby saving the public funds.

It is more and more apparent each year that the exposition grounds in Salt Lake City, where the fairs are held, and which comprise but ten acres, are entirely inadequate in size for the purpose and the oft-mooted question of abandoning these grounds and holding the fairs on the other grounds, also belonging to the State, known as Agricultural Park, situated near the Jordan river on

North Temple street, Salt Lake City, comprising 46 acres, again confronts us. I recommend that the proper legislative committee, acting with the directors of the society, endeavor to procure some reimbursement from the City Council of Salt Lake City for the improvements which the State has made upon the exposition grounds, and if successful and the amount is considered equitable, that the D. A. & M. Society be authorized to expend the same in the erection of new buildings for fair purposes on Agricultural Park, to the end that the exposition grounds be abandoned for fair purposes, and that future fairs be held at Agricultural Park. The desirability of the change will be evident from an examination of the two places and consultation with the society's directors, and, in fact, from the testimony of all stockmen who have taken an interest in the fairs and who appreciate the necessity of having a race course and other out-of-door accessories which contribute so much to the success of such exhibitions.

REAPPORTIONMENT OF SENATORIAL AND REPRESENTATIVE DISTRICTS.

Section 2 of Article IX. of the Constitution of Utah, provides that at the session of the Legislature next following an enumeration made by authority of the United States, the Legislature shall revise and adjust the apportionment for Senators and Representatives on the basis of such enumeration according to ratios to be fixed by law. The decennial Government census having been taken last year, it devolves upon you to make such revision of the apportionment of Senatorial and Representative districts as your wisdom may dictate. In the discharge of this important duty, only the highest considerations as to the interests of the people should actuate you, and no changes in the existing apportionments should be made unless good and substantial reasons may be presented therefor.

BONDS REFUNDED.

The authority conferred upon the Board of Loan Commissioners at the last session to make temporary loans whenever there are no available funds in the State treasury, has worked like a charm to keep the treasury upon

a cash basis, and the amount of interest paid is insignificant compared with the amount of interest previously paid by the various State institutions. The board has during the term refunded the issue of $300,000 bonds of 1890, which were 5 per cents, the new bonds bearing but 3¼ per cent, producing a saving in interest of $5250 per annum.

APPROVAL OF OFFICIAL BONDS.

In the revision of the laws of 1898, no provision is made for the approval of the official bonds of some of the State officers. A law should be made immediately effective to cover this omission, and make it applicable to bonds given by the newly elected officers.

AMENDMENTS TO THE CONSTITUTION.

At the election in November last, three proposed amendments to the Constitution were submitted for adoption, and all of them received a majority vote of the electors of the State in their favor. Legislation is therefore necessary to put them into effect.

STATE HISTORICAL SOCIETY.

The last Legislature appropriated $200 for the collection and preservation of the Semi-Centennial Jubilee relics to be disbursed by the State Historical Society. The collection has been preserved and is very interesting and valuable. I recommend a further reasonable appropriation to continue the work of collecting and preserving State relics under the auspices of this society.

PAN-AMERICAN EXPOSITION.

I am creditably advised that nearly all of the States will participate in the Pan-American exposition to be held in Buffalo, May to November of this year. On file in my office is data that will fully acquaint you with the purpose, scope and magnitude of this great exposition. In case it shall be deemed wisdom to make an exhibit from this State, a law authorizing the appointment of commissioners and making suitable appropriation for a

creditable exhibit should be passed without delay, as the time is very short before the opening of the exposition.

OUTLAWRY.

Under the stimulus of the appropriation made at the last session to assist in the extermination of outlaws, there has been a marked improvement in conditions in the frontier counties. There is greater respect for law and order; depredations, such as cattle-stealing and greater crimes, have been fewer in number, and outlaws who had previously infested the strongholds of Uintah, Grand, Emery, San Juan and Wayne counties, have been less in evidence and certainly less defiant. The officers of the law, too, have manifested a greater diligence in searching for criminals and bringing them to justice. Some of the characters for whom rewards were offered have been arrested and are now serving terms in the State prison. It is believed the majority of the worst of them are in hiding outside the State. There should be no relaxation in the measure of our vigilance. While it is not the duty of the State, as such to bear the expense of the detection and arrest of criminals, past experience has shown that the counties in reference are unable to cope independently with these desperadoes. The entire appropriation heretofore made has been expended, for which the proper vouchers are on file in my office, and there is a further indebtedness of $1398.58 which will require appropriation.

I believe, in the interest of law and order, as well as for the good name of the State, that outlawry should be suppressed, and that the emergency fund should be replenished. Before leaving this subject, I desire to express the gratitude of the State to the Governors of our neighboring States of Wyoming and Colorado for material assistance rendered in the placing of auxiliary posses in the field at my request.

SILK COMMISSION.

The Utah Silk Commission has steadily and persistently carried on its work for the promotion of the silk industry in the State, which it explains has necessarily

been somewhat slow. It expresses the belief, however, that the work will continue to grow through a continuation of the present lines of work, and requests some amendments to the present law and a salary of $1000 a year for the secretary of the commission, as well as an increase of $500 for contingent expenses of the commission. I recommend that these very reasonable requests be supplied.

CONCLUSION.

And now, having presented to you, however imperfectly, a statement of the conditions and needs of State affairs, as I view them, together with such recommendations as have seemed to me appropriate, I welcome you to the discharge of the important obligations which your constituents have imposed upon you.

Upon your wisdom and forethought will largely depend the future welfare and progress of the State. With a solemn sense of this great responsibility, let us one and all go forward manfully to the discharge of every duty required of us. If in the consideration of every question we shall bring our best judgment and our utmost interest for the public good, our work will not only redound to our individual credit, but will also remain of lasting benefit to the commonwealth, and merit the approbation of those whose representatives we are.

Senator Howell moved that the message of the Governor be spread upon the minutes of the joint session and that 2000 copies of the message and the accompanying documents in pamphlet form be printed for the use of the members and for distribution. Carried.

Mr. Breckens, a member of the Wyoming Legislature, on motion of Senator Allison, was invited to address the joint assembly, and did so.

On motion of Representative Holtzhiemer, the joint assembly, at 3:45, adjourned.

SENATE SESSION.

The Senate at 4 p. m. resumed its session, President Evans presiding .

The journal of the first day's session was read, corrected and approved.

The Senate then adjourned.

THIRD DAY.

State of Utah, Senate Chamber,
January 16, 1901.

The Senate met pursuant to adjournment, President Evans presiding.

Roll-call; 17 members present. Senator Howell was excused.

The minutes of the second day's session were read, corrected and approved.

COMMUNICATION FROM THE HOUSE.

Salt Lake City, Utah, January 15, 1901.

Mr. President:

I am directed to inform your honorable body that the House has this day passed S. B. No. 1, by Mr. Smoot, "An Act to Provide for the Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah," by the following vote, ayes 44, absent and not voting 1, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 1 was ordered engrossed.

APPOINTMENT OF COMMITTEES.

The President announced the appointment of the following standing committees:

On Elections—Messrs. Murdock, Alder, Tanner, Johnson, Bennion.

On Contingent Expenses—Messrs. Love, Kiesel, Murdock.

REPORT OF SPECIAL COMMITTEE.

Mr. Whitney, of the special committee appointed to invite the Wyoming Legislators to meet with the Utah Legislature in joint session, reported that the joint committee had 150 souvenir invitations printed, seventy-five of which had been sent to the Wyoming visitors, the others being retained for the use of the Senate and the House. He moved that the Senators be provided with one each and that the others be sent to the House. Carried.

INTRODUCTION OF BILLS.

S. B. No. 4, by Mr. Smoot, "An Act to Amend Section 433, Chapter 7, Title 11, of Revised Statutes of Utah of 1898, as Amended by an Act Approved January 17, 1899, Chapter 1, of the Laws of the State of Utah, Passed at the Third Regular Session of the Legislature, 1899, and Sections 435 and 442 of said Chapter 7, Title 11, of the Revised Statutes of Utah of 1898, Providing for Formation and Powers of Railroad Corporations," was read by its title and on motion of Mr. Smoot was laid on the table to be referred to the Committee on Railroads, when appointed.

Mr. Smoot moved that the President be instructed to employ a competent stenographer at once. Carried.

Mr. Barnes moved a reconsideration of the vote by which the President was instructed to employ a stenographer. The motion was lost.

The President administered the oath of office to William Howard, Committee Clerk.

The following communication was received:

Salt Lake City, January 14, 1901.

Hon. A. J. Evans, President of the Senate, Utah Legislature, City:

Dear Sir:—On behalf of Salt Lake Lodge No. 85, Benevolent and Protective Order of Elks, I extend to you and each member of the Senate, a cordial invitation to attend our Elk's Smoker, to be given in honor of the National Live-Stock Association, at Christensen's Hall, Friday evening next, January 18th, at 8:30.

I understand the National Live-Stock Association has presented each Legislative member with a coupon book, which contains a coupon for our entertainment. This coupon will therefore serve as a ticket of admission.

We have prepared a lively and entertaining programme, and hope to be honored with the presence of a liberal number, if not all, of the Legislative members.

Very Respectfully,

GEO. A. SNOW,

Secretary Committee on Entertainment.

The invitation was accepted.

On motion of Mr. Tanner, the Senate adjourned.

FOURTH DAY.

State of Utah, Senate Chamber,

January 17, 1901.

The Senate met pursuant to adjournment, President Evans presiding.

Roll call showed all members present.

Prayer by Chaplain B. S. Young.

Minutes of third day's session were read, corrected and approved.

The President administered the oath of office to C. D. W. Fullmer, enrolling and engrossing clerk.

STANDING COMMITTEES.

The President announced the appointment of the following standing committees of the Senate:

Agriculture and Irrigation—Howell, chairman; Larsen, Murdock, Allison, Tanner, Barnes, Johnson.

Apportionment—Allison, chairman; Bennion, Johnson, Thomas, Tanner.

Appropriations and Claims—Thomas, chairman; Howell, Barnes, Lawrence, Kiesel, Allison, Whitmore.

Banks and Banking—Whitmore, chairman; Sherman, Barnes, Lawrence, Kiesel.

Contingent Expenses—Love, chairman; Kiesel, Murdock.

County and Municipal Corporations—Lawrence, chairman; Thomas, Larsen, Tanner, Howell, Love, Alder.

Education—Whitney, chairman; Lawrence, Thomas, Johnson, Smoot, Allison, Bennion.

Elections—Murdock, chairman; Alder, Tanner, Johnson, Bennion.

Engrossed and Enrolled Bills—Whitney, chairman; Howell, Whitmore.

Federal Relations—Alder, chairman; Whitmore, Whitney, Love, Smoot.

Fish and Game—Smoot, chairman; Love, Barnes, Larsen, Murdock, Sherman, Kiesel.

Forests and Forestry—Barnes, chairman; Love, Smoot, Bennion, Alder.

Highways and Bridges—Larsen, chairman; Bennion, Love.

Judiciary—Bennion, chairman; Lawrence, Thomas, Allison, Smoot, Howell, Murdock.

Labor—Barnes, chairman; Sherman, Allison, Kiesel, Alder.

Live Stock—Whitmore, chairman; Howell, Alder.

Manufactures and Commerce—Kiesel, chairman; Howell, Whitmore, Allison, Bennion.

Military Affairs—Sherman, chairman; Love, Tanner, Smoot, Alder.

Mines and Minerals—Murdock, chairman; Johnson, Thomas, Tanner, Howell.

Private Corporations and Insurance—Kiesel, chairman; Sherman, Thomas, Larsen, Smoot.

Public Health—Thomas, chairman; Howell, Barnes, Johnson, Tanner.

Public Institutions—Smoot, chairman; Lawrence, Whitmore, Sherman, Murdock, Howell, Whitney.

Public Lands—Sherman, chairman; Bennion, Larsen, Whitmore, Murdock, Johnson, Whitney.

Public Printing—Tanner, chairman; Whitney, Lawrence.

Railroads—Tanner, chairman; Sherman, Kiesel, Howell, Smoot, Larsen, Whitney.

Rules—Bennion, chairman; Lawrence, Whitney.

Salaries—Johnson, chairman; Barnes, Alder, Thomas, Sherman.

State Affairs—Allison, chairman; Kiesel, Johnson, Whitney, Love.

Ways and Means—Love, chairman; Bennion, Alder, Kiesel, Murdock.

REPORT OF STANDING COMMITTEE.

Committee Room, Jan. 17, 1901.

Mr. President:—Your Committee on Engrossed Bills, to whom was referred S. B. No. 1, "An Act to Provide for the Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah," respectfully report that they have carefully engrossed and enrolled the same, and herewith present the Act to you for your signature WHITNEY, Chairman.

S. B. No. 1 was read by its title and signed by the President in open session.

BILLS REFERRED.

S. B. No. 2, by Mr. Allison, "A bill for an act creating Senatorial and Representative Districts in this State and prescribing the boundaries thereof and numbering the same, and prescribing the number of Senators and Representatives, respectively, to be elected to the Legislature from each of said districts," was taken from the table and referred to the Committee on Apportionment.

S. B. No. 3, by Mr. Allison (by request), "A bill to provide for the burial of honorably discharged soldiers, sailors and marines of the United States who may hereafter die without leaving means sufficient to defray

funeral expenses, and to provide headstones for their graves, and to relieve such honorably discharged soldiers, sailors and marines from the payment of poll-tax," was taken from the table and referred to the Committee on Military Affairs.

S. B. No. 4, by Mr. Smoot, "An act to Amend Section 433, Chapter 7, Title 11, of Revised Statutes of Utah of 1898, as Amended by an Act Approved January 17, 1899, Chapter 1, of the Laws of the State of Utah, Passed at the Third Regular Session of the Legislature, 1899, and Sections 435 and 442 of said Chapter 7, Title 11, of the Revised Statutes of Utah of 1898, Providing for Formation and Powers of Railroad Corporations," was taken from the table and referred to the Committee on Railroads.

INTRODUCTION OF BILLS.

S. B. No. 5, by Mr. Barnes, "An Act to Amend Section 1249, Title 32, Revised Statutes of Utah, 1898, Regulating the Sale of Intoxicating Liquors and Preventing Certain Persons Frequenting Places of Business Where Such Liquors are sold," was read the first time and referred to the Committee on County and Municipal Corporations.

COMMUNICATION FROM THE HOUSE.

Salt Lake City, Utah, Jan. 16, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in presence of the House S. B. No. 1, by Smoot.

"An Act to Provide for the Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah," and the same is herewith returned to your honorable body.

Respectfully,

M. M. STEELE, JR.,
Chief Clerk.

On motion of Mr. Allison, the Senate adjourned.

FIFTH DAY.

State of Utah, Senate Chamber,
January 18, 1901.

The Senate met pursuant to adjournment, President Evans presiding.

Roll call showed all members present.

Prayer by Chaplain B. S. Young.

Minutes of fourth day's session were read and approved.

REPORT OF STANDING COMMITTEE.

Committee Room, Jan. 18, 1901.

Mr. President:

Your Committee on Railroads, to whom was referred S. B. No. 4, "An Act to Amend Section 433, Chapter 7, Title 11, of Revised Statutes of Utah, 1898, as Amended by an Act Approved January 17, 1899, Chapter 1, of the Laws of the State of Utah, passed at the Third Regular Session of the Legislature, 1899; and Sections 435 and 442 of said Chapter 7, Title 11, of the Revised Statutes of Utah of 1898, Providing for Formation and Powers of Railroad Corporations," respectfully report that they have had the same under consideration and uanimously recommend that the act be passed.

TANNER, Chairman.

The report was adopted.

COMMUNICATION FROM THE HOUSE.

Salt Lake City, Utah, Jan. 18, 1901.

Mr. President:

I am directed to inform your honorable body that the House has this day passed, under a suspension of Rules, H. B. No. 6, by Smith.

"An Act to Amend Section 433, Chapter 7, Title 11, of Revised Statutes of Utah, 1898, as Amended by an Act

Approved January 17, 1899, Chapter 1, of the Laws of the State of Utah, Passed at the Third Regular Session of the Legislature, 1899, and Sections 435 and 442 of said Chapter 7, Title 11, of the Revised Statutes of Utah, of 1898, Providing for Formation and Powers of Railroad Corporations."

I herewith transmit the same for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 6 was on motion laid on the table.

INTRODUCTION OF BILLS.

S. B. No. 6, by Mr. Barnes, "An Act Amending Sections 14 and 15, of Chapter 45, Laws of Utah, 1899, Providing for the Suppression of Nuisances and Contagious Diseases, Prescribing Quarantine Rules and Regulations therefor, and Relating to Burial Permits and Health of Schools," was read the first time and referred to the Committee on Public Health.

S. B. No. 7, by Mr. Allison, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases, and to Provide for the Collection of the Same," was read the first time and referred to the Committee on Judiciary.

S. B. No. 8, by Mr. Allison, "An Act to Amend Section 511, of the Revised Statutes of 1898, Relating to the Powers of the Boards of County Commissioners Throughout this State and Conferring on such Boards the Power to Remit the Taxes of Indigent Poor," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 9, by Mr. Allison, "An Act to Amend an Act entitled 'An Act to Provide for the Formation of Railroad Corporations for the Purpose of Purchasing, Owning, Maintaining, Operating and Extending Railroad Lines, Franchises, Properties, and Appurtenances; Authorizing the Isuse of Bonds, Making Deeds of Trust and Mortgages, and Defining the Rights and Powers of such Corporations,' Approved January 22, 1897, to re-enact the same as so amended and to Confirm all acts, and things done and Performed as under said act," was read the first time and referred to the Committee on Railroads.

SECOND READING OF SENATE BILLS.

S. B. No. 4, by Mr. Smoot, "An Act to Amend Section 433, Chapter 7, Title 11, of Revised Statutes of Utah of 1898, as Amended by an Act Approved January 17, 1899, Chapter 1, of the Laws of the State of Utah, passed at the Third Regular Session of the Legislature, 1899, and Sections 435 and 442 of Said Chapter 7, Title 11, of the Revised Statutes of Utah of 1898, Providing for Formation and Powers of Railroad Corporations," was read by its title.

On motion of Mr. Smoot, H. B. No. 6, by Mr. Smith, was taken from the table and substituted for S. B. No. 4. H. B. No. 6 was read the first and second time and, under a suspension of the rules, was read the third time and passed by the following vote: Ayes, 18; noes, 0. Those voting in the affirmative were: Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larson, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

Mr. Howell moved that the rules be suspended and that when the Senate adjourn it be until Monday, January 21, 1901, at 2 p. m. Carried.

The following communication was received:

Salt Lake City, Utah, Jan. 18, 1901.

Hon. Abel John Evans, President of the Senate, Salt Lake City, Utah: —

Dear Sir:—I herewith enclose you passes, sufficient in number for the members of your honorable body and their ladies, for admission to the Poultry Show, 46 Main St. Will you kindly see that they are distributed?

We hope to have the pleasure of seeing you all at the show.

Yours respectfully,
GEORGE TAYSUM,
Secretary.

COMMUNICATIONS FROM SECRETARY OF STATE.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Jan. 17, 1901.

Mr. President:—Through the courtesy of the Honorable Director of the Census, I take pleasure in supplying, for the use of the State Senators, 18 copies of Census Bulletin No. 20, which contains the population of the several States of the Union, by counties.

Very respectfully.
J. T. HAMMOND,
Secretary of State.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Jan. 17, 1901.

Mr. President:—I have the honor to enclose herewith the report of the State Board of Loan Commissioners for the biennial period ending December 31st, 1900.

Very respectfully,
J. T. HAMMOND,
Secretary of State.

The report of the State Board of Loan Commissioners was referred to the Committee on Ways and Means.

On motion of Mr. Smoot, a recess was taken for fifteen minutes.

At 3 p. m. the Senate resumed session.

COMMUNICATION FROM THE HOUSE.

Salt Lake City, Utah, Jan. 18, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed House Bill No. 6, by Smith: "An Act to Amend Section 433, Chapter 7, Title 11, of Revised Statutes of Utah, 1898, as Amended by an Act Approved January 17, 1899, Chapter 1, of the Laws of the State of Utah, Passed at the Third Regular Session of the Legislature, 1899, and

Sections 435 and 442 of Said Chapter 7, Title 11, of the Revised Statutes of Utah of 1898, Providing for Formation and Powers of Railroad Corporations." And now present the same to you for your signature.

Respectfully,
M. M. STEELE, JR.,
Chief Clerk.

H. B. No. 6 was read by its title and signed by the President in open session.

The Senate then adjourned until Monday, January 21, 1901, at 2 p. m.

EIGHTH DAY.

State of Utah, Senate Chamber,
January 21, 1901.

The Senate met pursuant to adjournment, President Evans presiding.

Roll call showed all members present, except Messrs. Howell and Johnson.

Prayer by the Chaplain.

Minutes of fifth day's session were read, corrected and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 18, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State, Senate Bill No. 1, entitled: "An Act to provide for the Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah."

Very respectfully,
HEBER M. WELLS,
Governor.

PRESENTATION OF PETITION.

Mr. Smoot presented S. P. No. 2, of Liza Chipman and 1174 other residents of American Fork, Utah county, praying that an act be passed abridging the powers of the State Board of Health in the matter of compelling the vaccination of school children.

The petition was read and referred to the Committee on Public Health.

INTRODUCTION OF BILLS.

S. B. No. 10, by Mr. Murdock (by request), "An Act to provide for the Establishment, Maintenance, Control and Management of Irrigation and Drainage Districts," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 11, by Mr. Barnes, "An Act to amend Section 5017 of the Revised Statutes of the State of Utah, Relating to Subpoenas," was read the first time and referred to the Committee on Judiciary.

S. B. No. 12, by Mr. Kiesel, "An Act to adopt the Weights and Measures of the Metric System as the Standard Weights and Measures in the State of Utah," was read the first time and referred to the Committee on Manufactures and Commerce.

S. B. No. 13, by Mr. Alder, "An Act fixing the Salaries and Compensation of District Attorneys; also amending Section 2061 of the Revised Statutes of Utah, relating to the Salaries of County Attorneys, and repealing Section 14 of Chapter 56 of the Laws of Utah, 1899, relating to the Salaries of District Attorneys," was read the first time and, on motion of Mr. Smoot, referred to the Committee on Judiciary.

S. B. No. 14, by Mr. Larson (by request), "An Act to Amend Section 2273 of the Revised Statutes of Utah, 1898, providing for the Delivery of Convicts to the State Prison," was read the first time and referred to the Committee on Public Institutions.

CONSIDERATION OF RESOLUTIONS.

Mr. Kiesel presented S. J. M. No. 1, "Memorializing Congress to Aid in the Reclamation of Arid Lands in the United States." The memorial was read the first and second times and, under a suspension of the rules, was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Kiesel, Larson, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President. Absent and not voting: Messrs. Howell and Johnson.

The title of the memorial was declared to be as presented.

On motion of Mr. Allison, the rules were suspended, and the Senate adjourned until 11:30 a. m., January 22, 1901.

NINTH DAY.

State of Utah, Senate Chamber,
January 22, 1901.

The Senate met at 11:30, pursuant to adjournment, President Evans presiding.

Roll call showed all members present except Mr. Whitney, who was excused.

Prayer by the Chaplain.

Minutes of eighth day's session were read and approved.

PRESENTATION OF PETITION.

Mr. Barnes presented S. P. No. 3, of John R. Barnes and 405 other residents of Kaysville and Layton, Davis county, praying that some measure be passed making it unlawful for any Board of Health to compel vaccination

of public school teachers or pupils, as a precedent to their attendance at school.

Read and referred to the Committee on Public Health.

REPORT OF STANDING COMMITTEE.

Committee Room,
January 22, 1901.

Mr. President:—Your Committee on Contingent Expenses, having had under consideration the following accounts, respectfully report that they have carefully examined the same, found all to be correct, and recommend that a check for the total amount, $154.80, be drawn in favor of Joseph Phillips, Sergeant-at-Arms, who will settle the bills, obtain receipt in full for each account, and return all to the Secretary for filing.

A. R. Derge & Co., sundries	$103.05
A. R. Derge & Co., Robert's Rules	.75
T. E. Wilkerson, drayage	1.00
Salt Lake City postoffice, stamps	50.00
Total	$154.80

LOVE, Chairman.

The report was adopted and the amount was appropriated.

MISCELLANEOUS BUSINESS.

S. C. No. 1, of I. C. Thoresen, was presented by Mr. Smoot (by request), asking for a refund of $697.63, part of the purchase price of school land, settled upon prior to March 31, 1869.

Read and referred to the State Board of Examiners.

S. C. No. 2, of L. P. Kelsey, for jury and witness scrip issued by the courts of the Territory of Utah during the years 1874, 1875, 1876, 1877, 1880, 1881, 1882, 1885, 1886 and 1887, amounting, with interest, to $9751.05, was presented, read and referred to the Committee on Appropriations and Claims.

S. C. No. 3, of Edward Hansen, was presented by Mr. Howell, asking for a refund of $141.52, part of the pur-

chase price of school land settled upon prior to March 31, 1869.

Read and referred to the State Board of Examiners.

A recess was taken until 12 o'clock m.

At 12 o'clock the Senate resumed session.

Roll call showed all members present except Mr. Whitney.

BALLOT FOR UNITED STATES SENATOR.

The Senate then proceeded to ballot for United States Senator, and roll call being ordered, the vote stood:

For A. W. McCune, 9 votes.
For Arthur Brown, 3 votes.
For George M. Cannon, 3 votes.
For Clarence E. Allen, 1 vote.
For O. J. Salisbury, 1 vote.
Absent and not voting, 1.

Those voting for A. W. McCune were: Messrs. Barnes, Bennion, Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Mr. President—9.

Those voting for Arthur Brown were: Messrs. Alder, Allison and Larson—3.

Those voting for George M. Cannon were: Messrs. Howell, Johnson and Love—3.

Voting for Clarence E. Allen—Mr. Lawrence—1.

Voting for O. J. Salisbury—Mr. Sherman—1.

Absent and not voting: Mr. Whitney—1.

Mr. Smoot moved that the rules be suspended and that when the Senate adjourn it be until 11:30 a. m. January 23, 1901. Carried.

The Senate then adjourned.

TENTH DAY.

State of Utah, Senate Chamber,
January 23, 1901.

The Senate met at 11:30 a. m., pursuant to adjournment, President Evans presiding.

Roll call showed all members present except Mr. Kiesel.

Prayer by the Chaplain.

Minutes of the ninth day's session were read, corrected and approved.

INTRODUCTION OF BILLS.

S. B. No. 15, by Mr. Murdock, "An Act to amend Sections 1884 and 1885, Chapter 14, Title 55, Revised Statutes of Utah, 1898, relating to the Bonding of School District," was read the first time and referred to the Committee on Education.

S. B. No. 16, by Mr. Tanner, "An Act providing for the Proper Measurements and Division of Water; creating Water Divisions in the State of Utah; creating a Board of Control of Irrigation for the State of Utah, and defining its Duties; defining the Duties of the State Engineer; providing for the Adjudication of Water Rights and for the Recognition of Existing Rights; providing for the Proper Handling of Stored Water; and repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898," was read the first time and referred to the Committee on Agriculture and Irrigation.

On motion of Mr. Lawrence, the Senate took a recess for the purpose of meeting the House in joint session to vote for a Senator of the Congress of the United States.

JOINT SESSION.

House of Representatives,
January 23, 1901.

At 12 o'clock m. the Senate and House of Representatives of the Fourth Session of the Legislature of the State of Utah convened in Joint Assembly in the hall of the House of Representatives in Salt Lake City, the capital of the State, President Evans presiding.

The roll call of each house showed all members present, except Representative Page.

Prayer by the Chaplain of the Senate.

The journals of the Senate and the House of Representatives of the ninth day were read, and it appearing therefrom that no person had received a majority of all votes in both houses for United States Senator, the President declared that there had been no election.

RULES OF THE JOINT ASSEMBLY.

Senator Smoot introduced the following rules of the Joint Assembly, which were unanimously adopted:

Rule 1. The Joint Assembly shall be held in the hall of the House of Representatives and the President of the Senate shall preside.

Rule 2. The Secretary of the Senate and Clerk of the House of Representatives shall be Secretaries of the Joint Assembly and the proceedings of the Assembly shall be published with the journals of the Senate and the House.

Rule 3. The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings of the Joint Assembly.

Rule 4. Whenever a President pro tempore presides, he shall be entitled to vote on all occasions, and in case of a tie, the question shall be declared lost.

Rule 5. The Joint Assembly shall have the power to compel the attendance of absent members, in the mode and under the penalties prescribed by the rules of the house to which such members respectively belong; and for that purpose the Sergeant-at-Arms of each house shall attend.

Rule 6. The Joint Assembly may adjourn from time to time, as may be found necessary, and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the hall of the the House of Representatives, at the time fixed by law or resolution, or to which the Joint Assembly may have adjourned.

By request of the President, the Secretary of the Senate read the following:

ELECTION OF UNITED STATES SENATORS.

(Forty-third Congress, Title 11, Page 3.)

Sec. 14. The Legislature of each State which is

chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

Sec. 15. Such election shall be conducted in the following manner: Each house shall openly, by a vive voce vote of each member present name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes cast in each house, shall be entered on the journal of that house by the Clerk or Secretary thereof; or if either house fails to give such majority to any person on that day, the fact shall be entered on the journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the Joint Assembly shall then proceed to choose, by a vive voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the Joint Assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such a majority on the first day, the Joint Assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote, until a Senator is elected.

Sec. 16. Whenever on the meeting of the Legislature of any State a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

FIRST JOINT BALLOT.

The first ballot in joint session was then proceeded with, resulting as follows:

For Thomas Kearns, 37 votes. For A. W. McCune, 25 votes: Absent and not voting—1.

Those who voted for Thomas Kearns were: Senators Alder, Allison, Howell, Johnson, Larson, Lawrence, Love, Sherman; Representatives Anderson, Axton, Barrett, Bench, Christensen, Cutler, Davis, Evans, Gardner, Hall, Hamlin, Hewlett, Holmgren, Homer, Johnson, D. C., Johnson, G. W., Kelly, McFarland, McMillan, Morris, N. L., Phillips, Sharp, Smith, South, Stevens, Stuart, Van Horne, Williams, Mr. Speaker—37.

Those voting for A. W. McCune were: Senators Barnes, Bennion, Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President; Representatives Billings, Fry, Harmon, Hatch, Holzheimer, Lambert, Langton, Maughan, McGregor, Mohr, Morris, D. H., Pond, Redd, Van Wagenen, Wells—25.

Absent and not voting—Page, 1.

The President declared Thomas Kearns duly elected United States Senator for the State of Utah, he having received a majority of all the votes of the Joint Assembly, a majority of all the members elected to both houses being present and voting.

The Secretary of the Senate then read the following certificate of election, which was signed by the President and Secretary of the Senate and by the Speaker and Chief Clerk of the House of Representatives in the presence of the Joint Assembly:

State of Utah,
Legislative Department.

This is to certify that, at 12 o'clock, noon, of the 23rd day of January, A. D. 1901, it being the day following that on which each house openly, by a viva voce vote of each member present, met to name one person for Senator in Congress from such State, as provided by the laws of the United States, the members of the Senate and House of Representatives met at Salt Lake City, the capital of said

State,a quorumof each house being present,and thereupon the journal of each of the said houses was produced and was read, and it appearing therefrom that both of said houses failed to give a majority vote to any person on that day, and thereupon the Joint Assembly proceeded to choose, by the viva voce vote of each person present, a person for Senator; That Thomas Kearns received a majority of all votes of the Joint Assembly, a majority of all the members elected to both houses being present and voting, and was duly declared elected Senator to represent the State of Utah in the Congress of the United States.

In Witness Whereof, the President of the Senate, the prsiding officer of said Joint Assembly, and the Secretary of the Senate, the Speaker of the House of Representativs and the Chief Clerk thereof have hereunto set their hands on this 23rd day of January, A. D. 1901, at Salt Lake City in the presence of said Joint Assembly.

A. J. EVANS,
President of the Senate.
NOBLE WARRUM,
Secretary of the Senate.
WM. GLASMANN,
Speaker of the House of Representatives.
M. M. STEELE, JR.,
Chief Clerk of the House of Representatives.

Representative Van Horne moved that a committee, consisting of two from the Senate and two from the House, be appointed to wait upon the Governor and one of the Judges of the Supreme Court, and that they, together, notify Mr. Kearns of his election and present him to the Joint Assembly. Carried.

Senators Howell and Murdock and Representatives Van Horne and Wells were appointed as such committee.

On motion of Senator Love, a formal recess for ten minutes was taken.

At 1:15 the Joint Assembly resumed session and the arrival of the committee, with Hon. Thomas Kearns, Governor Wells and Judge Miner, was announced.

The President presented Mr. Kearns with the certificate of his election and introduced him to the Assembly as the Senator-elect from Utah.

Mr. Kearns then addressed the Joint Assembly.

Governor Wells and Judge Miner were introduced and addressed the Joint Assembly.

On motion of Representative Van Horne, the Joint Assembly, at 1:30 p. m., adjourned.

SENATE SESSION.

At 1:40 p. m. the Senate resumed session.

Mr. Kiesel presented S. R. No. 1, as follows:

Resolved, That, whereas the death of that great and noble woman, Queen Victoria of England, has been announced, thereby causing widespread and universal sorrow;

That in testimony of our sympathy and respect, and also mindful of the fact that many of her former subjects are residents of Utah, it is hereby

Resolved, That the Senate of the Legislature of Utah do now adjourn, not to meet again until the usual hour designated for such meeting tomorrow.

The rules were suspended and the resolution was adopted unanimously.

The Senate then adjourned.

ELEVENTH DAY.

State of Utah, Senate Chamber,
January 24, 1901.

The Senate met at 2 p.m., pursuant to adjournment, President Evans presiding.

Roll call showed all members present except Mr. Barnes, who was excused.

Prayer by the Chaplain.

Minutes of tenth day's session were read, corrected and approved.

PRESENTATION OF PETITIONS.

S. P. No. 4 of W. K. Farrer, M. L. Scott, R. R. Irvine, E. J. Ward and T. C. Thompson, a committee representing the citizens of Provo, praying that such laws be passed as will open public schools throughout the State to all healthy children, was presented by Mr. Smoot, read and referred to the Committee on Public Health.

S. P. No. 5 of Don C. Strong and 166 other residents of Alpine, Utah County, praying that an act be passed abridging the powers of the State Board of Health in the matter of compelling the vaccination of school children, was presented by Mr. Smoot, read and referred to the Committee on Public Health.

COMMUNICATION FROM THE GOVERNOR.

STATE OF UTAH, EXECUTIVE OFFICE,
Salt Lake City, January 22, 1901.

To the Senate:

I have the honor to inform you that the law defining the duties of the Governor requires him to transmit to the Senate within ten days after the meeting of the Legislature, a list of all appointments made by him under the provisions of the Constitution or of law during the recess of the Legislature.

In accordance with this provision, the following list is submitted, which includes all appointments made by me, whether the same require confirmation by the Senate or not. At an early date I shall take occasion to submit appointments requiring the advice and consent of the Senate.

LIST OF APPOINTMENTS MADE BY THE GOVERNOR DURING THE RECESS OF THE LEGISLATURE OF UTAH.

1899

May 9th, John E. Booth, of Provo, to be District Judge of the Fourth Judicial District, to fill the vacancy occasioned by the resignation of W. N. Dusenberry.

May 9th, Samuel A. King, of Provo, to be District Attorney of the Fourth Judicial District.

May 9th, Thomas Marioneaux, of Beaver City, to be District Attorney of the Fifth Judicial District.

May 9th, John F. Chidester, of Panguitch, to be District Attorney of the Sixth Judicial District.

May 9th, F. E. Woods, of Castle Dale, to be District Attorney of the Seventh Judicial District.

May 9th, Swen O. Nielson, of Fairview, to be a member of the State Board of Equalization, to fill the vacancy occasioned by the resignation of J. E. Booth.

July 12th, Elias A. Smith, of Salt Lake City, to be a member of the State Board of Corrections, to fill the vacancy occasioned by the death of Francis Armstrong.

July 17th, J. C. Hanchett, of Salt Lake City, to be a member of the State Board of Medical Examiners, to fill the vacancy occasioned by the resignation of J. M. Dart.

July 18th, Thomas Maloney, of Ogden, to be a Trustee of the State Industrial School, to fill the vacancy occasioned by the death of J. H. McMillan.

July 19th, J. T. Harwood, H. L. A. Culmer, Mrs. Elizabeth C. McCune, Miss Louise Richards, J. B. Fairbanks, J. H. Paul, and W. C. Ware, all of Salt Lake City, to be members of the Governing Board of the Utah Art Institute.

Oct. 18th, E. H. Anderson, of Ogden, to be a Trustee of the School for the Deaf and Dumb and the Blind, to fill the vacancy occasioned by the death of Edwin Stratford.

Nov. 11th, John Hafen, of Salt Lake City, to be a member of the Governing Board of the Utah Art Institute, to fill the vacancy occasioned by the resignation of Miss Louise Richards.

1900.

Feb. 3rd, John A. McAllister, of Logan, to be a member of the Board of Trustees of the Agricultural College of Utah, to fill the vacancy occasioned by the resignation of M. W. Merrill.

March 17th, Moses W. Taylor, of Salt Lake City, to be a Director of the Deseret Agricultural & Manufacturing Society, to fill the vacancy occasioned by the failure to qualify of Gill S. Peyton.

March 17th, Henry Dinwoodey, of Salt Lake City, to be a Director of the Deseret Agricultural & Manufacturing Society, to fill the vacancy occasioned by the resignation of S. W. Sears.

April 18th, Ben R. Eldredge, of Salt Lake City, to be a Director of the Deseret Agricultural & Manufacturing Society, to fill the vacancy occasioned by the resignation of Henry Dinwoodey.

Oct. 9th, Mrs. Emma J. Mc Vicker, of Salt Lake City, to be State Superintendent of Public Instruction, to fill the vacancy occasioned by the death of Dr. John R. Park.

Very respectfully,
HEBER M. WELLS,
Governor.

The communication was laid on the table.

INTRODUCTION OF BILLS.

S. B. No. 17, by Mr. Allison, "An Act for the Protection of Fish, Game and Birds; for Appointment of a State Fish and Game Commissioner and State Fish

and Game Wardens and prescribing their Duties; to provide Penalties for the Violation of this Act; to provide for Licenses for the Taking or Sale of Certain Kinds of Fish and to prohibit the sale of other kinds of Fish and of Game; and also for Hunting or Taking Game or Fish; and to repeal Chapter 26, Session Laws of Utah, 1899, and all Acts and parts of Acts inconsistent herewith," was read the first time and referred to the Committee on Fish and Game.

S. B. No. 18, by Mr. Whitmore, "An Act to amend Section 469, Chapter 3, Title 12, Revised Statutes of Utah, 1898, providing for the Election and Term of Office of County Commissioners," was read the first time and referred to the Committee on County and Municipal Corporations.

MISCELLANEOUS BUSINESS.

A communication was received from J. E. Talmage, G. Coray and J. F. Merrill, representing the faculty of the University of Utah, asking the Legislature to memorialize Congress to provide by law for the early introduction of the metric system of weights and measures.

Read and referred to the Committee on Manufactures and Commerce.

The Senate, at 2:45 p.m., adjourned.

TWELFTH DAY.

State of Utah, Senate Chamber,
January 25, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll call showed all members present except Messrs. Smoot and Tanner, who were excused.

Prayer by the Chaplain.

Minutes of eleventh day's session were read, corrected and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room,
January 25, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 11, "An Act to amend Section 5017 of the Revised Statutes of the State of Utah, relating to subpoenas," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted, and S. B. No. 11 was filed for second reading.

Committee Room,
January 24, 1901.

Mr. President:—Your Committee on Fish and Game, having met to consider S. B. No. 17, by Mr. Allison, "An Act for the protection of Fish and Game," etc., respectfully recommend that before further consideration of the bill, the rules be suspended and that 500 copies be ordered printed. This recommendation is made in accordance with Senate Rule No. 48.

SMOOT, Chairman.

The report was adopted, the rules were suspended and the committee was authorized to have 500 copies of the bill printed.

INTRODUCTION OF BILLS.

S. B. No. 19, by Mr. Barnes, "An Act amending Section 380, Chapter 3, Title 11, Revised Statutes of Utah, 1898, providing for total liability of banking corporations," was read the first time and referred to the Committee on Banks and Banking.

S. B. No. 20, by Mr. Johnson, "An Act to amend Section 5076 of the Revised Statutes of the State of Utah, relating to proceedings against corporations," was read the first time and referred to the Committee on Judiciary.

S. B. No. 21, by Mr. Johnson, "An Act to amend Section 5109 and 5110 of the Revised Statutes of the State of Utah, relating to notices to and duties of District Attorneys in cases of extraditon," was read the first time and referred to the Committee on Judiciary.

S. B. No. 22, by Mr. Johnson, "An Act to amend Section 4989 of the Revised Statutes of the State of Utah, relating to notice of application for bail," was read the first time and referred to the Committee on Judiciary.

S. B. No. 23, by Mr. Johnson, "An Act to amend Section 4720 of the Revised Statutes of the State of Utah, relating to the powers and duties of the grand jury," was read the first time and referred to the Committee on Judiciary.

S. B. No. 24, by Mr. Johnson, "An Act to amend Section 5068 of the Revised Statutes of the State of Utah, relating to dismissal of criminal actions in the District Court," was read the first time and referred to the Committee on Judiciary.

S. B. No. 25, by Mr. Johnson, "An Act to amend Section 4909 of the Revised Statutes of the State of Utah, relating to the application for a bench warrant," was read the first time and referred to the Committee on Judiciary.

S. B. No. 26, by Mr. Whitmore (by request), "An Act prescribing rules of negligence in cases where live stock are killed or injured by railroad companies," was read the first time and referred to the Committee on Railroads.

S. B. No. 27, by Mr. Whitmore (by request), "An Act creating liability for all damages done by the destruction of property caused by fire communicated from locomotive engines," was read the first time and referred to the Committee on Railroads.

S. B. No. 28, by Mr. Murdock, "An Act to amend Section 1815, Chapter 6, Title 55, of the Revised Statutes of the State of Utah relating to annual and special tax," was read the first time and referred to the Committee on Education.

S. B. No. 29, by Mr. Alder (by request), "A Bill to create the office of State Boiler Inspector, and defining his duties as such," was read the first time and referred to the Committee on Labor.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, January 22, 1901.

Mr. President:—I am directed to inform your honorable body that his Excellency, the Governor, has approved and filed with the Secretary of State H. B. No. 6, entitled, "An Act to amend Section 433, Chapter 7, Title 11, Revised Statutes of Utah, 1898, as amended by an Act approved January 17, 1899, Chapter 1 of the Laws of the State of Utah, passed at the Third Regular Session of the Legislature of Utah, 1899; and Sections 435 and 442 of said Chapter 7, Title 11, of the Revised Statutes of the State of Utah, 1898, providing for formation and powers of Railroad corporations."

Respectfully,
M. M. STEELE, JR.,
Chief Clerk.

Mr. Murdock moved that all rules interfering therewith be suspended and that 250 copies of each bill introduced up to the present time be printed, except S. B. No. 17, 500 copies of that bill having been heretofore ordered printed. Carried.

SECOND READING OF SENATE BILLS.

S. B. No. 11, by Mr. Barnes, "An Act to amend Section 5017 of the Revised Statutes of the State of Utah, Relating to Subpoenas," was read the second time and amended. The bill was then read the third time, under a suspension of the rules, and passed by the following vote:

Ayes—16. Absent and not voting—2.

Those voting in the affirmative were—Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larson, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting—Messrs. Smoot and Tanner.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

The following communication was received:
To the President of the Senate of Utah:

You are respectfully requested to extend to the members and officers of the Senate a cordial invitation to attend, with their ladies, a reception to be given by Senator and Mrs. Thomas Kearns to the members and officers of the Legislature, at the Knutsford Hotel, Monday evening, January 28, 1901, from 9 until 12.

GOVERNOR HEBER M. WELLS,
MRS. EMMELINE B. WELLS,
MR. AND MRS. EZRA THOMPSON,
CHIEF JUSTICE AND MRS. JAMES A. MINER,
ADJT.-GEN. AND MRS. CHAS. S. BURTON,
Committee.

The invitation was accepted with thanks.

Mr. Thomas moved that the rules be suspended and that when the Senate adjourn it be until Monday, January 28, 1901. Carried.

On motion of Mr. Howell, the Senate, at 2:50 p. m., adjourned.

FIFTEENTH DAY.

State of Utah, Senate Chamber,
January 28, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll call showed all members present except Mr. Alder.

Prayer by the Chaplain.

Minutes of twelfth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 6, of W. S. Holdaway and 210 other residents of Provo Bench, Utah county, asking for the limitation of the powers of the State Board of Health, relating to the enforcement of vaccination of children attending the public schools of the State, was presented by Mr. Smoot, read and referred to the Committee on Public Health.

S. P. No. 7, of George Le Barron and 365 other residents of Santaquin, Utah County, remonstrating against compulsory vaccination of school children, was presented by Mr. Smoot, read and referred to the Committee on Public Health.

S. P. No. 8, of Orson Smith and William H. Thain, representing the citizens of Logan City, Cache county, asking that anti-compulsory vaccination legislation be passed, was presented by Mr. Howell, read and referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

Committee Room,
January 25, 1901.

Mr. President:—Your Committee on Military Affairs to whom was referred S. B. No. 3, "An Act to provide for the burial of honorably discharged soldiers, sailors or marines of the United States who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones for their graves, and to relieve such honorably discharged soldiers, sailors and marines from the payment of poll tax," respectfully report that they have had the same under consideration and recommend that the act be passed.

SHERMAN, Chairman.

The report was adopted.

PRESENTATION OF RESOLUTIONS.

S. C. R. No. 1, by Mr. Smoot, requesting the Senators and Representative in Congress to support a bill for the purchase by the Government, of Temple Farm and Moore

House at Yorktown, Va., was read, and with accompanying communications from Senator Rawlins and Thomas S. Martin, referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

S. B. No. 30, by Mr. Barnes, "An Act to license dogs and providing for the payment of damages sustained in the maiming or killing of sheep by dogs; delaring unlicensed dogs nuisances and declaring under what circumstances they may be killed and prescribing a punishment for killing licensed dogs, and to provide penalties for the violation of this act," was read the first time and referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS.

S. B. No. 3, by Mr. Allison (by request), "An Act to provide for the burial of honorably discharged soldiers, sailors and marines of the United States who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones for their graves, and to relieve such honorably discharged soldiers, sailors and marines from the payment of poll tax," was read the second time and amended.

MISCELLANEOUS BUSINESS.

S. J. M. No. 2, "Memorializing Congress to adopt the weights and measures of the Metric system as the standard weights and measures of the United States," was presented by Mr. Kiesel and read. On motion of Mr. Smoot all rules interfering therewith were suspended and consideration of the memorial was proceeded with.

On motion of Mr. Kiesel the memorial was unanimously adopted.

An invitation was received from President Kingsbury of the University of Utah, asking the Senate to visit that institution. On motion of Mr. Whitney it was decided to accept the invitation, and to visit the University in a body on Tuesday morning, January 29th, at 10 o'clock.

The Senate, at 4:20 p. m., adjourned.

SIXTEENTH DAY.

State of Utah, Senate Chamber,
January 29, 1901.

The Senate met pursuant to adjournment, President Evans presiding.

Roll call showed all members present.

Prayer by the Chaplain.

Minutes of the fifteenth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 9, of F. H. Mereweather and 283 other residents of Scofield, praying that anti-compulsory vaccination legislation be passed, was presented by Mr. Bennion, read and referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

Committee Room,
January 29, 1901.

Mr. President:—Your Committee on Contingent Expenses respectfully recommend that a check for fifty dollars be drawn in favor of the Sergeant-at-Arms with which to settle the attached bill for stamps. The officer will obtain receipt from the Salt Lake City postmaster which receipt shall be filed with the Secretary of the Senate.

LOVE, Chairman.

The report was adopted and the amount was appropriated.

Committee Room,
January 28, 1901.

Mr. President:—Your Committee on Railroads to whom was referred S. B. No. 9, "An Act to amend an act entitled 'An Act to provide for the formation of railroad corporations for the purpose of purchasing, owning, maintaining, operating and extending railroad lines, franchises, properties and appurtenances; authorizing the

issue of bonds, making deeds of trust and mortgages, and defining the rights and powers of such corporations,' approved January 22, 1897, to re-enact the same as so amended, and to confirm all acts and things done and performed as under said act," respectfully report that they have had the same under consideration and recommend that the act be passed.

TANNER, Chairman.

The report was adopted and S. B. No. 9 was filed for second reading.

Committee Room,
January 29, 1901.

Mr. President:—Your Committee on County and Municipal Corporations to whom was referred S. B. No. 5, "An Act to amend Section 1249, Title 32, Revised Statutes of Utah, 1898, regulating the sale of intoxicating liquors and preventing certain persons frequenting places of business where such liquors are sold," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted and S. B. No. 5, was filed for second reading.

Committee Room,
January 29, 1901.

Mr. President:—Your Committee on County and Municipal Corporations to whom was referred S. B. No. 8, "An Act to amend Section 511 of the Revised Statutes of 1898, relating to the powers of the Boards of County Commissioners throughout this State, and conferring on such boards the power to remit the taxes of the indigeat poor," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted and S. B. No. 8 was filed for second reading.

INTRODUCTION OF BILLS.

S. B. No. 31, by Mr. Bennion, "An Act to provide for the acceptance by the State of Utah, from the United States, of certain desert lands and providing for the reclamation, occupancy and disposal of the same," was read the first time and referred to the Committee on Public Lands.

S. B. No. 32, by Mr. Bennion, "An Act creating the reservoir land grant fund and providing for the procuring of reservoir sites and the construction of reservoirs for the purpose of supplying water to State lands," was read the first time and referred to the Committee on Public Lands.

S. B. No. 33, by Mr. Whitney, "An Act to aid in providing text-books on the natural sciences for use in the public and higher schools of the State," was read the first time and referred to the Committee on Education.

THIRD READING OF SENATE BILLS.

S. B. No. 3, by Mr. Allison (by request), "An Act to provide for the burial of honorably discharged soldiers, sailors or marines of the United States who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones for their graves, and to relieve such honorably discharged soldiers, sailors and marines from the payment of poll tax," was read the third time and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larson, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

SECOND READING OF SENATE BILLS.

S. B. No. 9, by Mr. Allison, "An Act to amend an act entitled 'An Act to provide for the formation of railroad corporations for the purpose of purchasing, owning, maintaining, operating and extending railroad lines, franchises, properties and appurtenances; authorizing the issue of bonds, making deeds of trust and mortgages, and

defining the rights and powers of such corporations,' approved January 22, 1897, to re-enact the same as so amended, and to confirm all acts and things done and performed as under said act," was read the second time. On motion of Mr. Allison the rules were suspended the bill was read the third time and passed by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larson, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Voting in the negative: Mr. President.

Absent and not voting: Mr. Love.

President Evans explained his negative vote as follows: "While I am in favor of the purpose of the bill, I am not satisfied that it will accomplish what it is intended to do, and not having had time to examine it, I, therefore, vote no."

The title of the bill was made the title of the act.

S. B. No. 8, by Mr. Allison, "An Act to amend Section 511 of the Revised Statutes of 1898, relating to the powers of the Boards of County Commissioners throughout this State, and conferring on such boards the power to remit the taxes of the indigent poor," was read the second time.

S. B. No. 5, by Mr. Barnes, "An Act to amend Section 1249, Title 32, Revised Statutes of Utah, 1898, regulating the sale of intoxicating liquors and preventing certain persons frequenting places of business where such liquors are sold," was read the second time and amended.

MISCELLANEOUS BUSINESS.

An invitation was received from State Fish and Game Warden Sharp asking the Legislature to visit the State Fish Hatchery. On motion of Mr. Smoot it was decided to accept the invitation and visit the Hatchery on Thursday morning, January 31st, at 10 o'clock.

The Senate, at 4:10 p. m., adjourned.

SEVENTEENTH DAY.

State of Utah, Senate Chamber,
January 30, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of the sixteenth day's session were read and approved.

REPORTS OF STANDING COMMITTTEES.

Committee Room,
January 30, 1901.

Mr. President:— Your Committee on Federal Relations to whom was referred S. C. R. No. 1, requesting Congress to enact a law for the purchase, by the Government, of Temple farm and Moore house at Yorktown, Va.," respectfully report that they have had the same under consideration and recommend that the resolution be adopted.

ALDER, Chairman.

The report was adopted.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Apportionment to whom was referred S. B. No. 2, "An Act creating Senatorial and Representative districts in this State and prescribing the boundaries thereof, and numbering the same, and prescribing the number of Senators and Representatives, respectively, to be elected to the Legislature from each of said districts," respectfully report that they have had the same under consideration and recommend that the act be not passed.

ALLISON, Chairman.

The report was adopted and S. B. No. 2 was rejected.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 20, "An Act to amend Section 5076 of the Revised Statutes of Utah, 1898, relating to proceedings against corporations," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted and S. B. No. 20 was filed for second reading.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 21, "An Act to amend Sections 5109 and 5110 of the Revised Statutes of Utah, 1898, relating to notices to and duties of District Attorneys in cases of extradition," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted and S. B. No. 21 was filed for second reading.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 22, "An Act to amend Section 4989 of the Revised Statutes of Utah, 1898, relating to notice of application for bail," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted and S. B. No. 22 was filed for second reading.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 23, "An Act to Amend Section 4720 of the Revised Statutes of Utah, 1898, relating to the powers and duties of the grand jury," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted and S. B. No. 23 was filed for second reading.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 24, "An Act to amend Section 5068 of the Revised Statutes of Utah, 1898, relating to dismissal of criminal actions in the District court," respectfully report that they have had the same under consideration, offer the following amendments and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted and S. B. No. 24 was filed for second reading.

Committee Room,
January 30, 1901.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 25, "An Act to amend Section 4909 of the Revised Statutes of Utah, 1898, relating to the application for a bench warrant," respectfully report that they have had the same under consideration, offer the following amendments thereto and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted and S. B. No. 25 was filed for second reading.

PRESENTATION OF RESOLUTIONS.

Mr. Thomas presented S. R. No. 2, as follows:

"Whereas, it has come to the knowledge of this body that the Health Commissioner of Salt Lake City, Dr. J. C. E. King, has caused the arrest of the President of the Board of Education of Salt Lake City, Mr. W. J. Newman, also the arrest of the President of the Latter-Day Saints' College, Prof. J. H. Paul, and has threatened the arrest and prosecution of other gentlemen acting on other Boards of Education; therefore,

"Resolved, That we deprecate these extreme actions on the part of the said Health Commissioner, especially in view of the fact that a bill has just passed the House by a vote of 37 to 6, relieving the gentlemen referred to, which bill is now before the Senate for consideration, with a probability of immediate passage; and

"Be it further resolved, that we regard these actions of the said Health Commissioner as unwarranted and vexatious, and place upon them the seal of our emphatic disapproval."

On motion of Mr. Thomas, the resolution was laid upon the table.

INTRODUCTION OF BILLS.

S. B. No. 34, by Mr. Whitmore (by request), "An Act to amend Sections 1, 2, 8, 9, of Chapter 44, of the Session Laws of 1899, relating to tax on transient stock and prescribing the method of assessment, collection and division of taxes received upon the live stock brought into the State or moved from one county to another for grazing purposes and fixing the penalty and forfeiture for violation thereunder," was read the first time and referred to the Committee on Live Stock.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 29, 1901.

Mr. President:—I am directed to inform your honor-

able body that the House has this day passed H. B. No. 18, entitled, "An Act to prevent compulsory vaccination and to prevent vaccination being made a condition precedent to entering the public schools of the State of Utah," by the following vote: Ayes, 37; nays, 6; absent and not voting, 2, and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Howell, H. B. No. 18, was made the special order for 2:30 p. m. tomorrow.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 23, entitled, "An Act to amend Section 2278, Revised Statutes of the State of Utah, 1898, relating to rules for admission of visitors to State Prison and to library fund of State Prison," by the following vote: Ayes, 37; nays, 0; absent and not voting, 8; and the same is hereby transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of the rules, S. B. No. 9, entitled, "An Act to amend an act entitled, 'An Act to provide for the formation of railroad corporations for the purpose of purchasing, owning, maintaining, operating and extending railroad lines, franchises, properties and appurtenances; authorizing the issue of bonds, making deeds of trust and mortgages, and defining the rights and powers of such corporations,' approved January 22, 1897, to re-enact the same as so amended, and to confirm all acts and things done and performed as under said act," by the following vote: Ayes, 38; nays, 0; absent and not voting, 7, and the same is hereby retained by request for engrossment.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a committee, consisting of Representatives Hewlett, Fry and Cutler, to confer with a like committee from your honorable body to arrange for a trip over the O. S. L. in acceptance of an offer received from the O. S. L. Railroad this day. Respectfully,

M. M. STEELE, JR., Chief Clerk.

THIRD READING OF SENATE BILLS.

S. B. No. 5, by Mr. Barnes, "An Act to amend Section 1249, Title 32, Revised Statutes of Utah, 1898, regulating the sale of intoxicating liquors and preventing certain persons frequenting places of business where such liquors are sold," was read the third time and recommitted to the Committee on County and Municipal Corporations.

S. B. No. 8, by Mr. Allison, "An Act to amend Section 511, of the Revised Statutes of 1898, relating to the powers of the Boards of County Commissioners throughout this State and conferring on such boards the power to remit the taxes of indigent poor," was read the third time, amended, and passed, as amended, by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larson, Lawrence, Love, Murdock, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Sherman, Smoot, Tanner and Whitney.

The title of the bill was made the title of the act.

Mr. Smoot was excused.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day, under a suspension of the rules, amended and passed S. B. No. 3, as a sub-

stitute to H. B. No. 52, entitled, "An Act to provide for the burial of honorably discharged soldiers, sailors and marines of the United States who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide head-stones for their graves, and to relieve honorably discharged soldiers, sailors and marines from the payment of poll tax," and the same is herewith returned for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Allison, the Senate unanimously concurred in the amendment of S. B. No. 3, as made by the House.

By unanimous consent the rules were suspended, S. B. No. 3, was read the first, second and third times, as amended, and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larson, Lawrence, Love, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Murdock and Smoot.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

The following was received:

Oregon Short Line Railroad Company,
Salt Lake City, Utah, Jan. 30, 1901.

Hon. A. J. Evans, President of the Senate, Salt Lake City, Utah.

My Dear Sir:—We respectfully tender to your honorably body, a special train of Pullman and dining cars for a ride over the Oregon Short Line Railroad to any point desired by your members. This property being an important factor in the general welfare and building up of our magnificent State, warrants us in a desire to have our State Representatives see for themselves the great improvments in the matter of developments throughout Utah, as well as in the property we represent, and which

is intended for the greater care and comfort of our citizens.

Yours very truly,
W. H. BANCROFT,
Vice-President and General Manager.
S. W. ECCLES,
General Traffic Manager.

On motion of Mr. Tanner, the President appointed Messrs. Tanner, Sherman and Whitney as a committee to confer with a like committee from the House and arrange for the acceptance of the invitation of the Oregon Short Line.

The Senate, at 4:40 p. m., adjourned.

EIGHTEENTH DAY.

State of Utah, Senate Chamber,
January 31, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of the seventeenth day's session were read, corrected and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 43, entitled, "An Act to Amend Sections 1137 and 1744 of the Revised Statutes of Utah, 1898, Relating to Duties and Powers of Road Supervisors, and the Time for Collection of Poll Tax," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 43 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of the rules, S. B. No. 11, entitled, "An Act to Amend Section 5017 of the Revised Statutes of Utah, 1898, Defining a Subpoena and Conferring upon Certain Officers the Power to Issue the same and Repealing all Acts and Parts of Acts in Conflict Therewith," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 11 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Jan. 30, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 24, entitled, "An Act to Amend Section 2273, Revised Statutes of Utah, Relating to Delivery of Convicts to State Prison," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 24 was read the first time and referred to the Committee on Public Institutions.

REPORTS OF STANDING COMMITTEES.

Committee Room,
January 31, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 9, "An Act to Amend An Act Entitled, 'An Act to Provide for the Formation of Railroad Corporations for the Purpose of Purchasing, Owning, Maintaining, Operat-

ing and Extending Railroad Lines, Franchises, Properties and Appurtenances; Authorizing the Issue of Bonds, Making Deeds of Trust and Mortgages, and Defining the Rights and Powers of such Corporations,' Approved January 22nd, 1897, to Re-enact the same as so Amended, and to Confirm all Acts and Things Done and Performed as Under Said Act," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 9 was read by its title and signed by the President in open session.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Jan. 31, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session S. B. No. 9, "An Act to Amend An Act, Entitled, 'An Act to Provide for the Formation of Railroad Corporations for the Purpose of Purchasing, Owning, Maintaining, Operating and Extending Railroad Lines, Franchises, Properties and Appurtenances; Authorizing the Issue of Bonds, Making Deeds of Trust and Mortgages, and Defining the Rights and Powers of such Corporations,' Approved January 22, 1897, to Re-enact the Same as so Amended, and to Confirm all Acts and Things Done and Performed as Under said Act," and the same is herewith transmitted for your transmission to the Governor for his action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

SPECIAL ORDER.

H. B. No. 18, by Mr. McMillan, "An Act to Prevent Compulsory Vaccination, and to Prevent Vaccination Being Made a Condition Precedent to Entering the Public Schools of the State of Utah," the special order for 2:30 p.m., was taken up and read the first and second times.

On motion of Mr. Smoot, all rules interfering therewith were suspended, and H. B. No. 18 was read the third time and passed by the following vote: Ayes, 13; nays, 5.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Johnson, Larson, Love, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Allison, Kiesel, Lawrence, Sherman.

The title of the bill was made the title of the act.

The Senate, at 5:10 p. m., adjourned.

NINETEENTH DAY.

State of Utah, Senate Chamber,
February 1, 1901.

The Senate was called to order at 2 p. m. by Mr. Smoot.

Roll was called, showing all members present except Mr. Johnson and President Evans, the latter being excused.

Mr. Allison was called to the Chair.

Prayer by the Chaplain.

Minutes of the eighteenth day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room,
February 1, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 11, "An Act to Amend Section 5017, of the Revised Statutes of Utah, 1898, Defining a Subpoena and Conferring upon Certain Officers the Power to Issue the Same, and Repealing All Acts and Parts of Acts in Conflict Therewith," respectfully report that they have carefully engrossed and

enrolled the same, and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 11 was laid upon the table to await the signature of the President.

Committee Room,
January 31, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 3, "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors or Marines of the United States who may Hereafter Die Without Leaving Means Sufficient to Defray Funeral Expenses, and to Provide Headstones for Their Graves, and to Relieve Honorably Discharged Soldiers, Sailors and Marines from the Payment of Poll Tax," respectfully report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 3 was laid upon the table to await the signature of the President.

Committee Room,
January 31, 1901.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 15, "An Act to Amend Sections 1884 and 1885, Chapter 14, Title 55, Revised Statutes of Utah, 1898, Relating to the Bonding of School Districts," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room,
February 1, 1901.

Mr. President:—Your Committee on Banks and Banking, to whom was referred S. B. No. 19, "An Act Amending Section 380, Revised Statutes of Utah, 1898,

Providing for Total Liability of Banking Corporations," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended be passed.

WHITMORE, Chairman.

The report was adopted.

Committee Room,
January 31, 1901.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 33, "An Act to Aid in Providing Text Books on the Natural Sciences for Use in the Public and Higher Schools of the State," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The Report was adopted.

Committee Room,
January 31, 1901.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 28, "An Act to Amend Section 1815 of the Revised Statutes of Utah, 1898, Relating to Annual and Special Taxes," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, January 31, 1901.

To the Senate:—In behalf of the State Board of Corrections, I have the honor to invite your honorable body to visit and inspect the State Prison at such time as may be arranged between your honorable body and the House of Representatives.

Very respectfully,
HEBER M. WELLS,
President State Board of Corrections.

The invitation was accepted, and on motion of Mr. Smoot a special committee consisting of Messrs. moot, Kiesel and Alder, was appointed to confer with a like committee from the House to arrange for visiting the State Prison.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, January 31, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Representatives Hamlin, Hall and Bellings a committee to confer with a like committee from your honorable body to arrange for a visit of inspection to the State Prison in conformity with an invitation this day received from the President of the State Board of Corrections.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, January 31, 1901.

Mr. President:—I am directed to inform your hon orable body that the House has this day passed H. B. No. 13, by Mr. Glasmann, "An Act amending Section 812 of the Revised Statutes of Utah, of 1898, Relating to Transfers of Registry Certificates from One District to Another in the Same Precinct and City," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 13 was read the first time and referred to the Committee on Elections.

PRESENTATION OF RESOLUTIONS.

Mr. Allison introduced S. R. No. 3, as follows;

"Whereas, the death of Dr. John R. Park, the former Superintendent of Public Instruction of this State, occurred in September, 1900, at his home in Salt Lake City, and

"Whereas, during his long residence in Utah, he ren-

dered energetic and faithful services in behalf of education, and in perfecting and developing the educational system of the State;

"Now, therefore, Be it Resolved:

"1.—That we express our sincere appreciation for his tireless and unselfish efforts as a public benefactor, and deeply deplore his death as being a permanent and irreparable loss to the people of our commonwealth and to the cause of education in particular.

"2.—That this resolution be spread upon the minutes, and a copy thereof sent to the House."

By request of Mr. Allison, the resolution was made the special order for 3:30 p. m. on Wednesday, February 6, 1901, and the chairman of the Committee on Education (Mr. Whitney) was requested to speak on the resolution at that time.

Mr. Allison presented S. J. R. No. 1, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people. The resolution was read and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

S. B. No. 35, by Mr. Alder, "An Act Defining Transient Stock; prescribing a Method of Assessment, Collection and Division of Taxes Received from the Same; Fixing the Penalty for Violation of Provisions, and Repealing Chapter 44 of the Laws of Utah, 1899," was read the first time and referred to the Committee on Live Stock.

S. B. No. 36, by Mr. Alder, "An Act Amending Section 213 of the Revised Statutes of Utah, 1898, Relating to the Election of Municipal Officers," was read the first time and referred to the Committee on Elections.

S. B. No. 37, by Mr. Murdock (by request), "An Act Defining Adulterations of Food and Drugs and to Prevent the Adulteration of Certain Foods and Drugs and Regulating the Sale of Them," was read the first time and referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS.

S. B. No. 33, by Mr. Whitney, "An Act to Aid in Providing Text-Books on the Natural Sciences for Use in the Public and Higher Schools of the State," was read the second time.

S. B. No. 20, by Mr. Johnson, "An Act to Amend Section 5076 of the Revised Statutes of the State of Utah, Relating to Proceedings against Corporations," was read the second time.

On motion of Mr. Lawrence, all rules interfering therewith were suspended, and S. B. No. 20 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting, Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 21, by Mr. Johnson, "An Act to Amend Sections 5109 and 5110 of the Revised Statutes of the State of Utah, Relating to Notices to and Duties of District Attorneys in Cases of Extradition," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 21 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Mr. Johnson and Mr. President.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

President's Office, Agricultural College of Utah,
Logan City, Utah, February 1, 1901.

To the President and Members of the Senate of the

Legislature of Utah:—Gentlemen:—In behalf of the Trustees and Faculty, I have the honor of extending to you a cordial invitation to visit the Agricultural College of Utah at your earliest convenience.

Very respectfully,
W. J. KERR, President.

On motion of Mr. Smoot, the invitation was accepted, and the matter of arranging the time for the trip was referred to the Committee on Public Institutions.

Mr. Barnes moved that the rules be suspended, and that when the Senate adjourn it be until Monday, February 4, 1901. Carried.

Mr. Smoot, of the committee appointed to arrange for a visit to the State Prison, made a report recommending that the Senate visit the Prison on Wednesday, February 6, 1901, at 9:45 a. m., and that when the Senate adjourn on Tuesday it be under a suspension of the rules to meet on Wednesday at 3 p. m. The recommendations were adopted.

The Senate, at 3:50 p. m., adjourned.

TWENTY-SECOND DAY.

State of Utah, Senate Chamber,
February 4, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Messrs. Alder and Johnson.

Prayer by the Chaplain.

Minutes of nineteenth day's session were read and approved.

COMMUNICATION FROM SECRETARY OF STATE.

The following was received and filed:

Office of James T. Hammond, Secretary of State,
Salt Lake City, January 28, 1901.

Mr. President:—I have the honor to transmit here-

with a report of the Governor and Secretary of State, of their acts under Chapter 40 of the laws of Utah, 1899, providing for a medal for each of the volunteers from Utah who was mustered into the service of the United States in the war with Spain.

Very respectfully,

J. T. HAMMOND,
Secretary of State.

BILLS SIGNED.

S. B. No. 11, "An Act to Amend Section 5017, of the Revised Statutes of Utah, 1898, Defining a Subpoena and Conferring upon Certain Officers the Power to Issue the Same, and Repealing All Acts and Parts of Acts in Conflict Therewith," was taken from the table, read by its title and signed by the President in open session.

S. B. No. 3, "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States who may Hereafter Die Without Leaving Means Sufficient to Defray Funeral Expenses, and to Provide Headstones for Their Graves, and to Relieve Honorably Discharged Soldiers, Sailors and Marines from the Payment of Poll Tax," was taken from the table, read by its title and signed by the President in open session.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 4, 1901.

Mr. President:—Your Committee on Public Lands, to whom was referred S. B. No. 32, "An Act Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, Feb. 4, 1901.

Mr. President:—Your Committee on Public Lands, to

whom was referred S. B. No. 31, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands and Providing for the Reclamation, Occupancy and Disposal of the Same," respectfully report that they have had the same under consideration, offer the following amendments thereto, and recommend that the act, as amended, be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, Feb. 4, 1901.

Mr. President:—Your committee on County and Municipal Corporations, to whom was referred H. B. No. 43, "An Act to amend Sections 1137 and 1744 of the Revised Statutes of Utah, 1898, Relating to Duties and Powers of Road Supervisors, and the Time for Collecting Poll Tax," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

REPORT FROM SELECT COMMITTEE.

Committee Room, Feb. 4, 1901.

Mr. President:—Your committee appointed to consider the invitation tendered by the Oregon Short Line Railroad Company for a jaunt over its line respectfully report that, after due and careful consideration of the same, we recommend the following:

That the invitation be accepted and that the Legislature take a trip to Boise City, Idaho, leaving Salt Lake City at 2 o'clock p. m., Friday, February 8th, and that the President of the Senate and the Speaker of the House so notify General Manager Bancroft and General Traffic Manager Eccles, expressing thanks for the invitation.

R. R. TANNER,
Chairman Senate Commitee.
O. H. HEWLETT,
Chairman House Committee.

The report was adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 1, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of the rules, S. J. M. No. 1, by Mr. Kiesel, "Memorializing Congress to Aid in the Reclamation of Arid Lands in the United States," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. J. M. No. 1 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 1, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session House Bill No. 18, by Mr. McMillan, "An Act to prevent Compulsory Vaccination and to prevent Vaccination being made a Condition Precedent to Entering the Public Schools of Utah," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 18 was read by its title and signed by the President in open session.

House of Representatives,
Salt Lake City, Utah, Feb. 4, 1901.

Mr. President:—I am directed to inform your honorable body that Mr. Speaker has this day signed in open session S. B. No. 11, "An Act to Amend Section 5017 of the Revised Statutes of Utah, 1898, defining a Subpoena and Conferring upon Certain Officers the Power to Issue the Same, and repealing all Acts and Parts of Acts in Conflict Therewith," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 2, by Van Horne, "An Act to fix the Salaries of the Justices of the Supreme Court, and to fix the Times of Payment Thereof," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 2 was laid upon the table.

House of Representatives,
Salt Lake City, Utah, Feb. 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. M. No. 2, by Mr. Kiesel, "Memorializing Congress to adopt the Weights and Measures of the Metric System as the Standard Weights and Measures of the United States." and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. J. M. No. 2 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 4, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed in open session S. B. No. 3, "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States who may hereafter Die Without Leaving Means Sufficient to Defray Funeral Expenses, and to Provide Headstones for Their Graves, and to Relieve Honorably Discharged Soldiers, Sailors and Marines from the Payment of Poll Tax," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

INTRODUCTION OF BILLS.

S. B. No. 38, by Mr. Howell, "An Act providing for the Approval of the Bonds of Certain State Officers," was read the first time and referred to the Committee on Judiciary.

S. B. No. 39, by Mr. Tanner, "An Act amending Sections 460 and 471, Revised Statutes of Utah, 1898; defining the Boundaries of Beaver and Millard Counties, State of Utah," was read the first time and referred to the Committee on County and Municipal Corporations.

SECOND READING OF SENATE BILLS.

S. B. No. 22, by Mr. Johnson, "An Act to amend Section 4989 of the Revised Statutes of Utah, 1898, relating to Notice of Application for Bail," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 22 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Johnson, Tanner.

The title of the bill was made the title of the act.

S. B. No. 23, by Mr. Johnson, "An Act to amend Section 4720 of the Revised Statutes of Utah, 1898, relating to the Powers and Duties of the Grand Jury," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 23 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Johnson, Smoot.

The title of the bill was made the title of the act.

S. B. No. 24, by Mr. Johnson, "An Act to amend Section 5068 of the Revised Statutes of Utah, 1898, relating to Dismissal of Criminal Actions in the District Court," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 24 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Johnson.

The title of the bill was made the title of the act.

S. B. No. 25, by Mr. Johnson, "An Act to amend Section 4909 of the Revised Statutes of Utah, 1898, relating to the Application for a Bench Warrant," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 25 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Johnson.

The title of the bill was made the title of the act.

Mr. Whitney was excused.

S. B. No. 15, by Mr. Murdock, "An Act to amend Sections 1884 and 1885, Revised Statutes of Utah, 1898, relating to the Bonding of School Districts," was read the second time.

On motion of Mr. Murdock, all rules interfering therewith were suspended, and S. B. No. 15 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Alder, Johnson, Whitney.

The title of the bill was made the title of the act.

EXECUTIVE COMMUNICATIONS.

The following was received and filed:

State of Utah, Executive Office,
Salt Lake City, Feb. 4, 1901.

To the Senate:

I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State, Senate Bill No. 9, entitled "An Act to amend 'An Act to provide for the Formation of Railroad Corporations for the Purpose of Purchasing, Owning, Maintaining, Operating and Extending Railroad Lines, Franchises, Properties and Appurtenances; Authorizing the Issue of Bonds, Making Deeds of Trust and Mortgages and defining the Rights and Powers of such Corporations.' Approved January 22nd, 1897, to Re-enact the Same as so amended and to Confirm all Acts and Things Done and Performed as Under Said Act."

Very respectfully,
HEBER M. WELLS,
Governor.

FIRST READING OF HOUSE BILLS.

H. B. No. 23, by Mr. Axton, "An Act to amend Section 2278, Revised Statutes of the State of Utah, 1898, relating to Rules for Admission of Visitors to State Prison and to Library Fund of State Prison," was read the first time and referred to the Committee on Public Institutions.

CONSIDERATION OF RESOLUTIONS.

S. C. R. No. 1, by Mr. Smoot, requesting Congress to enact a law for the purchase, by the Government, of Temple Farm and Moore House, at Yorktown, Va., was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. C. R. No. 1 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larson, Lawrence, Love,

Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Alder, Johnson, Whitney.

The title of the resolution was declared to be as presented.

MISCELLANEOUS BUSINESS.

S. C. No. 4, of Samuel A. King, for mileage as District Attorney from May 16, 1899, to January 7, 1901, amounting to $320.64, was presented by Mr. Smoot and referred to the State Board of Examiners.

On motion of Mr. Howell all rules interfering therewith were suspended, and the Committee on Agriculture and Irrigation was authorized to have an additional 500 copies of S. B. No. 16 printed for distribution.

S. C. No. 5, of W. W. Browning, for stationery furnished for a Territorial grand jury, in 1897, amounting to $7.50, was presented by Mr. Allison and referred to the State Board of Examiners.

The Senate, at 5 p. m., adjourned.

TWENTY-THIRD DAY.

State of Utah, Senate Chamber,
February 5, 1901.

The Senate was called to order at 2 p. m. by Mr. Murdock.

Roll was called, showing all members present, except President Evans.

Prayer by the Chaplain.

Minutes of twenty-second day's session were read and approved.

President Evans arrived and took the chair.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 5, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred Senate Petitions Nos. 2, 3, 4, 5, 6, 7,

8, 9, for the passage of an anti-compulsory vaccination act, respectfully report that the petitions have been given due and careful consideration in connection with H. B. No. 18, "An Act to Prevent Compulsory Vaccination," etc., and, inasmuch as the said measure has passed both houses of this Legislature, we return the petitions for filing.

THOMAS, Chairman.

The report was adopted.

Committee Room, Feb. 5, 1901.

Mr. President:—Your Committee on Federal Relations, to whom was referred S. J. R. No. 1, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people, respectfully report that they have had the same under consideration and recommend that the resolution be adopted.

ALDER, Chairman.

The report was adopted.

Committee Room, Feb. 5, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. M. No. 2, "Memorializing Congress to Adopt the Weights and Measures of the Metric System as the Standard Weights and Measures of the United States," respectfully report that they have carefully engrossed and enrolled the same and herewith present the resolution to you for your signature.

WHITNEY, Chairman.

S. J. M. No. 2 was read by its title and signed by the President in open session.

PRESENTATION OF RESOLUTIONS.

S. C. R. No. 2, by Mr. Allison, providing that no bills shall be introduced in either house after the fortieth day of the session, except by unanimous consent, was read and laid upon the table.

INTRODUCTION OF BILLS.

S. B. No. 40, by Mr. Howell, "An Act amending Section 3953 of Revised Statutes of Utah, of 1898, providing for the Distribution of the Estates of Decedents, and for Supplementary Accounts to be Rendered by Executors and Administrators," was read the first time and referred to the Committee on Judiciary.

S. B. No. 41, by Mr. Murdock (by request), "A Bill for An Act to provide for the Initiative and Referendum in Legislation," was read the first time and referred to the Committee on Judiciary.

S. B. No. 42, by Mr. Smoot, "An Act in Relation to the Transaction of Insurance Business (other than Life); Requiring the Same to be Done Through Resident Agents, to the end that the State may Receive the Proper Revenue Therefrom," was read the first time and referred to the Committee on Private Corporations and Insurance.

THIRD READING OF SENATE BILLS.

S. B. No. 33, "An Act to Aid in Providing Text Books on the Natural Sciences for Use in the Public and Higher Schools of the State," was read the third time and passed by the following vote: Ayes, 11; nays, 5; absent and not voting, 1; excused from voting, 1.

Those voting in the affirmative were: Messrs. Allison, Bennion, Johnson, Lawrence, Love, Murdock, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Barnes, Howell, Larsen, Sherman.

Absent and not voting: Mr. Kiesel.

Excused from voting: Mr. Tanner.

The title of the bill was made the title of the act.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 14, by Glasmann, "An Act Amending Section 800 of the Re-

vised Statutes of Utah, 1898, Relating to Registration," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 14 was read the first time and referred to the Committee on Elections.

House of Representatives,
Salt Lake City, Utah, Feb. 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 7, by Mr. Stevens, "An Act fixing the Salaries of Certain State Officers,' and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 7 was read the first time and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, Feb. 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 15, by Mr. Glasmann, "An Act to Amend Section 816 of the Revised Statutes of Utah, of 1898, Relating to New Registration, to provide for Registration by Affidavit in Certain Cases and to Provide for Duplicate Certificates of Registration," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 15 was read the first time and referred to the Committee on Elections.

SECOND READING OF SENATE BILLS.

S. B. No. 19, by Mr. Barnes, "An Act amending Section 380, Chapter 3, Title 11, Revised Statutes of Utah, 1898, providing for Total Liability of Banking Corporations," was read the second time.

FIRST READING OF HOUSE BILLS.

H. B. No. 2, by Van Horne, "An Act to fix the Salaries of the Justices of the Supreme Court, and to fix the Times of Payment Thereof," was taken from the table, read the first time and referred to the Committee on Salaries.

MISCELLANEOUS BUSINESS.

S. C. No. 6, of Charles W. Watson, for juror's fees and mileage, for service in a Territorial District Court, in 1876, amounting to $99.20, was presented by Mr. Lawrence and referred to the State Board of Examiners.

The following communication was received and referred to the Committee on Public Institutions:

Utah School for the Deaf,
Ogden, Utah, Feb. 2, 1901.

To the Honorable President and Members of the Senate:

Gentlemen:—A cordial invitation is hereby extended your honorable body to visit and inspect the State School for the Deaf and Dumb and the Blind at your convenience.

Respectfully,
FRANK W. METCALF,
Superintendent.

On motion of Mr. Whitney, the Committee on Education was authorized to have printed 250 copies of S. B. No. 33, as amended.

The Senate, at 4:40 p. m., adjourned.

TWENTY-FOURTH DAY.

State of Utah, Senate Chamber,
February 6, 1901.

The Senate met at 3 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present except Messrs. Barnes and Kiesel. Mr. Barnes was excused.

Prayer by the Chaplain.

Minutes of twenty-third day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 6, 1901.

Mr. President:—Your Committee on Contingent Expenses, having had under consideration the following accounts, respectfully report that they have carefully examined the same, found all to be correct, and recommend that a check for the total amount, $91.15, be drawn in favor of Joseph Phillips, Sergeant-at-Arms, who will settle the bills, obtain receipt in full for each account and return all to the Secretary for filing:

Underwood Typewriter Co., supplies	$ 2.25
A. R. Derge & Co., filing cases	1.60
Z. C. M. I., incidentals	28.30
Salt Lake City Postoffice, stamps	50.00
Deseret News, printing invitations	9.00
Total	$91.15

LOVE, Chairman.

The report was adopted and the amount was appropriated.

INTRODUCTION OF BILLS.

S. B. No. 43, by Mr. Howell (by request), "An Act providing for a State Veterinarian and defining His Duties," was read the first time and referred to the Committee on Live Stock.

THIRD READING OF SENATE BILLS.

S. B. No. 19, by Mr. Barnes, "An Act amending Section 380, Chapter 3, Title 11, Revised Statutes of Utah, 1898, providing for Total Liability of Banking Corporations," was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Roll was called, showing all members present except Messrs. Barnes and Kiesel. Mr. Barnes was excused.

Prayer by the Chaplain.

Minutes of twenty-third day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 6, 1901.

Mr. President:—Your Committee on Contingent Expenses, having had under consideration the following accounts, respectfully report that they have carefully examined the same, found all to be correct, and recommend that a check for the total amount, $91.15, be drawn in favor of Joseph Phillips, Sergeant-at-Arms, who will settle the bills, obtain receipt in full for each account and return all to the Secretary for filing:

Underwood Typewriter Co., supplies	$ 2.25
A. R. Derge & Co., filing cases	1.60
Z. C. M. I., incidentals	28.30
Salt Lake City Postoffice, stamps	50.00
Deseret News, printing invitations	9.00
Total	$91.15

LOVE, Chairman.

The report was adopted and the amount was appropriated.

INTRODUCTION OF BILLS.

S. B. No. 43, by Mr. Howell (by request), "An Act providing for a State Veterinarian and defining His Duties," was read the first time and referred to the Committee on Live Stock.

THIRD READING OF SENATE BILLS.

S. B. No. 19, by Mr. Barnes, "An Act amending Section 380, Chapter 3, Title 11, Revised Statutes of Utah, 1898, providing for Total Liability of Banking Corporations," was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Kiesel.

The title of the bill was made the title of the act.

SPECIAL ORDER.

The President announced that the time had arrived for the consideration of S. R. No. 3, special order for 3:30 p. m.

It was announced that the House had extended an invitation to the Senate to meet with it in Joint Assembly, to consider S. R. No. 3, in reference to the death of Dr. John R. Park, and listen to an address by Mr. Whitney.

On motion of Mr. Tanner, the Senate took a recess and repaired to the hall of the House.

JOINT SESSION.

At 3:35 p. m., President Evans called the Joint Assembly to order, and introduced Speaker Glasmann as the presiding officer.

Senator Allison presented J. R. No. 1, as follows:

"Whereas, The death of Dr. John R. Park, the former Superintendent of Public Instruction of this State, occurred in September, 1900, at his home in Salt Lake City; and

"Whereas, During his long residence in Utah, he rendered energetic and faithful service in behalf of education, and in perfecting and developing the educational system of the State;

"Now, therefore, Be it Resolved:

"That we express our sincere appreciation of his tireless and unselfish efforts as a public benefactor, and deeply deplore his death as being a permanent and irreparable loss to the people of our commonwealth and to the cause of education in particular."

In moving the adoption of J. R. No. 1, as a substitute for S. R. No. 3, Senator Allison said:

SENATOR ALLISON'S ADDRESS.

Mr. President:—I first met Dr. Park a little over twenty years ago in the old adobe building on the corner of First North and Second West streets, in this city, then occupied by the University of Deseret, the predecessor of the present University of Utah. He was busily engaged in enrolling students for the coming school year, and in assigning them to their respective classes. Years before, his name and fame as an educator had reached my ears, and I had longed to place myself under his tutelage. After enrolling myself in the University, which was in 1880, I continued in attendance there for nearly five years and during that time I was, at various times, in different classes which he presided over as instructor. Outside of the class-room I became acquainted with him more intimately. As an instructor, I admired and almost worshiped him; as a man, I loved him; as President of the University, I can almost see him now, moving quietly through the various class-rooms of that historic old building, intent on seeing that everything was progressing successfully and systematically. Assisted by an able corps of instructors he laid the foundation of the present educational system of this State. Toronto, Kingsbury, Paul —I remember them every one with gratitude and a feeling akin to adoration.

The people of the State owe them all a debt of gratitude which can never be repaid. As Superintendent of Public Instruction, Dr. Park rendered invaluable aid to the cause of education in Utah, and he died in September, 1900, beloved by all who knew him. He was indeed a public benefactor, and it is my fervent wish that our great and growing commonwealth may produce many more such as he. Both by precept and example his teachings were in harmony with the language of our own immortal bard:—

"So live, that when thy summons comes to join
The innumerable caravan, which moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,

Thou go not, like the quarry-slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approach thy grave,
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams."

May the noble deeds of Dr. Park be enshrined in the memories of the people of this State until "the sun shall set on the last eve of time."

Mr. President, I move the adoption of the resolution.

Senator Whitney was then introduced and spoke as follows:

SENATOR WHITNEY'S ADDRESS.

Mr. President, Members of the Legislature, Ladies and Gentlemen:—I approach the fulfillment of the duty assigned me—that of delivering an address upon the life and character of Dr. John R. Park—with mingled feelings of diffidence and pleasure; pleasure at being permitted to pay tribute to the memory of an old and valued friend, and incidentally to the great cause which he represented; diffidence due to the reflection that whatever I say of him or of that cause, must necessarily fail of doing full justice to either.

It would be unnecessary before an audience such as this to pronounce an extended eulogy upon education. It is impossible to exaggerate its merits; it would be superfluous to sound its praises. Permit me, however, to premise my subject proper with a few thoughts upon the general theme of education—at once the loftiest and sublimest, the profoundest and most far-reaching theme that the finite mind can grasp.

In its broadest and highest sense, education is not limited to the discipline of the schoolroom. It is synonymous with progress, eternal progress, in all the departments of human activity. Nay, more, is not every form of life, animate or inanimate, in process of education, of preparation for something higher, nobler and better to come? The insect on the wing, the flower that blooms in beauty on the mountain side, the cultured tree of the garden, man in all his varied relations and pursuits, earth in her diurnal revolutions, and all the suns and stars of all

the systems seen and unseen—all these are at school, are pupils of the infinite creative Intelligence which called them into being that it might train them to perfection.

The schoolroom is but the vestibule of a great temple of learning, which, for want of a better name, we may term the University of Human Experience. And if we reason spiritually, this mortal life is no more than the preface to a book, the prelude to a poem, the prologue to a play. I prefer interlude to prelude in this connection, however, since, if man's spirit be eternal, as we are taught, then is this life an intermediate, rather than a primary department of eternity's school; the preparatory grades being a thing of the past, and the university still a thing of the future.

Education, human education, is the leading out and lifting up of the soul into the full, ripe, complete enjoyment of all its powers potential. To educate men and women is to put them in full command of themselves, to completely possess them of their native faculties, which are only half possessed until they have been educated. Education imparts nothing but discipline and development. It does not increase the number of man's original talents; it adds nothing to the sum of his inherent capabilities; but it improves those talents, it develops and strengthens those capabilities. Education supplements creation, and moves next to it in the infinite procession of eternal progress. Education completes what nature has begun, or it begins where creation leaves off; and yet, if creation is but organization out of self-existent materials, then are creation and education interchangeable terms.

This being true of education, what then of the educator? What may be said of him? What may not be said of him, if he be faithful to his trust, loyal to his mission, without doubt one of the grandest and noblest given to man? The educator stands next to the creator, and in the highest instance of illustration possible, they are identical—the two are combined in one. Did not the greatest of all teachers, He who spake as never man spake, say unto His disciples, "He that hath seen Me hath seen the Father." It has been said that he who causes two blades of grass to grow where but one grew before, is a benefactor. He is more—he is an educator, a creator, a developer of latent powers. The instructor does for his pupils

what the husbandman does for his plants and trees—cultivates, nourishes, cares for and protects them, places them in those conditions where they can best expand according to the laws of their own being. He does not create the faculties of the pupil any more than the gardener creates the constituents of the tree; but he educes or leads out those faculties, trains and develops them, converting the potential into the actual. This is the highest glory of the educator; this is the acme of his achievement.

Too often the service performed by him is overlooked; not by the pupil, who must indeed be an ingrate or an imbecile to forget or fail to appreciate what has been done for him by his tutor, but by that arch-ingrate, the ofttimes imbecile world, which, absorbed in the shallow contemplation of results, cares little or nothing for the causes that produced them. An Alexander may make the earth tremble with the martial tread of his all-conquering phalanxes—the mere echo of which comes rumbling down the ages like the sound of distant thunder; but an Aristotle must have other claims upon immortality than to have been the tutor of Alexander, in order that his name may shine as brightly upon fame's scroll as that of his illustrious pupil. Should not the tree be honored as well as the fruit? Should not the roots be equal with the branches?

But let us turn to another picture. Let us now speak of a modern educator, not an Aristotle, either in science or philosophy, but a plain, modest, tireless and devoted worker, who during a sojourn of over thirty-six years in the midst of this community, made an impress for good upon the minds of thousands, some of whom may possibly live to do more for mankind than Alexander ever dreamed of doing, and thus built for himself in the hearts and memories of a host of pupils a monument more enduring than marble or bronze. I speak of Dr. John R. Park, whom I knew almost intimately, first as my tutor at the University, next as an associate in the government of that institution, and at all times as a patient, faithful, persistent toiler in its interests.

The educational status of our mountain-girt, desert-hemmed and all but isolated Territory in the decade of the "sixties," is remembered by more than one educator of that period and by many laymen as well. Utah had

no public school system at that time, in the sense that we now use the phrase; though there were schools in almost every settlement within her borders. In Salt Lake City they were plentiful, and such men as Dr. Maeser, Bartlett Tripp, Alexander Ott, Dr. Doremus, Lucius W. Peck, Prof. Reager and other able pedagogues conducted thriving schools in various parts of the town. But these schools bore no relation to one another, were bound together by no particular tie, were supported mainly by tuition fees, and had as their only connecting link a statistical report furnished annually by each to the Territorial Superintendent of Schools. The University of Deseret (now University of Utah), which had been founded early in 1848, only a few months after the advent of the Pioneers into Salt Lake Valley, if not dead, was sleeping, and the ward or village schools—many of them an almost exact duplication of the "noisy mansion" humorously described by Goldsmith in the "Deserted Village," reigned supreme.

Such was the situation when Dr. Park came among us; a school teacher, a mining prospector, a migratory spirit on his way to the Pacific Coast; a lone man, wifeless, childless, and one who chose to remain so. It was well, considering the work that lay before him. It was said of the great Washington that nature gave him no children in order that he might be the Father of his Country. As truly might it be said of Dr. Park, that he had neither wife nor child, in order, it would seem, that he might devote himself the more fully, and with all the zeal of a Catholic priest laboring in the interests of Mother Church, to the cause of education in Utah. He was married to that cause. Education was his wife, and his children were the University of Utah and the public school system of the present time. He could almost say with Richelieu:

> "I have recreated France; and from the ashes
> Of the old feudal and decrepit carcase,
> Civilization on her luminous wings
> Soars, phoenix-like, to Jove."

For "France" read Utah—educational Utah—and for "civilization" substitute learning, and the application is complete, with barely a suggestion of hyperbole.

Dr. Park came of a Scotch and Franco-German lineage, some of his mother's ancestors being Huguenots.

His American forefathers sided with the patriots in the War for Independence. He himself was a native of Tiffin, Seneca county, Ohio, where he was born May 7, 1833. His father was a storekeeper and farmer, and John, as a youth, taught school in winter and worked upon the home farm in summer. He was educated in the district schools of his native county, in Heidelberg college at Tiffin, in the Ohio Wesleyan university, and the University of the City of New York. From the medical department of the last named institution he was graduated in the spring of 1857 with the professional title of M. D. He practiced medicine in Ohio, but finding the life of a physician uncongenial he abandoned it for pedagogy, a vocation that he had followed previously.

Having a strong desire to visit California, imbibed in a great measure through the representations of his three elder brothers, who had spent several years in the Golden State, early in the spring of 1861 he set out for the West, with Denver or Pike's Peak as the first objective point. After exploring the mines in that region, he resolved in September of the same year to continue his journey westward. It being so late in the season, he had some difficulty in finding any one who would undertake the journey with him, especially since it was rumored that the Indians were on the warpath and that the Mormons had turned secessionists. Finally he induced a Canadian Frenchman to accompany him; an outfit was procured and the journey begun. They reached Salt Lake City on the last day of September and camped on Emigration square, near the site of the present City and County building.

The elements gave them a cool reception, for on the following morning, October 1st, 1861, they arose from under a covering of snow, which had fallen during the night; but by the warm-hearted people of the valley (whom they found to be loyal to the Union), they were made welcome, so much so that Dr. Park resolved to remain in Utah during the winter. He secured employment as a district school teacher at Draper, in the southern part of Salt Lake county, and while teaching school he investigated and embraced the Mormon faith. The next spring he carried out his design of visiting the Pacific Coast, organizing a company for that purpose, and traversing with ox-team parts of the present States of Idaho,

Montana, Washington and Oregon. During a portion of his absence from Utah he taught school and conducted a mercantile business. He returned here in 1864, and again settled at Draper, taking charge of the public school at that place.

His fame as a preceptor now reached the ears of the Regents of the University, who, in the latter part of the "sixties," made a strong effort to revive that institution, and succeeded in establishing it as a commercial school under the direction of Mr. David O. Calder. The home of the University at that time was the old Council House, since swept away by fire, but which then stood upon the corner now occupied by the rapidly rising walls of the new Deseret News building. It was in the spring of 1869 that Dr. Park was elected by the Board of Regents, president of the University. Coming to Salt Lake City, he organized the institution thoroughly on a basis of classical, scientific and normal instruction, adapted to the practical needs of the Territory. His success was marked and instantaneous, and it is not too much to say that to the impetus given the cause of education by his labors in and out of the University is mostly due the present flourishing status of that institution and the existence of the thriving public school system of today.

In 1871-2 he visited the Eastern States and Europe, where he noted the progress made in higher and popular education. Returning to Utah in the fall of the latter year, he resumed his position as president of the University and pushed with vigor instruction in the practical principles of learning. From 1879 to 1881, in the intervals of school work, and at the request of the Territorial Superintendent of District Schools, he traveled in the interests of the same, visiting nearly every settlement in Utah. In 1892, on account of failing health, the veteran educator resigned his position as president of the University, but three years later—Utah then being about to enter the Union—he was elected on the Republican ticket our first State Superintendent of Public Instruction, which office he held up to the day of his death.

After leaving the University, Dr. Park made large gifts of books to its library and collections to its museum, and in various other ways showed his deep and abiding interest in its welfare. I have said that the University was his child; it may well be called so, for he adopted it in

its childhood and reared it to maturity. At his death he made it his sole heir, bequeathing to it all his property. He was provident and well-to-do, and it was his fatherly and philanthropic wish that the State's leading educational institution, whose long and arduous struggles he had witnessed, should profit by his death, as it had profited by his life. His estate was valued at $45,000.

During the three and twenty years that he presided over the University, Dr. Park enjoyed a popularity that falls to the lot of few men in public station. He was loved by his students with a fervor and devotion suggestive of the love felt by Napoleon's "Old Guard" for the "Little Corporal." He was also respected and esteemed by the faculty over which he presided, and by the board of regents who presided over him.

His methods of instruction were plain, simple and effective. He invested the dryest subject with a charm fascinating even to the dullest mind. As Gladstone, by his oratory, "could make pippins and cheese interesting and tea serious," so Dr. Park, by his native tact and the lucidity of his style, could make mathematics a delight, grammar and rhetoric a dream. He was magnetic to a degree, governing less by rule than by his personal influence, which was remarkable. At the same time he imposed strict and wholesome regulations and required that they be respected and obeyed. By a look he could command silence, and had but to speak in his low, distinct and earnest voice, and he made an impression as lasting as life itself.

Dignified, yet never haughty, and always condescending, he preserved an unbroken equanimity. Though stern betimes, he would not scold. His self-command was admirable. He frequently manifested mirth, but never gave way to or encouraged excessive levity. It was his custom, if he heard a pupil speaking loudly enough to disturb the class he was instructing, to stop the recitation and fix his eye upon the offender, who, as his voice rose higher and higher amid the general silence that grew deeper and deeper, would soon find himself the cynosure of all eyes, and the most embarrassed and best punished pupil in the school. After frowning for some moments at the humiliated and now thoroughly penitent transgressor, the doctor would quietly resume the recitation as if nothing had happened. In delivering his instruc-

tions he would never shoot over the heads of the students, but with Dickens-like simplicity and purity of diction, would come down to their level and talk with them in a way that they could understand. This, with his personal magnetism, and his habit of impressing upon all that "attention is the mother of memory," was the main secret of his success. While not a religious man, he was morality personified. An unchaste word, an indecent expression, uttered by one of the students in his presence, was sure to meet with his reproof, administered in such a way, however, that the guilty one would feel grateful and thank him for the correction.

Dr. Park, who for several years had been a sufferer from heart trouble, died at his home in Salt Lake City on the 29th day of September, 1900. He was given a public funeral, and was buried with distinguished honors, all the principal State officials, along with his fellow educators and many of his old-time students attending, and some of them participating in the obsequies at the Assembly Hall. The interment was in the City Cemetery.

What more remains to be said? We honor ourselves, fellow-citizens, fellow-legislators, in honoring the memory and cherishing the example of such a man as Dr. John R. Park, the father of our State University, the regenerator of education in Utah.

"I weep for Adonais—he is dead!
Oh weep for Adonais, though our tears
Thaw not the frost which binds so dear a head!
And thou, sad Hour, selected from all years
To mourn our loss, rouse thy obscure compeers
And teach them thine own sorrow! Say: 'With me
Died Adonais! Till the future dares
Forget the past, his fate and fame shall be
An echo and a light unto eternity."

The resolution was unanimously adopted.

Representative Anderson moved that the addresses of Senators Allison and Whitney be spread upon the minutes of the Joint Session, and that 2000 copies of the proceedings be printed in pamphlet form for distribution. Carried.

On motion of Representative McMillan the Joint Assembly, at 4:20 p. m., adjourned.

SENATE SESSION.

At 4:30 p. m., the Senate resumed session, President Evans presiding.

Roll was called; quorum present.

SECOND READING OF SENATE BILLS.

S. B. No. 28, by Mr. Murdock, "An Act to amend Section 1815 of the Revised Statutes of Utah, 1898, relating to Annual and Special School Taxes, and the Powers and Duties of School District Boards Respecting the Same, and conferring upon School District Boards the Management of the Schools and the Care and Control of School Property," was read the second time.

On motion of Mr. Lawrence, all rules interfering therewith were suspended, and S. B. No. 28 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Kiesel.

The title of the bill was made the title of the act.

S. B. No. 32, by Mr. Bennion, "An Act creating the Reservoir Land Grant Fund and providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands," was read the second time.

H. B. No. 43, "An Act to Amend Sections 1137 and 1744 of the Revised Statutes of Utah, 1898, relating to Duties and Powers of Road Supervisors, and the Time for Collection of Poll Tax," was read the second time.

On motion of Mr. Tanner, all rules interfering therewith were suspended, and H. B. No. 43 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Barnes, Kiesel, Love, Whitney.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

The following was received:

Salt Lake Rapid Transit Company.
Salt Lake City, Utah, Feb. 6, 1901.

To the Members of the Legislature of Utah, Salt Lake City:

Gentlemen:—The management of the American Smelting & Refining Company and of the Salt Lake Rapid Transit Company are pleased to extend to the members of the Legislature and their families an invitation to examine one of the growing industries of the State—the smelting plants in operation and under construction at Murray.

Mr. Cameron will be pleased to furnish extra cars for his guests to Murray and return—cars to be held for their convenient return after Mr. Jones has shown his guests the operation of his works.

An acceptance at the most convenient time for the members (a pleasant Sunday afternoon not barred) will please. Very respectfully,

AMERICAN SMELTING & REFINING CO.,
T. R. JONES, Manager.
SALT LAKE RAPID TRANSIT CO.,
J. S. CAMERON, President.

On motion of Mr. Sherman, a committee, consisting of Messrs. Sherman, Whitmore, and Murdock, was appointed to confer with a like committee from the House, to consider the invitation, and report.

The Senate, at 5:25 p. m., adjourned.

TWENTY-FIFTH DAY.

State of Utah, Senate Chamber,
February 7, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Messrs. Howell and Love, who were excused.

Prayer by the Chaplain.

Minutes of twenty-fourth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 10 and S. P. No. 11, from citizens of Piute county, protesting against the passage of a bill to increase the salaries of certain State officers, were presented by Mr. Johnson and referred to the Committee on Salaries.

PRESENTATION OF RESOLUTIONS.

Mr. Whitney presented S. R. No. 4, as follows:

"Resolved, That the Committee on Elections be and they are hereby empowered and directed to employ an assistant Sergeant-at-Arms and such other help as may be necessary for the purpose of aiding them in the Ellison-Barnes contest case, and that $500, or so much thereof as may be necessary, be approproiated out of the contingent fund to pay for such assistance."

Under a suspension of the rules, the resolution was considered, and adopted by the following vote: Ayes, 12; nays, 1; absent and not voting, 3; excused from voting, 2.

Those voting in the affirmative were: Messrs. Allison, Bennion, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Voting in the negative: Mr. President.

Absent and not voting: Messrs. Howell, Johnson, Love.

Excused from voting: Messrs. Alder, Barnes.

In announcing his negative vote, Mr. President said:

"I vote no on this resolution for the reason that it means that every ballot-box in the Third Senatorial District, embracing three counties, will be gone into, and it will be establishing a precedent that will work mischief in the future, and that will come back to plague future Legislatures."

INTRODUCTION OF BILLS.

S. B. No. 44, by Mr. Whitney (by request), "An Act to Create a Commission to Provide for the Display of Utah's Resources at the Pan-American Exposition, to be held at Buffalo, in the State of New York, in the year 1901; to Define its Duties, and to Appropriate Money Therefor," was read the first time and referred to the Committee on Appropriations and Claims.

S. B. No. 45, by Mr. Allison (by request), "An Act Authorizing the Creating of a Domestic Science Department in the University of Utah, and Making an Appropriation Therefor," was read the first time and referred to the Committee on Education.

S. B. No. 46, by Mr. Alder, "An Act to Amend Section 2051 of the Revised Statutes of Utah, in Relation to Mileage of Judges of the District Courts," was read the first time and referred to the Committee on Judiciary.

S. B. No. 47, by Mr. Bennion (by request), "An Act to Relinquish to the United States the Unsurveyed School Land in Lieu of a Grant of Land of Equal Area to be Made by the United States," was read the first time and referred to the Committee on Public Lands.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, Feb. 7, 1901.

To the Senate:—I have the honor to return herewith Senate Bill No. 11, entitled, "An Act to amend Section 5071 of the Revised Statutes of Utah, 1898, Defining a Subpoena and Conferring upon Certain Officers the Power to Issue the Same, and Repealing all Acts and Parts of Acts in Conflict Therewith," without action thereon.

This bill is forwarded your honorable body at the re-

quest of the Chairman of the Committee on Judiciary, who desires to have the bill amended by eliminating section 2 thereof, repealing all acts and parts of acts in conflict therewith, and also to have its title amended to conform to such elimination.

Very respectfully,
HEBER M. WELLS, Governor.

S. B. No. 11 was amended and read the first and second times, as amended.

On motion of Mr. Bennion, all rules interfering therewith were suspended, and S. B. No. 11 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Howell, Love, Tanner.

The title of the bill was made the title of the act.

BILLS RE-COMMITTED.

On motion of Mr. Sherman, S. B. No. 31 and S. B. No. 32 were re-committed to the Committee on Public Lands.

CONSIDERATION OF RESOLUTIONS.

S. J. R. No. 1, by Mr. Allison, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people, was read the second time.

By unanimous consent, the rules were suspended, and S. J. R. No. 1 was read the third time and adopted by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Howell, Johnson, Love.

The title of the resolution was declared to be as presented.

S. C. R. No. 2, by Mr. Allison, was taken from the table and amended so as to provide that no bills shall be introduced in either house after the forty-fifth day of the session, except by a two-thirds vote of the members present in either house. The resolution was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. C. R. No. 2 was read the third time and adopted by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Kiesel, Larsen, Lawrence, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Howell, Johnson, Love, Sherman.

The title of the resolution was declared to be as presented.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, Feb. 7, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State Senate Bill No. 3, entitled "An Act to provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States Who may Hereafter Die Without Leaving Means Sufficient to Defray Funeral Expenses, and to provide Headstones for their Graves, and to relieve Honorably Discharged Soldiers, Sailors and Marines from the Payment of Poll Tax."

Very respectfully,
HEBER M. WELLS, Governor.

The communication was filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. J. M. No. 2, and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of the rules, H. B. No. 54, by Harmon, "An Act to amend Section 5031 of the Revised Statutes of the State of Utah, Relating to the Conditional Examination of Witnesses," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 54 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of the rules, S. B. No. 20, by Mr. Johnson, "An Act to Amend Section 5076 of the Revised Statutes of Utah, 1898, Relating to Proceedings Against Corporation." Also

S. B. No. 21, by Mr. Johnson, "An Act to Amend Sections 5109 and 5110 of the Revised Statutes of Utah, 1898, Relating to Notices to and Duties of District Attorneys in Cases of Extradition." Also

S. B. No. 22, by Mr. Johnson, "An Act to Amend Section 4989 of the Revised Statutes of Utah, 1898, Relating to Notice of Application for Bail." Also

S. B. No. 23, by Mr. Johnson, "An Act to Amend Sec-

tion 4720 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Grand Jury." Also

S. B. No. 24, by Mr. Johnson, "An Act to Amend Section 5068 of the Revised Statutes of Utah, 1898, Relating to Dismissal of Criminal Actions in the District Court." Also

S. B. No. 25, by Mr. Johnson, "An Act to Amend Section 4909 of the Revised Statutes of Utah, 1898, Relating the Application for a Bench Warrant," and the same are herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 20, S. B. No. 21, S. B. No. 22, S. B. No. 23, S. B. No. 24, and S. B. No. 25 were referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorabel body that the House has this day passed, under a suspension of the rules, H. B. No. 53, entitled "An Act to amend Sections 4606, 4692, 4693, 4731 and 4771 of the Revised Statutes of the State of Utah, 1898, relating to Informations," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 53 was read the first time and referred to the Committee on Judiciary.

MISCELLANEOUS BUSINESS.

The following was received and referred to the Committee on Public Institutions:

State of Utah, Executive Office,
Salt Lake City, Feb. 7, 1901.

To the Senate:—In behalf of the State Board of Insane Asylum Commissioners I have the honor to invite your honorable body to visit and inspect the State Insane

Asylum at such time as may be arranged between your honorable body and the House of Representatives.

Very respectfully,

HEBER M. WELLS,

Chairman State Board of Insane Asylum Commissioners.

Mr. Bennion moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 10 a. m. tomorrow.

The Senate, at 5 p. m., adjourned.

TWENTY-SIXTH DAY.

State of Utah, Senate Chamber,
February 8, 1901.

The Senate met at 10 a. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Messrs. Allison, Barnes, Kiesel, Smoot and Whitney, who were excused.

In the absence of the Chaplain, prayer was offered by Mr. Love.

On motion of Mr. Howell, a communication was sent to the Governor apprising him of the contemplated adjournment until Monday, and asking for such communications as he might have for the Senate.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 38, entitled "An Act to amend Section 3304 of the Revised Statutes of Utah, 1898, Relative to Appeals to the Supreme Court," and the same is herewith transmitted for your consideration.

Respectfully,

M. M. STEELE, JR., Chief Clerk.

H. B. No. 38 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 39, by Mr. Evans, "An Act Amending Section 3588 of the Revised Statutes of Utah, 1898, Providing for the Uses in Which the Right of Eminent Domain May be Exercised," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 39 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 5, by Mr. Smith, "An Act Amending Section 3590 of the Revised Statutes of Utah, 1898, Relating to Property Subject to Condemnation Under Eminent Domain," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 5 was read the first time and referred to the Committee on Judiciary.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, Feb. 8, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State Senate Joint Memorial No. 2, "Memorializing Congress to adopt the Weights and Measures of the

Metric System as the Standard Weights and Measures of the United States."

Very respectfully,
HEBER M. WELLS, Governor.

The communication was filed.

Mr. Howell moved that when the Senate adjourn it be to meet on Monday, February 11, 1901. Carried.

The Senate, at 10:25 a. m., adjourned.

TWENTY-NINTH DAY.

State of Utah, Senate Chamber,
February 11, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Messrs. Allison and Larsen, who were excused.

Prayer by the Chaplain.

Minutes of the twenty-fifth and twenty-sixth days' sessions were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. M. No. 1, "Memorializing Congress to Aid in the Reclamation of Arid Lands in the United States," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. J. M. No. 1 was read by its title and signed by the President in open session.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and

Enrolled Bills, to whom was referred S. B. No. 20, "An Act to Amend Section 5076 of the Revised Statutes of Utah, 1898, Relating to Proceedings Against Corporations," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. B. No. 20 was read by its title and signed by the President in open session.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 21, "An Act to Amend Sections 5109 and 5110 of the Revised Statutes of Utah, 1898, Relating to Notices to and Duties of District Attorneys in Cases of Extradition," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. B. No. 21 was read by its title and signed by the President in open session.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 22, "An Act to Amend Section 4989 of the Revised Statutes of Utah, 1898, Relating to Notice of Application for Bail," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. B. No. 22 was read by its title and signed by the President in open session.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 24, "An Act to Amend Section 5068 of the Revised Statutes of Utah, 1898, Relating to Dismissal of Criminal Actions in the District Court by the Court or District Attorney and Requiring the Reasons for Such Dismissal to be Entered Upon the Minutes of the Court," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. B. No. 24 was read by its title and signed by the President in open session.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 25, "An Act to Amend Section 4909 of the Revised Statutes of Utah, 1898, Relating to the Application for a Bench Warrant by the District Attorney and the Issuance Thereof by the Clerk of the Court," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. B. No. 25 was read by its title and signed by the President in open session.

PRESENTATION OF RESOLUTIONS.

S. C. R. No. 3, expressing thanks to the Oregon Short Line Railroad Company for the courtesy extended the Utah Legislature on the trip to Boise, Idaho, was presented by Mr. Evans and read the first and second times.

Under a suspension of the rules, S. C. R. No. 3 was read the third time and adopted by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Johnson, Kiesel, Lawrence, Love, Mur-

dock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Allison, Larsen.

S. C. R. No. 4, expressing appreciation for the hospitality of the Idaho State officers and Legislature and the Boise municipal officers and Chamber of Commerce during the stay of the Utah Legislature in Idaho, was presented by Mr. Alder, and read the first and second times.

Under a suspension of the rules, S. C. No. 4 was read the third time and adopted by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Johnson, Kiesel, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Allison, Larsen.

INTRODUCTION OF BILLS.

S. B. No. 48, by Mr. Howell, "An Act for the Relief of the Occupants of Townsite Lands in Certain Cases," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 49, by Mr. Evans, "An Act amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Certain Cases," was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day adopted the report of the Committee on Asylum for the Insane, to leave Salt Lake City Wednesday, February 13th, at 7:50 a. m., for the purpose of visiting the State Insane Asylum at Provo,

and would be pleased if your honorable body could arrange for a visit to the said institution at the same time.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 11, 1901.

Mr. President:—I am directed to inform your honorable body that Mr. Speaker has this day, in open session, signed in triplicate, S. J. M. No. 1, relating to arid lands, and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 47, by Mr. Smith, "An Act to amend Section 3225, Revised Statutes of Utah, 1898, Relating to Time and Manner of Service of Notice of Motion and Testimony Upon the Hearing of the Motion," and the same is hereby transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 47 was read the first time and referred to the Committee on Judiciary.

MISCELLANEOUS BUSINESS.

Mr. Smoot, chairman of the Committee on Public Institutions, reported that arrangements had been made for the Legislature to visit the State Insane Asylum on Wednesday, February 13, 1901, leaving the Rio Grande Western depot at 7:50 a. m. The report was adopted.

Mr. Sherman presented S. J. M. No. 3, requesting the Secretary of the Interior to reduce the forest reserve, created for the protection of the water supply of Salt Lake City, to such narrow limits as may be necessary to protect the city's interests, and to open the remainder of the reservation to entry.

The memorial was read the first time and referred to the Committee on Public Lands.

The Senate, at 5:25 p. m., adjourned.

THIRTIETH DAY.

State of Utah, Senate Chamber,
February 12, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Mr. Allison, who was excused.

Prayer by the Chaplain.

Minutes of the twenty-ninth day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 23, "An Act to Amend Section 4720 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Grand Jury, to the Powers and Duties of the District Attorney and Designating who May and who May not be present during Sessions of the Grand Jury," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted.

S. B. No. 23 was read by its title and signed by the President in open session.

Committee Room, Feb. 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 39, "An Act Amending Sec-

tion 3588 of the Revised Statutes of Utah, 1898, Providing for the Uses in Which the Right of Eminent Domain May be Exercised," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 46, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, in Relation to Mileage of Judges of the District Court," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was considered, and S. B. No. 46 was referred to the Committee on Salaries.

Committee Room, Feb. 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 38, "An Act Providing for the Approval of the Bonds of Certain State Officers," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

SECOND READING OF SENATE BILLS.

S. B. No. 38, by Mr. Howell, "An Act providing for the Approval of the Bonds of Certain State Officers," was read the second time.

SECOND READING OF HOUSE BILLS.

H. B. No. 39, by Mr. Evans, "An Act Amending Section 3588 of the Revised Statutes of Utah, 1898, providing for the Uses in Which the Right of Eminent Domain may be Exercised," was read the second time.

On motion of Mr. Lawrence, all rules interfering therewith were suspended, and H. B. No. 39 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Allison, Love, Whitney.

The title of the bill was made the title of the act.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 23, No. 21, No. 22, No. 24, No. 20, and No. 25, and the same are herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

MISCELLANEOUS BUSINESS.

Mr. Smoot, chairman of the Committee on Public Institutions, reported that the Rio Grande Western had tendered a special train for the use of the Legislature on the trip to Provo to visit the State Insane Asylum; that the train would leave Salt Lake at 8:45 a. m., on Wednesday, February 13, 1901, and returning, leave Provo at 4 p. m. The report was adopted.

The following communication was received:

Salt Lake City Railroad Co.,
Salt Lake City, Utah, Feb. 12, 1901.

To the Senate of the Utah Legislature, Salt Lake City, Utah—

Gentlemen:—The Salt Lake City Railroad Company hereby tenders free of charge to members and guests of your honorable body transportation to and from the Rio

Grande Western depot to-morrow, on the occasion of your visit to Provo.

Our conductors will be instructed to honor your badges. Very respectfully yours,

SALT LAKE CITY RAILROAD CO.
W. P. READ, Superintendent.

The offer was accepted, with thanks.

Mr. Smoot, chairman of the Committee on Public Institutions, reported that the Oregon Short Line Railroad Company had tendered the Legislature a special train for the trip to Logan to inspect the Agricultural College, and that arrangements had been completed for the visit, to be made on Friday, February 15, 1901, the train to leave Salt Lake at 8 a. m. The report was adopted.

The following was received:

Young Men's Christian Association,
Salt Lake City, Feb. 12, 1901.

To the Honorable President and Officers and Members of the Senate, Utah State Legislature—

Greeting:—You are most cordially invited to attend an exhibition of gymnastics and athletics to be given Wednesday evening, February 13th, at 8 o'clock in the Y. M. C. A. gymnasium, corner Main and First South streets, this city. The entertainment will consist of an illustration of practical body building work and of advanced gymnastics by the best athletes of the city. Your lady friends are included in the invitation.

Respectfully,

J. A. AUGUSTUS,
Physical Director.

The invitation was accepted, with thanks.

Mr. Murdock moved that when the Senate adjourn it be, under a suspension of the rules, to meet on Thursday, February 14, 1901. Carried.

The Senate, at 4 p. m., adjourned.

THIRTY-SECOND DAY.

State of Utah, Senate Chamber,
February 14, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of the thirtieth day's session were read and approved.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the Senate amendments to H. B. No. 43, and passed the same as amended, and the same has been handed to the Committee on Engrossment and Enrolling for engrossment.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

PRESENTATION OF PETITIONS.

S. P. No. 12, of Provo citizens, in support of H. B. No. 18 (the McMillan bill), was presented by Mr. Smoot, read and referred to the Committee on Public Health.

S. P. No. 13, a duplicate of S. P. No. 12, was presented by Mr. Evans and referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 14, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 18, "An Act to Amend Section 496, of the Revised Statutes of Utah, 1898, Providing for the Election and Term of Office of County Commissioners," respectfully report that they have had the same under consideration, offer certain

amendments thereto, and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, Feb. 12, 1901.

Mr. President:—Your Committee on Elections, to whom was referred S. B. No. 36, "An Act Amending Section 213 of the Revised Statutes of Utah, 1898, Relating to the Election of Municipal Officers," respectfully return the bill herewith and recommend that it be referred to the Committee on County and Municipal Corporations.

MURDOCK, Chairman.

The report was adopted, and S. B. No. 36 was referred to the Committee on County and Municipal Corporations.

PRESENTATION OF RESOLUTIONS.

Mr. Murdock presented S. C. R. No. 5, as follows:

"Resolved, by the Senate, the House concurring, That the thanks of the members of the Legislature of Utah, for favors received on the recent excursion to Boise, Idaho, be extended to each of the following persons and companies: Tribune Job Printing Co., The Herald Company, J. P. Gardner Clothing Co., W. H. Dale, Co-Operative Furniture Co., H. Dinwoodey Furniture Co., A. R. Derge Stationery Co., Geo. M. Scott-Strevell Hardware Co., Star Printing Co., Ham Naylor, Z. C. M. I., Hewlett Bros., Hines Mercantile Co., and Fred J. Kiesel & Co. of Ogden."

S. C. R. No. 5 was read the first and second times, and, under a suspension of the rules, was read the third time and passed by the following vote: Ayes, 18.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

INTRODUCTION OF BILLS.

S. B. No. 50, by Mr. Johnson (by request), "An Act

to Provide for the Payment of Per Diem and Mileage of Jurors in Justices' Courts," was read the first time and referred to the Committee on Judiciary.

S. B. No. 51, by Mr. Tanner, "An Act Amending Section 2609 of the Revised Statutes of Utah, 1898, Relating to Equalization of Taxes," was read the first time and referred to the Committee on County and Municipal Corporations.

THIRD READING OF SENATE BILLS.

S. B. No. 38, by Mr. Howell, "An Act providing for the Approval of the Bonds of Certain State Officers," was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Tanner.

The title of the bill was made the title of the act.

SECOND READING OF SENATE BILLS.

S. B. No. 18, by Mr. Whitmore, "An Act to amend Section 496, Revised Statutes of Utah, 1898, providing for the Election and Term of Office of County Commissioners," was read the second time.

MISCELLANEOUS BUSINESS.

S. C. No. 7, of J. J. Snell, for witness scrip issued by the courts of the Territory of Utah, amounting to $202.80, was presented by Mr. Lawrence (by request), and referred to the State Board of Examiners.

The following was received:

Salt Lake City Railroad Co.,
Salt Lake City, Utah, Feb. 14, 1901.

Hon. Abel John Evans, President of Senate, City—

Dear Sir:—We wish to extend the freedom and use of our cars to your honorable body, members of the House, employees and their guests, to and from the Ore-

gon Short Line depot to any place on our lines in the city, on the occasion of your visit to Logan, on the conditions applied on the occasion of your visit to Provo.

Respectfully yours,
SALT LAKE CITY RAILROAD CO.
W. P. READ, Superintendent.

The offer was accepted, with thanks.

Mr. Kiesel moved that when the Senate adjourn it be, under a suspension of the rules, to meet on Monday, February 18, 1901. Carried.

The Senate, at 3:40 p. m., adjourned.

THIRTY-SIXTH DAY.

State of Utah, Senate Chamber,
February 18, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Mr. Howell.

Prayer by the Chaplain.

Minutes of the thirty-second day's session were read and approved.

EXECUTIVE COMMUNICATIONS.

State of Utah, Executive Office,
Salt Lake City, Feb. 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Joint Memorial No. 1, "Memorializing Congress to Aid in the Reclamation of Arid Lands in the United States."

Senate Bill No. 20, entitled, "An Act to amend Section 5076 of the Revised Statutes of Utah, 1898, Relating to Proceedings Against Corporations."

Senate Bill No. 21, entitled, "An Act to amend Sec-

tions 5109 and 5110 of the Revised Statutes of Utah, 1898, Relating to Notices to and Duties of District Attorneys in Cases of Extradition."

Senate Bill No. 22, entitled, "An Act to amend Section 4989 of the Revised Statutes of Utah, 1898, Relating to Notice of Application for Bail."

Senate Bill No. 23, entitled, "An Act to amend Section 4720 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Grand Jury, to the Powers and Duties of the District Attorney, and Designating Who May and Who May Not be Present During Sessions of the Grand Jury."

Senate Bill No. 24, entitled, "An Act to amend Section 5068 of the Revised Statutes of Utah, 1898, Relating to Dismissal of Criminal Actions in the District Court, by the Court or District Attorney and Requiring the Reasons for Such Dismissal to be Entered Upon the Minutes of the Court."

Senate Bill No. 25, entitled, "An Act to amend Section 4909 of the Revised Statutes of Utah, 1898, Relating to the Application for a Bench Warrant by the District Attorney and the Issuance Thereof by the Clerk of the Court."

Very respectfully,
HEBER M. WELLS, Governor.

The communication was read and filed.

State of Utah, Executive Office,
Salt Lake City, February 18, 1901.

To the Senate:—I have the honor to advise you that I am in receipt of a number of reports from the United States Industrial Commission, containing suggestions for legislation by the States as well as by the National Government, to which I am requested to call your attention. These reports are on file in my office for the perusal of the proper committee of your honorable body.

I am also in receipt of a letter from the Commission, explaining more fully the purpose of these reports and

the scope of the Commission's work, a copy of which is herewith enclosed for your information.

Very respectfully,

HEBER M. WELLS, Governor.

The communication and the accompanying letter were referred to the Committee on Labor and the Committee on Manufactures and Commerce for joint consideration.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 70, by Mr. Anderson (by request), "An Act to Amend Section 3736 of the Revised Statutes of 1898, Relating to Judgment Liens," and the same is herewith transmitted for your action.

Respectfully,

M. M. STEELE, JR., Chief Clerk.

H. B. No. 70 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 69, by Mr. Anderson (by request), "An Act to amend Section 3735 of the Revised Statutes of 1898, Relating to Executions Issued from District Courts," and the same is herewith transmitted for your action.

Respectfully,

M. M. STEELE, JR., Chief Clerk.

H. B. No. 69 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 1, by Mr. Anderson, "A Bill for An Act amending Section 1774, Revised Statutes of Utah, 1898, Relating to the Election of State Superintendent of Public Instruction and to the Appointment and Salary of His Deputy," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 1 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 42, by Mr. Morris, "An Act to Repeal Sections 2932 and 2933 to Amend Section 2934 of the Revised Statutes of Utah, 1898, Relating to Place of Trial," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 42 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 77, by Committee on Judiciary (Substitute for H. B. No. 33, by Mohr), "An Act amending Section 999, of the Revised Statutes of Utah, 1898, Relating to Jurors in Justices' Courts; their Per Diem and Mileage," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 1, by Mr. Anderson, "A Bill for An Act amending Section 1774, Revised Statutes of Utah, 1898, Relating to the Election of State Superintendent of Public Instruction and to the Appointment and Salary of His Deputy," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 1 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 42, by Mr. Morris, "An Act to Repeal Sections 2932 and 2933 to Amend Section 2934 of the Revised Statutes of Utah, 1898, Relating to Place of Trial," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 42 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 77, by Committee on Judiciary (Substitute for H. B. No. 33, by Mohr), "An Act amending Section 999, of the Revised Statutes of Utah, 1898, Relating to Jurors in Justices' Courts; their Per Diem and Mileage," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 77 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 71, by Mr. Anderson (by request), "An Act to amend Section 3737 of the Revised Statutes of 1898, Relating to Executions," and the same is hereby transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 71 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 18, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 54, "An Act to amend Section 5031 of the Revised Statutes of Utah, 1898, Relating to the Conditional Examination of Witnesses," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 18, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 47, "An Act to amend Section 3325 of the Revised Statutes of Utah, 1898, Relating to Time and Manner of Service of Notice of Motion and Testimony upon the Hearing of the Motion," respectfully report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 18, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 53, "An Act to amend Sections 4606, 4692, 4693, 4731 and 4771 of the Revised Statutes of Utah, 1898, Relating to Informations," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 18, 1901.

Mr. President:—Your Committee on Elections, to whom was referred H. B. No. 13, "An Act amending Section 812 of the Revised Statutes of Utah, 1898, Relating to Transfers of Registry Certificates from one District to Another in the Same Precinct or City," respectfully report that they have had the same under consideration, and recommend that the act be passed.

MURDOCK, Chairman.

The report was adopted.

Committee Room, Feb. 18, 1901.

Mr. President:—Your Committee on Elections, to whom was referred H. B. No. 14, "An Act amending Section 800 of the Revised Statutes of Utah, 1898, Relating to Registration," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

MURDOCK, Chairman.

The report was adopted.

Committee Room, Feb. 18, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 50, "An Act to amend Section 999 of the Revised Statutes of Utah, 1898, providing for the Payment of Per Diem and Mileage to Jurors in Justices' Courts," respectfully report that they have had

the same under consideration, and recommend that the act be not passed.

BENNION, Chairman.

The report was made a special order for 2:30 p. m., February 19, 1901.

INTRODUCTION OF BILLS.

S. B. No. 52, by Mr. Whitmore, "An Act to amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 53, by Mr. Whitmore, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 54, by Mr. Whitmore, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes, and the Liabilities of the State and School Districts for the Respective Amounts Received," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 55, by Mr. Alder, "An Act Relating to Fire Insurance, Authorizing a Form of Policy and Providing Against the Reduction of the Amount Insured for in Case of Total Loss," was read the first time and referred to the Committee on Private Corporations and Insurance.

S. B. No. 56, by Mr. Lawrence, "An Act in Relation to Pleading and Proving Corporate Existence in Actions by and Against Corporations," was read the first time and referred to the Committee on Judiciary.

S. B. No. 57, by Mr. Lawrence, "An Act Amending Section 3064, Revised Statutes, 1898, Relating to Attachments," was read the first time and referred to the Committee on Judiciary.

S. B. No. 58, by Mr. Sherman (by request), "An Act to amend Section 4168 of the Revised Statutes of Utah, 1898, Relating to Justifiable Homicide," was read the first time and referred to the Committee on Judiciary.

S. B. No. 59, by Mr. Kiesel, "An Act to amend Section 1, Chapter 64 of the Laws of Utah, 1899, of an Act, entitled, 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, Providing for the Selection, Location, Appraisement, Protection, Sale, Rental and General Management of the Public Lands of the State, and for the Investment of the Funds Arising from the Sale and Leasing of Such Lands, the Distribution of the Income Thereof, and for the Sale and Protection of the Timber on the Lands of the State," was read the first time and referred to the Committee on Public Lands.

S. B. No. 60, by Mr. Tanner (by request), "An Act to amend Sections 1722 and 1726, Revised Statutes of Utah, Relating to Penalties, Acting Without Registration, Adulterated Drugs, etc.," was read the first time and referred to the Committee on Public Health.

THIRD READING OF SENATE BILLS.

S. B. No. 18, by Mr. Whitmore, "An Act to amend Section 496, Revised Statutes of Utah, 1898, providing for the Election and Term of Office of County Commissioners," was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Howell.

The title of the bill was made the title of the act.

SECOND READING OF HOUSE BILLS.

H. B. No. 54, by Mr. Harmon, "An Act to amend Section 5031 of the Revised Statutes of Utah, 1898, Relating to the Conditional Examination of Witnesses," was read the second time.

On motion of Mr. Allison, all rules interfering therewith were suspended, and H. B. No. 54 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Howell, Sherman.

The title of the bill was made the title of the act.

H. B. No. 13, by Mr. Glasmann, "An Act amending Section 812 of the Revised Statutes of Utah, 1898, Relating to Transfers of Registry Certificates from One District to Another in the Same Precinct or City," was read the second time.

On motion of Mr. Smoot, all rules interfering therewith were suspended, and H. B. No. 13 was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Howell.

The title of the bill was made the title of the act.

H. B. No. 14, by Mr. Glasmann, "An Act amending Section 800 of the Revised Statutes of Utah, 1898, Relating to Registration," was read the second time.

On motion of Mr. Smoot, H. B. No. 14 was re-committed to the Committee on Elections, with instructions to have the same reprinted, as amended.

H. B. No. 47, by Mr. Smith, "An Act to amend Section 3325, Revised Statutes of Utah, 1898, Relating to Time and Manner of Service of Notice of Motion and Testimony upon the Hearing of the Motion," was read the second time.

On motion of Mr. Smoot, all rules interfering therewith were suspended, and H. B. No. 47 was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Howell.

The title of the bill was made the title of the act.

H. B. No. 53, by Mr. Harmon, "An Act to amend Sections 4606, 4692, 4693, 4731 and 4771 of the Revised Statutes of Utah, 1898, Relating to Informations," was read the second time.

On motion of Mr. Allison, H. B. No. 53 was re-committed to the Committee on Judiciary.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed over the veto of the Governor, H. B. No. 18, entitled, "An Act to Prevent Compulsory Vaccination Being Made a Condition Precedent to Entering the Public Schools of the State," by a vote of 33 to 12, and the bill is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 18 was referred to the Committee on Public Health.

MISCELLANEOUS BUSINESS.

The following was received from the George R. Maxwell Post of the G. A. R., and filed:

Salt Lake City, Utah, Feb. 14, 1901.

To the Hon. Abel John Evans, President of the Senate, State of Utah, Salt Lake City, Utah—

Dear Sir:—I have the honor to transmit herewith copy of a resolution, unanimously adopted by this post, at a regular meeting held February 13, 1901.

Very respectfully.
ALFRED KENT, Adjutant.

RESOLUTION.

Resolved, That the thanks of this post are hereby ex-

tended to the Governor and Legislature of this State for the passage and approval of Senate Bill No. 3, providing for the burial of old soldiers, and that same be communicated to the Governor and Legislature by the Commander and Adjutant, and a copy of the resolution be furnished to the press.

Unanimously adopted at a meeting of the post held February 13, 1901.

Attest: W. P. ROWE, Commander.
ALFRED KENT, Adjutant.

The following telegram was received:

Denver, Colo., Feb. 15, 1901.

The Honorable President of the Senate and the Speaker of the House of Representatives of the State of Utah, Salt Lake City—

Resolved by the House of Representatives, the Senate concurring, that, whereas, it appears by the telegraphic dispatches that the Legislature of the State of Utah is contemplating a visit to our State and the city of Denver, and believing that such a visit would promote the commercial interests of both States and create more friendly feeling between the citizens thereof; therefore, be it

Resolved, by the House of Representatives of the Thirteenth General Assembly, the Senate concurring, that an earnest and hearty welcome and invitation is extended to the Legislature of our sister State, Utah, to visit Colorado and its Capital city and the sessions of the Thirteenth General Assembly at their earliest convenience. Unanimously adopted.

B. F. MONTGOMERY,
Speaker of the House.

On motion of Mr. Kiesel, consideration of the invitation was made the special order for 3 p.m., February 19, 1901.

The Senate, at 4:35 p. m., adjourned.

THIRTY-SEVENTH DAY.

State of Utah, Senate Chamber,
February 19, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Mr. Allison, who was excused.

Prayer by the Chaplain.

PRESENTATION OF RESOLUTIONS.

Mr. Whitney presented S. R. No. 5, as follows:

"Whereas, Public notice has been given that Dr. Karl G. Maeser, Utah's veteran educator, died at his home in this city on February 15, 1901, and that 2 p. m. to-day is the time set for the obsequies at the Tabernacle; and,

"Whereas, By the death of this great and good man the State loses a prominent and progressive citizen, society an ornament, and the cause of education a pillar of strength and a light whose reflection, like a star in the ocean, will shine in the future lives and characters of multitudes of our fellow citizens, who were his pupils and associates; now, therefore,

"Resolved, That as a mark of respect to the deceased, and in recognition of his distinguished services in the educational field, the Senate do now take a recess until after the funeral services, and that its members proceed in a body to the Tabernacle to attend the same."

The resolution was read.

On motion of Mr. Whitney, all rules interfering therewith were suspended, and S. R. No. 5 was adopted by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Allison.

The Senate, at 2:15 p. m., took a recess.

At 4:30 p. m. the Senate resumed session, President Evans presiding.

Roll was called; quorum present.

Minutes of thirty-sixth day's session were read and approved.

SPECIAL ORDERS.

The report of the Committee on Judiciary, recommending that S. B. No. 50 be not passed, special order for 2:30 p. m., was taken up.

The report was adopted and S. B. No. 50 was rejected.

The telegram from the Speaker of the House of the Colorado Legislature, inviting the Utah Legislature to visit Colorado, special order for 3 p. m., was taken up.

On motion of Mr. Sherman, amended by Mr. Bennion, a special committee, consisting of Messrs. Whitney, Evans and Sherman, was appointed to confer with a House committee, and to respectfully decline the invitation, with thanks.

PRESENTATION OF PETITIONS.

S. P. No. 14, of James Solomon and fifty-seven other residents of Salt Lake County, concerning fish and game legislation, was presented and referred to the Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 19, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred the veto of the Governor of "An Act to Prevent Compulsory Vaccination and to Prevent Vaccination Being Made a Condition Precedent to Entering the Public Schools of Utah," known as H. B. No. 18, respectfully report that after due and careful consideration, they unanimously recommend that the act be passed, notwithstanding the objections of the Governor.

THOMAS, Chairman.

The report was adopted.

On motion of Mr. Love, H. B. No. 18 (the McMillan

bill), was made the special order for 2:30 p. m., February 21, 1901.

Committee Room, Feb. 19, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 27, "An Act Creating Liability for all Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and S. B. No. 27 be rejected.

TANNER, Chairman.

The report was adopted and S. B. No. 27 was rejected.

S. B. No. 61, by the Committee on Railroads, "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," was substituted for S. B. No. 27 and filed for first reading.

Committee Room, Feb. 19, 1901.

To the Honorable President and Members of the Senate—

Gentlemen:—We, your Committee on Elections, beg leave to report the progress made in the Ellison-Barnes contest case and ask that the same receive your confirmation.

After duly considering the petition of the contestant and the answer of the contestee and also the resolution offered by Senator Tanner to dismiss the case, which was denied, a majority of the committee determined to go into the case to the extent of passing upon the allegations made in the petition and answer thereto.

It was further decided that the expenses of the investigation be paid by the State, excepting attorneys' fees.

Respectfully submitted.

MURDOCK,
Chairman Committee on Elections.

Mr. Tanner presented the following:

MINORITY REPORT OF COMMITTEE ON ELECTIONS.

Mr. President:—A minority of your Committee on Elections, to whom was referred the matter of contest

filed by Ephraim P. Ellison, contestant, vs. John G. M. Barnes, contestee, have had the same under consideration and beg leave to make the following report, dissenting from the report of the committee thereon:

I.

It is conceded by the contestant, Ellison, and shown by his petition, that upon the face of the returns the contestee was duly and lawfully elected to the office in question, but it is alleged that certain mistakes were made by the election officers in the admission and counting of certain votes claimed to have been illegally cast, and the rejection of certain ballots upon the ground of defects in marking the same. It is not, however, alleged or contended that there was any fraud upon the part of any of the election officers or judges of election, but it is contended by contestant that a recounting of the ballots will disclose certain mistakes in favor of the contestee. In the opinion, however, of a minority of your committee no sufficient allegation, claim or showing is made by the contestant of any fraud or improper conduct on the part of the election officers to impeach the election returns in this case, nor to justify your committee in going behind said returns.

II.

Section eight (8) of Article four (4) of the Constitution of the State provides that "All elections shall be by secret ballot," and in compliance with this provision of the Constitution, an election law has been passed providing for the proper registration of the legally qualified electors, and providing a method of striking from the registration lists, before the day of election, all the names of persons not legally entitled to register or vote, and providing penalties for illegal registration and voting and other offenses against the elective franchise.

(Laws of 1898, Sections 808-9 and 896.)

Section eight hundred and eight (808) provides for the posting of the registration list by the registry agent in some public place within the district, which is provided shall remain posted until after the close of the election, and section (809) eight hundred nine provides for the filing

by the registry agent of objections to the right of any person to vote, which said objections the judges of election are required to enquire into and test, under oath, the qualifications of the persons objected to and to deny to such persons, if found to be disqualified, the right to vote at such election, and section eight hundred ninety-six (896) provides for the punishment by fine and imprisonment of any person who fraudulently or wilfully registers or procures another so to do who is not entitled to registration. No attempt whatever appears to have been made to purge the registration list of the names of the persons claimed to have voted illegally or to punish the offenses, if any have been committed.

Under our election system there is no means provided nor is it possible to identify the ballot cast by any particular voter whether a legal or illegal voter, so that the only other method of establishing the exact number of votes cast for or against the particular candidate would be to take the oral testimony of every person who voted within the district, and even conceding that the person who has voted illegally may be compelled to disclose for whom he voted, if he remembers the fact, yet in view of the Constitutional provision for a secret ballot there is absolutely no power, in the opinion of the minority of your committee, upon our part or upon the part of the Senate to compel a legal voter to disclose how he voted. To do so would be to infringe the Constitutional right of the people to a secret ballot and is not supported by law or precedent, and such a procedure cannot be upheld, and even if the illegal voter be compelled to and does testify upon the hearing as to the person for whom he cast such illegal ballot, we can see no way by which to test the truth of such statements except by the testimony of such illegal voter himself and if his statements are to be received without contradiction, he may, while having actually voted against a particular candidate, testify that he, in fact, voted for him; and thus, while voting against the successful and for the opposing candidate, give a double effect to his ballot by having it deducted from the number credited to the successful candidate, when, in fact, it should have been deducted from the other candidate. Such testimony, if given, could only be fully and completely met by calling every voter and requiring him to testify as to the candidate for whom he voted and thus

substituting oral testimony for the ballots themselves. And even this could not be done unless the voters chose voluntarily to disclose the person for whom they cast their ballots, and unless they also remembered that fact. Nor is it clear in the judgment of a minority of your committee, in view of the constitutional requirement of a secret ballot, that the voters should, even if willing so to do, be permitted to testify to the contents of the ballots cast by them. Such testimony was rejected by the Kentucky court in the case of Commonwealth vs. Barry, 33 S. W. Rep., 400, and again by the same court in Major vs. Barker, 35 S. W. Rep., 543, where it is said: "After full consideration of the question, we have concluded to adhere to the rule laid down in Com. vs. Barry. It is conceded that the voter cannot be compelled by subpoena to appear and testify how he marked his ballot. If he were permitted to so testify, he could then be subjected to a moral compulsion from his party associates. One party might obtain from willing witnesses testimony which the other would be powerless to rebut, because unable to compel a statement of the truth. It is admitted that injustice may be done in individual cases by the application of this rule, but the considerations mentioned, and the evident policy of the law that the secrecy of the ballot should be inviolable,outweigh the occasional hardships." As was said in the Barry case, "the election law provides ample means to prevent frauds and forgeries if it is adhered to, and enforced by the authorities."

The only precedent in this State to which our attention has been called was the contest before the House, in 1896, of Bringhurst vs. Lemmon, in which case the committee to whom the case was referred refused to go behind the returns and count the ballots.

While a minority of your committee is not prepared to say that in some cases such a showing of gross fraud or mistake may be made as to warrant the investigating committee in going behind the face of the returns and counting the ballots actually cast, yet, the circumstances are not sufficient to justify such a course in this case, and a minority of your committee therefore recommends that the said petition be denied.

Respectfully,

(Signed) TANNER.

Mr. Kiesel moved that the minority report be adopted.

Pending the consideration of the motion, Mr. Smoot moved that the majority and minority reports be made the special order for 3 p. m., February 21, 1901. Carried.

The Senate, at 5:50 p. m., adjourned.

THIRTY-EIGHTH DAY.

State of Utah, Senate Chamber,
February 20, 1901.

By request of President Evans, Mr. Whitney called the Senate to order at 2 p. m.

Roll was called, showing all members present, except Mr. Allison, who was excused.

Prayer by the Chaplain.

Minutes of the thirty-seventh day's session were read and approved.

President Evans arrived and took the chair.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 20, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 36, "An Act amending Section 213 of the Revised Statutes of Utah, 1898, relating to the Election of Municipal Officers," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

The report was adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 18, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in the Senate, H. B. No. 13, H. B. No. 54, and H. B. No. 47.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 20, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Hewlett, Cutler and Fry to confer with the committee appointed by the Senate to consider the invitation of the Colorado Legislature to visit Denver.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 20, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day requested that H. B. No. 18 be recalled from the Senate. Kindly consent to the withdrawal of the same, and oblige.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

By unanimous consent, H. B. No. 18 was taken from the table and returned to the House.

House of Representatives,
Salt Lake City, Utah, Feb. 19, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bills Nos. 47, 54, 43, and 13, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 47, H. B. No. 54, H. B. No. 43, and H. B. No. 13 were each read by title aud signed by the President in open session.

House of Representatives,
Salt Lake City, Utah, Feb. 18, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. C. R. No. 4, by Mr. Alder, and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Alder, the Senate concurred in the amendment of S. C. R. No. 4, made by the House, and the resolution was referred to the Committee on Engrossed and Enrolled Bills. The resolution follows:

S. C. R. No. 4, by Mr. Alder—

"Resolved, by the Senate, the House concurring, That we, the members of the Utah Legislature, express to the Legislature and the people of Idaho our heartfelt appreciation of the magnificent welcome given to us on the occasion of our recent visit to the capital of that state; that we thank the citizens of Boise for their wholesouled hospitality, and hereby tender to the Legislature and state officials of Idaho, the mayor and city officials of Boise and the members of the Boise Chamber of Commerce, who did so much to make our visit one of pleasure and profit, a cordial invitation to return the same whenever it shall suit their convenience to do so.

"Resolved, That a copy of this resolution be sent to the Governor of Idaho, and a copy each to the President of the Senate and the Speaker of the House of the Idaho Legislature, to the mayor of the city of Boise and to the president of the Boise Chamber of Commerce, and that the same be printed in the journals of the Senate and House."

House of Representatives,
Salt Lake City, Utah, Feb. 18, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and

passed S. C. R. No. 3, by Mr. Evans, and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Bennion, the Senate concurred in the amendments made by the House to S. C. R. No. 3, and the resolution was referred to the Committee on Engrossed and Enrolled Bills. The resolution follows:

S. C. R. No. 3, by Mr. Evans—

"Whereas, The members of the Utah Legislature have greatly enjoyed a visit to Boise City, Idaho, as the guests of the Oregon Short Line Railroad Company; therefore, be it

"Resolved, by the Senate, the House concurring, That we express to General Manager Bancroft and General Traffic Manager Eccles our hearty thanks for the privilege extended, our keen appreciation of the many courtesies received, and our complete satisfaction with the unqualified success of the excursion in every detail; and be it further

"Resolved, That we commend Mr. D. S. Spencer, the master of transportation, for his untiring efforts to make the trip a success, and we congratulate the railroad company upon having in its employ an official at once so capable, so courteous and so thoughtfully considerate of the welfare of its patrons.

"Resolved, That a copy of this resolution be sent to General Manager Bancroft, General Traffic Manager Eccles and Mr. D. S. Spencer, and that the same be spread upon the journals of the Senate and House."

House of Representatives,
Salt Lake City, Utah, Feb. 18, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 32, by Wells, "A Bill for the Establishment of a State School of Mines," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 32 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 18, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 11, by Barnes, "An Act to amend Section 5017 of the Revised Statutes of Utah, 1898, Defining a Subpoena, and Conferring upon Certain Officers the Power to Issue the Same," and the same is herewith transmitted for your further consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 11 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 19, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. C. R. No. 2, by Mr. Allison, and the same is herewith returned for your further consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Kiesel, the Senate concurred in the amendments made by the House to S. C. R. No. 2.

The resolution was filed.

House of Representatives,
Salt Lake City, Utah, Feb. 19, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 114, by Mohr, "An Act amending Section 1830 of the Revised Statutes of Utah, 1898, relating to High School Pupils," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 114 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, Feb. 19, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 91, by Mr. D. C. Johnson, "An Act to amend Section 42 of Chapter 64 of the Session Laws of Utah, 1899, relating to the Sale or Disposal of Rights of Way upon State Lands," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 91 was read the first time and referred to the Committee on Public Lands.

House of Representatives,
Salt Lake City, Utah, Feb. 19, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 27, by Barrett, "An Act Providing for Safety Apparatus to be Used in all Mines with the Vertical Shaft," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 27 was read the first time and referred to the Committee on Mines and Mining.

INTRODUCTION OF BILLS.

S. B. No. 62, by Mr. Johnson (by request), "An Act to amend Section 2050 of the Revised Statutes of Utah, 1898, relating to the Salaries of State Officers," was read the first time and referred to the Committee on Salaries.

S. B. No. 63, by Mr. Larsen, "An Act to amend Section 55 of the Revised Statutes of Utah, 1898, and Authorizing the Appointment of and Defining the Duties of a

County Stock Inspector, Regulating the Shipment of Stock," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 64, by Mr. Kiesel, "An Act Creating a Bureau of Immigration, Labor and Statistics; Providing for the Appointment of a Commissioner Thereof, Defining His Duties, Fixing His Salary and Providing for the Payment of Certain Expenditures Connected with the Bureau," was read the first time and referred to the Committee on Manufactures and Commerce.

S. B. No. 65, by Mr. Kiesel, "An Act to provide for the Importation of the Bird known as the 'Kohl Meisen,' as a Foe to Orchard Pests, and Authorizing the State Board of Horticulture to Purchase Such Birds," was read the first time and referred to the Committee on Fish and Game.

S. B. No. 66, by Mr. Sherman, "An Act to amend Chapter 64, Laws of Utah, passed at the Third Regular Session of the Legislature of the State of Utah, 1899, entitled, 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, etc.," was read the first time and referred to the Committee on Public Lands.

S. B. No. 67, by Mr. Love, "An Act to amend Section 1867 of the Revised Statutes of Utah, 1898, relating to the Apportionment of the County School Fund," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 68, by Mr. Love, "An Act to amend Section 1865 of the Revised Statutes of Utah, 1898, relating to the Levying of County School Taxes," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 69, by Mr. Whitmore (by request), "An Act to amend Section 40 of the Revised Statutes of Utah, 1898, relating to Marks and Brands," was read the first time and referred to the Committee on Live Stock.

S. B. No. 70, by Mr. Whitmore (by request), "An Act to amend Section 45 of the Revised Statutes of Utah, 1898, relating to Marks and Brands," was read the first time and referred to the Committee on Live Stock.

S. B. No. 71, by Mr. Bennion, "An Act Providing That the Judges of the Supreme and District Courts Shall Determine and File Their Decisions Within a Specified Time Before Drawing Their Salaries," was read the first time and referred to the Committee on Judiciary.

S. B. No. 72, by Mr. Howell, "An Act to amend Section 2051 of the Revised Statutes of Utah, 1898, relating to Traveling Expenses of District Judges," was read the first time and referred to the Committee on Salaries.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 20, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed over the veto of the Governor, H. B. No. 18, "An Act to Prevent Compulsory Vaccination and to Prevent Vaccination Being Made a Condition Precedent to Entering the Public Schools of Utah," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 18 was laid upon the table, to come up on special order at 2:30 p. m., February 21, 1901.

SECOND READING OF SENATE BILLS.

S. B. No. 36, by Mr. Alder, "An Act Amending Section 213 of the Revised Statutes of Utah, 1898, Relating to the Election of Municipal Officers," was read the second time.

FIRST READING OF SENATE BILLS.

S. B. No. 61, by the Committee on Railroads, "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," was read the first time.

MISCELLANEOUS BUSINESS.

The following was received and filed:

Lehi, Utah, Feb. 16, 1901.

To the Honorable Members of the Senate and House of Representatives of the State of Utah—

Gentlemen:—The people of Lehi, having met in mass meeting on the 17th day of January last, and expressed themselves as being opposed to compulsory vaccination, believing vaccination not to be a sure preventive of small-pox, and believing compulsion to be an infringement upon their personal rights and liberty, and also believing vaccination to be a propagator of many diseases, suffering and sometimes death;

Therefore, we, the undersigned committee who were appointed at said mass meeting, do, in behalf of the signers of the petition sent to your honorable body, dated January 23rd and signed by 1,010 citizens of Lehi, do again, after learning the sentiment of the people, ask your honorable body to take such action by appropriate legislation as will secure them against compulsory vaccination, and believing that House Bill No. 18 (known as the McMillan bill) will give such relief, do ask your honorable body to pass said bill.

JOHN WOODHOUSE,
GEO. WEBB,
ARTHUR BRADDER,
JNO. E. ROSS,
ELISHA H. DAVIS,
Committee.

The report of the State Board of Examiners was presented and referred to the Committee on Appropriations and Claims.

A communication from Eugene Lewis and others, endorsing the provisions of S. B. No. 71, was presented by Mr. Bennion, and referred to the Committee on Judiciary.

The Senate, at 3:10 p. m., adjourned.

THIRTY-NINTH DAY.

State of Utah, Senate Chamber,
February 21, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Mr. Allison, who was excused.

Prayer by the Chaplain.

Minutes of thirty-eighth day's session were read and approved.

SPECIAL ORDERS.

H. B. No. 18 (the McMillan bill), special order for 2:30 p. m., was taken up and passed, notwithstanding the veto of the Governor, by the following vote: Ayes, 13; nays, 4; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Johnson, Larsen, Love, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Kiesel, Lawrence, Sherman.

Absent and not voting: Mr. Allison.

The majority and minority reports of the Committee on Elections in the Ellison-Barnes contest case, special order for 3 p. m., were taken up.

A roll call being ordered on Mr. Kiesel's motion to adopt the minority report, the vote stood: Ayes, 8; nays, 8; absent and not voting, 1; excluded from voting, 1.

Those voting in the affirmative were: Messrs. Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Sherman.

Absent and not voting: Mr. Allison.

Excluded from voting: Mr. Barnes.

The motion was declared lost.

Mr. Lawrence moved that the majority report be adopted.

The roll call being ordered, the vote stood: Ayes, 8; nays, 8; absent and not voting, 1; excluded from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Sherman.

Those voting in the negative were: Messrs. Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Allison.

Excluded from voting: Mr. Barnes.

The motion was declared lost.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 20, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 65, by Harmon, "An Act amending Section 1780, Revised Statutes of Utah, 1898, relating to Contingent Expenses and the Payment of the Salary of the State Superintendent of Public Instruction," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 65 was read the first time and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, Feb. 20, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Hall, Bench and Anderson to confer with a like committee from the Senate to arrange for a visit of the Legislature to the Industrial School, and the School for the Deaf, Dumb and the Blind, at Ogden.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Bennion, the communication was referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, Feb. 21, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Maughan, Morris, D. H., and Van Horne to confer with a like committee to arrange for the adjournment of the Legislature until Monday at 2 p. m.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Larsen, a special committee, consisting of Messrs. Larsen, Whitmore and Kiesel, was appointed to confer with the House committee on the matter of adjourning until Monday.

House of Representatives,
Salt Lake City, Utah, Feb. 21, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 83, by Smith, "An Act to amend Section 3284 of the Revised Statutes of Utah, 1898, relating to Exceptions," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 83 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 21, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 19, by Barnes, and the same is herewith returned for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 19 was laid on the table.

House of Representatives,
Salt Lake City, Utah, Feb. 21, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 99, "An Act relating to Place of Trial of Actions Arising Without the State," and the same is herewith transmitted.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 99 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 21, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 41, by Langton, "Relating to Certificates of Authority to Agents of Insurance Companies," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 41 was read the first time and referred to the Committee on Private Corporations and Insurance.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 11, "An Act to amend Section 5017 of the Revised Statutes of Utah, 1898, Defining a Subpoena, and Conferring Upon Certain Officers the Power to Issue the Same," respectfully report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 11 was read by title and signed by the President in open session.

REPORTS OF SELECT COMMITTEES.

Mr. Larsen, of the special committee appointed to confer with the House committee on the matter of adjourning until Monday, reported that the joint committee of the Senate and House had agreed to the adjournment, and recommended that when the Senate adjourn it be, under a suspension of the rules, to meet Monday, February 25, 1901.

The Senate, by a vote of 11 to 6, refused to suspend the rules for the purpose of adjourning until Monday.

Mr. Whitney, of the special committee appointed to confer with the House committee and decline, with thanks, the invitation to visit Colorado, reported that the joint committee had forwarded the following communication to the Colorado Legislature:

The Legislature of Utah, to the Legislature of Colorado, Greeting:—The invitation to visit your State and Capital city and partake of the hospitality of your honorable body is received. While gratefully appreciative of the courtesy and good feeling that prompted this expression, and reciprocating to the utmost the cordial sentiments therein contained, we feel compelled by a sense of duty to our constituents to forego for the present the great pleasure that such a visit would give us; and therefore decline regretfully and with many thanks the honor you would confer upon us. With profound respect,

A. J. EVANS, President,
O. F. WHITNEY,
HOYT SHERMAN,
Senate Committee.
WILLIAM GLASMANN, Speaker.
O. H. HEWLETT,
H. S. CUTLER,
House Committee.

The report was adopted, and the declination was ordered printed in the journal.

MISCELLANEOUS BUSINESS.

The following invitation was received and accepted, with thanks.

University of Utah, Feb. 21, 1901.

To the Senate of the State of Utah:

The college class of 1901 of the University of Utah cordially invites the members of the State Senate to attend a celebration in honor of the birthday of George Washington, to be held in the Assembly Hall on Friday, February 22, 1901, at 10:30 a. m.

J. F. HOFFMAN, President.

Mr. Alder moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 2:05 p. m., February 25, 1901. Carried.

The Senate, at 6 p. m., adjourned.

FORTY-THIRD DAY.

State of Utah, Senate Chamber,
February 25, 1901.

The Senate met at 2:05 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of the thirty-ninth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 15, of Samuel Nelson and 37 other residents of Smithfield, Cache County, protesting against the increase of salaries of State officers, was presented by Mr. Howell and referred to the Committee on Salaries.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 42, "An Act to Repeal Sections 2932 and 2933 and to Amend Section 2934, of the Revised Statutes of Utah, Relating to Place of Trial," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 38, "An Act to amend Section 3304, of the Revised Statutes of Utah, 1898, Relative to Appeals to the Supreme Court," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 53, "An Act to amend Sections 4606, 4692, 4693, 4731 and 4771, of the Revised Statutes of Utah, 1898, Relating to Information," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 70, "An Act to amend Section 3736, of the Revised Statutes of Utah, 1898, Relating to Judgment Liens," respectfully report that they have

had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 71, "An Act to Amend Section 3737, of the Revised Statutes of Utah, 1898, Relating to Executions," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 21, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 77 (Substitute for H. B. No. 33), "An Act Amending Section 999, of the Revised Statutes of Utah, 1898, Relating to Jurors in Justices' Courts; their Per Diem and Mileage," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and H. B. No. 77 was rejected.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Public Lands, to whom was referred Senate Bills Nos. 59 and 66, "Acts Creating and Defining the Powers and Duties of the State Board of Land Commissioners," etc.; also H. B. No. 91, "An Act to Amend Section 42, of Chapter 64, of the Session Laws of Utah, 1899, Relating to the Sale or Disposal of Rights of Way Upon State Lands," respectfully report that they have the same under consideration, offer a substitute therefor, recommend that the substitute (S. B. No. 73) be passed, and that S. B. No. 59, S. B. No. 66 and H. B. No. 91 be rejected, for the reason that in the substitute is incorporated all the matter contained in the three bills mentioned.

SHERMAN, Chairman.

The report was adopted and S. B. No. 59, S. B. No. 66 and H. B. No. 91 were rejected.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Public Lands, to whom was recommitted S. B. No. 31, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands, and Providing for the Reclamation, Occupancy and and Disposal of the Same," respectfully report that they have no further suggestions to offer; they recommend that the act, as formerly amended and reported by this committee, be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Public Lands, to whom was referred S. J. M. No. 3, "Requesting the Secretary of the Interior to Reduce the Forest Reserve, Created for the protection of the Water Supply of Salt Lake City, to such Narrow Limits as May be Necessary to Protect the City's Interest, and to Open the Remainder of the Reservation to Entry," respectfully report that they have had the same under consideration and recommend that the resolution be adopted.

SHERMAN, Chairman.

The report was adopted.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Public Lands, to whom was referred S. B. No. 47, "An Act to Relinquish to the United States the Unsurveyed School Land in Lieu of a Grant of Land of Equal Area to be Made by the United States," respectfully report that they have had the same under consideration and recommend that the act be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Public Lands, to

whom was recommitted S. B. No. 32, "An Act Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands," respectfully report that they have no further suggestions to offer; they recommend that the act, as formerly amended and reported by this committee, be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 69, "An Act to Amend Section 40, of the Revised Statutes of Utah, 1898, Relating to Marks and Brands," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITMORE, Chairman.

The report was adopted.

Committee Room, Feb. 25, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 70, "An Act to Amend Section 45, of the Revised Statutes of Utah, 1898, Relating to Marks and Brands," respectfully report that they have had the same under consideration and recommend that the act be passed.

WHITMORE, Chairman.

The report was adopted.

INTRODUCTION OF BILLS.

S. B. No. 73, by the Committee on Public Lands (Substitute for S. B. No. 59, S. B. No. 66, and H. B. No. 91), "An Act to Amend Sections 1, 3, 17 and 42 of Chapter 64, of the Laws of Utah, 1899, of an Act Entitled 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, Providing for the Selection, Location, Appraisement, Protection, Sale, Rental and General Management of the Public Lands of the

State, and for the Investment of the Funds Arising from the Sale and Leasing of Such Lands, the Distribution of the Income Thereof, and for the Sale and Protection of the Timber on the Lands of the State,' " was read the first and second times.

Mr. Allison moved to amend the bill by reducing the proposed annual salary of the Secretary of the State Board of Land Commissioners from $1800 to $1500.

The roll call being ordered, the motion was lost by the following vote: Ayes, 8; nays, 10.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Kiesel, Larsen, Lawrence, Love.

Those voting in the negative were: Messrs. Barnes, Bennion, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

By unanimous consent the rules were suspended and S. B. No. 73 was read the third time.

Mr. Thomas moved to amend the bill by making the Attorney General a member of the State Board of Land Commissioners and providing for the appointment of three instead of four resident citizens of the State as members.

The roll call being ordered, the motion was lost by the following vote: Ayes, 4; nays, 13; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Allison, Barnes, Kiesel, Thomas.

Those voting in the negative were: Messrs. Bennion, Howell, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Alder.

S. B. No. 73 was placed upon its passage and passed by the following vote: Ayes, 14; nays, 4.

Those voting in the affirmative were: Messrs. Allison, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Barnes, Smoot, Tanner.

The title of the bill was made the title of the act.

S. B. No. 74, by Mr. Whitney (by request), "An Act to Create a State Board of Labor, Conciliation and Arbitration, for the Investigation and Settlement of Differences Between Employers and Their Employees; to De-

fine the Power and Duties of the Said Board, Fixing Its Members' Compensation, and Repealing Chapter 1, of Title 36 of the Revised Statutes of Utah, 1898," was read the first time and referred to the Committee on Labor.

S. B. No. 75, by Mr. Love, "An Act Relating to the Sale of Stocks of Merchandise in Bulk;Providing for the Mode of Procedure in Such Sales and Providing a Penalty for any Infraction Thereof," was read the first time and referred to the Committee on Manufactures and Commerce.

S. B. No. 76, by Mr. Murdock, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Relating to Injurious Chemicals in Milk or Cream, or other Products of the Dairy," was read the first time and referred to the Committee on Public Health.

S. B. No. 77, by Mr. Tanner (by request), "An Act to Amend Section 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices' Courts," was read the first time and referred to the Committee on Judiciary.

S. B. No. 78, by Mr. Kiesel (by request), "An Act to Amend Section 3849 of the Revised Statutes of Utah, 1898, Providing for the Time Expressed in Notice to Creditors," was read the first time and referred to the Committee on Judiciary.

S. B. No. 79, by Mr. Barnes, "An Act to Repeal Section 613 of the Revised Statutes of Utah, 1898, Relating to Detailed Annual Statements of County Auditors," was read the first time and referred to the Committee on Judiciary.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 25, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session signed S. B. No. 11, "Defining a Subpoena," etc, and the same is herewith returned for transmission to the Governor.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

MISCELLANEOUS BUSINESS.

S. C. No. 8, of I. C. Thoresen, for $593.48, refund of part of purchase price of school land settled upon prior to March 1, 1869, was presented by Mr. Tanner, and referred to the State Board of Examiners.

The President announced that Mr. Bennion would preside until the return of the Committees on Education and Public Institutions from Cedar City.

The Senate, at 4:35 p. m., adjourned.

FORTY-FOURTH DAY.

State of Utah, Senate Chamber,
February 2 1901.

The Senate met at 2 p. m., pursuant to adjournment, Mr. Bennion presiding.

Roll was called, showing all members present, except Messrs, Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas and Mr. President, who were excused.

Prayer by the Chaplain.

Minutes of the forty-third day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 26, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 5, "An Act Amending Section 3590 of the Revised Statutes of Utah, 1898, Relating to Property Subject to Condemnation Under Eminent Domain," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and H. B. No. 5 was rejected.

Committee Room, Feb. 26, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 7, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases, and to Provide for the Collection of the Same," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 26, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 69, "An Act to Amend Section 3735 of the Revised Statutes of Utah, 1898, Relating to Executions Issued from District Courts," respectfully report that they have hade the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 26, 1901.

Mr. President:—Your Committee on Contingent Expenses, having had under consideration the following accounts, respectfully report that they have carefully examined the same, found all to be correct, and recommend that a check for the total amount, $64.20, be drawn in favor of Joseph Phillips, Sergant-at-Arms, who will settle the bills, obtain receipt in full for each account, and return all to the Secretary for filing:

Salt Lake City Postoffice, Stamps	$40.00
A. R. Derge & Co., Mimeograph	16.50
Druehl & Franken, Soap	.50
S. P. Neve, Folding Table	2.00
Cunnington & Company, Matches	.20
W. U. Tel Company, Message to Milford	.40
Underwood Typewriter Company, Supplies	4.60
Total	$64.20

LOVE, Chairman.

The report was adopted, and the amount was appropriated.

Committee Room, Feb. 26, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 65, "An Act Amending Section 1780 of the Revised Statutes of Utah, 1898, Relating to Contingent Expenses and the Payment of the Salary of the State Superintendent of Public Instruction," respectfully report that they have had the same under consideration and recommend that the act be passed.

JOHNSON, Chairman.

The report was adopted.

INTRODUCTION OF BILLS.

S. B. No. 80, by Mr. Allison, "An Act Making Railroad Corporations in this State Liable for Damages Sustained by an Agent or Servant Thereof by Reason of the Negligence of Any Other Agent or Servant Thereof and Declaring Invalid Any Contract, Rule or Regulation Which Attempts to Restrict, Impair or Diminish Such Liability," was read the first time and referred to the Committee on Judiciary.

S. B. No. 81, by Mr. Allison (by request), "An Act to Amend Sections 3948 and 3949 of the Revised Statutes of Utah, 1898, Relating to the Partial Distribution of the Estates of Decedents," was read the first time and referred to the Committee on Judiciary.

S. B. No. 82, by Mr. Whitney (by request), "An Act Providing for the Appointment and Duties of a Board of Fire Commissioners in Cities of 12,000 and More Inhabitants and to Place the Fire Department of Said Cities Upon a Non-Partisan Basis," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 83, by Mr. Allison (by request), "An Act to Amend Section 668 of the Revised Statutes of Utah, 1898," was read the first time and referred to the Committee on Judiciary.

THIRD READING OF SENATE BILLS.

S. B. No. 36, by Mr. Alder, "An Act Amending Section 213 of the Revised Statutes of Utah, 1898, Relating to the Election of Municipal Officers," was taken up and made the special order for 3 p. m., Monday, March 4, 1901.

S. B. No. 32, by Mr. Bennion, "An Act Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands," was taken up and made the special order for 3:30 p. m. Monday, March 4, 1901.

S. B. No. 19 was taken from the table. The Senate concurred in the amendments thereto, made by the House, and the bill was referred to the Committee on Engrossed and Enrolled Bills.

SECOND READING OF SENATE BILLS.

S. B. No. 61, by Committee on Railroads, (Substitute for S. B. No. 27), "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," was read the second time.

S. B. No. 31, by Mr. Bennion, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands and Providing for the Reclamation, Occupancy and Disposal of the Same," was read the second time.

S. B. No. 70, by Mr. Whitmore (by request), "An Act to Amend Section 45 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 70 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 69, by Mr. Whitmore (by request), "An Act to Amend Section 40 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 69, was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 47, by Mr. Bennion (by request), "An Act to Relinquish to the United States the Unsurveyed School Land in Lieu of a Grant of Land of Equal Area to be Made by the United States," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 47 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

THIRD READING OF HOUSE BILLS.

H. B. No. 53, entitled "An Act to Amend Sections 4606, 4692, 4693, 4731 and 4771 of the Revised Statutes of the State of Utah, 1898, Relating to Informations," was read the third time and allowed to lie upon the table subject to the call of the chairman of the Committee on Judiciary.

SECOND READING OF HOUSE BILLS.

H. B. No. 38, by Mr. Smith, "An Act to Amend Section 3304 of the Revised Statutes of Utah, 1898, Relative

to Appeals to the Supreme Court," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 38 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 42, by Mr. Morris, "An Act to Repeal Sections 2932 and 2933 and to Amend Section 2934 of the Revised Statutes of Utah, 1898, Relating to Place of Trial," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 42 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 70, by Mr. Anderson (by request), "An Act to Amend Section 3736 of the Revised Statutes of Utah, 1898, Relating to Judgment Liens," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 70 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 71, by Mr. Anderson, "An Act to Amend Section 3737 of the Revised Statutes of Utah, 1898, Relating to Executions," was read the second time.

By unanimous consent, all rules interfering there-

with were suspended, and H. B. No. 71 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 25, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 142, by McMillan, "An Act Amending Section 431 of the Revised Statutes of Utah, Providing for the Formation of Railroad Corporations," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 142 was read the first time and referred to the Committee on Railroads.

House of Representatives,
Salt Lake City, Utah, Feb. 25, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of rules, H. B. No. 147, by D. H. Morris, "An Act Authorizing Cities to Aid and Encourage the Construction of Railroads by Granting to Railroad Companies for Depot Sites or Other Railroad Purposes, Real Property of Cities not Necessary for Municipal or Public Purposes," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 147 was read the first time and referred to the Committee on Railroads.

House of Representatives,
Salt Lake City, Utah, Feb. 25, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 140, by McGregor, "An Act Authorizing City Councils to Grant Franchises to Railroad and Union Railroad Depot Companies," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 140 was read the first time and referred to the Committee on Railroads.

House of Representatives,
Salt Lake City, Utah, Feb. 25, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 55, by Harmon, "Relating to the Duties of County Attorneys," and the same is herewith transmitted for your consideration.

M. M. STEELE, JR., Chief Clerk.

H. B. No. 55 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 25, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the Senate amendments to H. B. No. 39, by Mr. Evans, "An Act Amending Section 3588 of the Revised Statutes of Utah, 1898, Providing for the Uses in Which the Right of Eminent Domain May be Exercised," and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The communication was filed.

House of Representatives,
Salt Lake City, Utah, Feb. 21, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No.

1, by Anderson, under a suspension of rules, and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. J. R. No. 1 was laid upon the table.

House of Representatives,
Salt Lake City, Utah, Feb. 26, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, Governor Heber M. Wells, has this day notified the House that he has approved and filed with the Secretary of State, House Bills Nos. 43, 47, 13 and 54.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 26, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 118, "An Act to Amend Sections 315 and 316 of the Revised Statutes of Utah, 1898, Providing for the Formation of General Corporations, and Ratifying the Incorporation of Certain Corporations," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 118 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 26, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 94, by Anderson, "A Bill to Amend Section 514 of the Revised Statutes Relating to the Funding of County Indebtedness," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 94 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, Feb. 26, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session signed, H. B. No. 39, "An Act Amending Section 3588 of the Revised Statutes of Utah, 1898, Providing for the Uses in Which the Right of Eminent Domain May be Exercised," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 39 was laid upon the table to await the signature of the President.

CONSIDERATION OF RESOLUTIONS.

H. J. R. No. 1, by Mr. Anderson, "Authorizing the State Board of Examiners to Procure the Printing of 4000 Additional Copies of the Biennial Report of the State Board of Horticulture," was taken from the table and read the first time.

EXECUTIVE COMMUNICATIONS.

The following communications were received and filed:

Salt Lake City, Feb. 25, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State Senate Bill No. 11, entitled "An Act to Amend Section 5017 of the Revised Statutes of Utah, 1898, Defining a Subpoena and Conferring Upon Centain Officers the Power to Issue the Same."

Very Respectfully,
HEBER M. WELLS, Governor.

Salt Lake City, Feb. 26, 1901.

To the Senate:—I have the honor to transmit herewith a number of copies of the official bulletin No. 50 of the United States Census Bureau, showing the population of this State, for distribution to the members of your honorable body, sent me by the Director of the Census for such purpose.

Very Respectfully,
HEBER M. WELLS, Governor.

COMMUNICATIONS FROM THE STATE BOARD OF EXAMINERS.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Feb. 25, 1901.

To the Senate:—I return herewith Senate Claim No. 1 (our No. 3186), being the claim of I. C. Thoresen for $697.63, for assigned claims of the following persons for the return of money paid for school lands settled upon prior to March 1, 1869, under the provisions of Chapter 88, Laws of Utah, 1899, viz.:

Joseph Waite	$ 28.79
Stephen Thurston	61.84
Simpson B. Thurston	30.24
Wm. Balls	70.35
Wm. Balls	41.37
Joseph T. Wood	142.18
James H. Hill	24.25
Jacob F. Sorensen	234.65
Bendt Nielsen	44.96
Peter Larson	19.00

I am directed to report that the said claim has been examined and approved by the board for the sum of $697.63, with the recommendation that it be appropriated for from the same fund into which the said money was paid.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

The communication and the accompanying documents were referred to the Committee on Appropriations and Claims.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Feb. 26, 1901.

To the Senate:—I return herewith Senate Claim No. 3 (our No. 3184), being the claim of Edward Hanson for $141.52, for the assigned claim of Sylvester Low, Jr., for the return of money paid for school lands settled upon prior to March 1, 1869, under the provisions of Chapter 88, Laws of Utah, 1899.

I am directed by the Board to report that the said claims has been examined and approved by the Board for the sum of $141.52, with the recommendation that it be appropriatd for from the same fund into which said money was paid.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

The communication and the accompanying documents were referred to the Committee on Appropiations and Claims.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Feb. 25, 1901.

To the Senate:—I return herewith Senate Claim No. 7 (our No. 3223), being claim of J. J. Snell for $202.90, for twelve witness' certificates bearing different dates issued by A. G. Norrell as Commissioner of the Supreme Court, and two certificates issued by the Clerk of the District Court in the year 1875; also Senate Claim No. 6 (our 3196), being claim of Chas. W. Watson for $99.20, for certificate as petit juror in the Third District Court of the Territory of Utah, issued in 1876.

I am directed by the Board to report that the Board has disapproved each of the said claims for the reason that, in the opinion of the Board, the same are not legal charges against the State of Utah.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

The communication and the accompanying documents were referred to the Committee on Appropriations and Claims.

MISCELLANEOUS BUSINESS.

Mr. Sherman, of the Committee on Public Institutions, reported that a joint committee of the Senate and the House had arranged for a visit to the State Industrial School and the State School for the Deaf, Dumb and the Blind, in Ogden, on Friday, March 1, 1901, to leave the Oregon Short Line depot at 9:05 a. m., the party being limited to the officers and members of the Senate and the House and representatives of the daily papers, with one guest each.

The report was adopted.

The following was received and filed:

Ogden, Utah, Feby. 25, 1901.

Hon. Abel John Evans, President of the Senate, Utah Legislature:

Dear Sir:—The citizens of Ogden have arranged for a reception during your visit to the State institutions located in Ogden, Friday, March 1, 1901, and have arranged the following programme:

10:00 a.m.	Arrival of His Excellency and Staff and Legislature. Street cars in readiness to convey the party to the Industrial School.
11:00 a.m.	Arrival at the Industrial School; Inspection of the Institution; Lunch.
1:30 p.m.	Departure for the School for the Deaf, Dumb and Blind.
2:30 p.m.	Arrival at the School for the Deaf, Dumb and Blind; Inspection of the Institution and Hearing of Programme.
4:30 p.m.	Dinner at the School.
6:30 p.m.	Departure for the City Hall.
7:30 p.m.	Arrival at the City Hall, where Informal Reception will be held. Sideboard, music, dancing, etc.
	Departure of Visitors.

As secretary of the committee having the matter in charge I respectfully ask you to indicate to me whether the arrangement meets with your approval, or if you have any suggestions to make. I am,

Very respectfully yours,
H. H. THOMAS, Secretary.

S. J. M. No. 3, "Requesting the Secretary of the Interior to Reduce the Forest Reserve, Created for the Protection of the Water Supply of Salt Lake City, to such Narrow Limits as May be Necessary to Protect the City's Interest, and to Open the Remainder of the Reservation to Entry," was read the second time.

The Senate, at 4:50 p. m., adjourned.

FORTY-FIFTH DAY.

State of Utah, Senate Chamber,
February 27, 1901.

The Senate met at 2 p. m., pursuant to adjournment, Mr. Bennion presiding.

Roll was called, showing all members present, except Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas and Mr. President, who were excused.

Prayer by the Chaplain.

Minutes of forty-fourth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 16, of H. H. Peterson, Jr., and 110 other residents of Cache County, praying that an appropriation be made for the construction of a road connecting Cache Valley and Ogden Valley, was presented by Mr. Howell and referred to the Committee on Highways and Bridges.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 19, "An Act Amending Section 380, Revised Statutes of Utah, 1898, and Limiting the Total Liability to Banking Corporations of Any Person, Company, Corporation or Firm for Money Borrowed," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted, and S. B. No. 19 was allowed to lie upon the table to await the signature of the President.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 55, "An Act to Amend Section 633 and to Repeal Section 4879 of the Revised Statutes of the State of Utah, 1898, Relating to the Duties of County Attorney," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 99, "An Act Relating to Place of Trial of Actions Arising Without the State," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 83, "An Act to Amend Sec-

tion 3284 of the Revised Statutes of Utah, 1898, Relating to Exceptions," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and H. B. No. 83 was rejected.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committe on Couuty and Municipal Corporations, to whom was referred S. B. No. 67, "An Act to Amend Section 1867 of the Revised Statutes of Utah, 1898, Relating to the Apportionment of the County School Fund," respectfully report that they have had the same under consideration and recommend that the act be passed.

LOVE, Acting Chairman.

The report was adopted.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 68, "An Act to Amend Section 1865 of the Revised Statutes of Utah, 1898, Relating to the Levying of the County School Taxes," respectfully report that they have had the same under consideration and recommend that the act be passed.

LOVE, Acting Chairman.

The report was adopted.

Committee Room, Feb. 27, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 13, "An Act Fixing the Salaries and Compensation of District Attorneys; also Amending Section 2061 of the Revised Statutes of Utah, 1898, Relating to the Salaries of County Attorneys, and Repealing Section 14 of Chapter 56 of the Laws of Utah, 1899, Relating to Salaries of District Attorneys," respectfully report that they have had the same under consider-

ation, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

INTRODUCTION OF BILLS.

S. B. No. 84, by Mr. Murdock, "An Act to Amend Section 2447 of the Revised Statutes of Utah, 1898, Defining the Duties of the Dairy and Food Commissioner and Repealing Chapter 41 of the Laws of Utah, 1899," was read the first time and referred to the Committee on Public Health.

S. B. No. 85, by Mr. Alder, "An Act Amending Section 2061 of the Revised Statutes of Utah, 1898; Providing for the Payment of Salaries of County Officers," was read the first time and referred to the Committee on Judiciary.

S. B. No. 86, by Mr. Murdock, "An Act to Repeal Section 2097 and to Amend Section 2098 of the Revised Statutes of Utah, 1898, Providing for the Payment of Actual and Traveling Expenses of Agricultural College Officers in Certain Cases," was read the first time and referred to the Committee on Public Institutions.

S. B. No. 87, by Mr. Allison (by request), "An Act to Amend Sections 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties in Civil Actions," was read the first time and referred to the Committee on Judiciary.

THIRD READING OF SENATE BILLS.

S. B. No. 61, by Committee on Railroads, (Substitute for S. B. No. 27), "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," was taken up and made the special order for 3:45 p. m., Monday, March 4, 1901.

S. B. No. 31, by Mr. Bennion, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands and Providing for the Reclamation, Occupancy and Disposal of the Same," was taken up and made the special order for 3 p. m., Thursday, February 28, 1901.

SECOND READING OF SENATE BILLS.

S. B. No. 7, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases, and to Provide for the Collection of the Same," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 7 was read the third time.

On motion of Mr. Allison S. B. No. 7 was made the special order for 4 p. m., Thursday, February 28, 1901.

S. B. No. 13, by Mr. Alder, "An Act Fixing the Salaries and Compensation of District Attorneys; also Amending Section 2061 of the Revised Statutes of Utah, Relating to the Salaries of County Attorneys, and Repealing Section 14 of Chapter 56 of the Laws of Utah, 1899, Relating to the Salaries of District Attorneys," was read the second time.

On motion of Mr. Alder, S. B. No. 13 was referred to the Committee on Printing, with instructions to have the same reprinted, as amended.

S. B. No. 68, by Mr. Love, "An Act to Amend Section 1865 of the Revised Statutes of Utah, 1898, Relating to the Levying of County School Taxes," was read the second time.

S. B. No. 67, by Mr. Love, "An Act to Amend Section 1867 of the Revised Statutes of Utah, 1898, Relating to the Apportionment of the County School Fund," was read the second time.

SECOND READING OF HOUSE BILLS.

H. B. No. 69, by Mr. Anderson (by request), "An Act to Amend Section 3735 of the Revised Statutes of 1898, Relating to Executions Issued from District Courts," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 69 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 65, by Mr. Harmon (by request), "An Act Amending Section 1780 of the Revised Statutes of Utah, 1898, Relating to Contingent Expenses and the Payment of the Salary of the State Superintendent of Public Instruction," was read the second time.

H. B. No. 99, "An Act Providing for the Trial of Civil Actions Arising Without the State," was read the second time.

By unanimous consent, all rules interfering therewith were suspended and H. B. No. 99 was read the third time and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Love, Sherman, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 55, "An Act to Amend Section 633 and to Repeal Section 4879 of the Revised Statutes of Utah, 1898, Defining the Duties of County Attorney," was read the second time.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, Feb. 27, 1901.

To the Senate:—I have the honor to transmit herewith copy of a communication this day received from Hon. T. T. Geer, Governor of the State of Oregon, with copies also of accompanying resolution of the Legislature of Oregon, relating to the exposition to be held in Portland, Oregon, in 1905, in honor of the centennial of the Lewis and Clarke expedition to the Pacific Coast.

If it meets your pleasure to join our sister state in memorializing Congress to assist in this very worthy enterprise, you may be assured of my hearty co-operation.

Very respectfully,
HEBER M. WELLS, Governor.

The communication and the accompanying document were referred to the Committee on Federal Relations.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 27, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 26, by Mr. Holzheimer, "An Act Amending Section 1312, Revised Statutes of Utah, 1898, Providing for Special Venire," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 26 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 27, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, S. B. No. 15, by Mr. Murdock, "An Act to Amend Sections 1884 and 1885, Revised Statutes of Utah, 1898, Relating to the Bonding of School Districts and Prescribing the Denominations of Such Bonds, the Maxiumum Rate of Interest on the Same, the Maximum Amount of Such Bonds in Any District, and Prescribing the Form of Such Bonds and the Manner of Voting, Issuing and Registering the Same," and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 15 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, Feb. 27, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 34, by Mr. Holzheimer, "An Act to Amend Section 691 of the Revised Statutes of Utah of 1898, Relating to the

Criminal Jurisdiction of Justices' Courts," and the same is herewith transmitted for your consideration.

Respectfully,

M. M. STEELE, JR., Chief Clerk.

H. B. No. 34 was read the first time and referred to the Committee on Judiciary.

CONSIDERATION OF RESOLUTIONS.

H. J. R. No. 1, by Mr. Anderson, "Authorizing the State Board of Examiners to Procure the Printing of 4000 Additional Copies of the Biennial Report of the State Board of Horticulture," was read the second time and referred to the Committee on Forests and Forestry.

The Senate, at 4:35 p. m., adjourned.

FORTY-SIXTH DAY.

State of Utah, Senate Chamber,
February 28, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Mr. Thomas, who was excused.

Prayer by the Chaplain.

Minutes of the forty-fifth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 17, of the officers and members of Utah's State Council of Women, praying that the Legislature adopt a memorial to Congress asking that the right of suffrage be extended to all citizens of the United States, without discrimination on account of sex, was presented by Mr. Whitney.

The petition was referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 34, "An Act to Amend Section 691 of the Revised Statutes of Utah, 1898, Relating to the Criminal Jurisdiction of Justices' Courts," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and H. B. No. 34 was rejected.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 118, "An Act to Amend Sections 315 and 316 of the Revised Statutes of Utah, 1898, Providing for the Formation of General Corporations and Ratifying the Incorporation of Certain Corporations," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 28, 1901.

Mr. President—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 63, "An Act to Amend Section 55 of the Revised Statutes of Utah, 1898, Authorizing the Appointment of and Defining the Duties of a County Stock Inspector, Regulating the Shipment of Stock," respectfully report that they have had the same under consideration and recommend that the act be passed.

LOVE, Acting Chairman.

The report was adopted.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 77, "An Act to Amend Sec-

tion 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices' Courts," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 71, "An Act Providing that the Judges of the Supreme and District Courts Shall Determine and File Their Decisions Within a Specified Time Before Drawing Their Salaries," together with a very lengthy petition from reputable attorneys, urging the passage of the bill, respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 79, "An Act to Repeal Section 613 of the Revised Statutes of Utah, 1898, Relating to Detailed Annual Statements of County Auditors," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that S. B. No. 79 be rejected.

BENNION, Chairman.

The report was adopted, S. B. No. 79 was rejected and S. B. No. 88 was substituted therefor.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred Senate Petitions 12 and 13, requesting the passage of the McMillan bill (H. B. No. 18), respectfully report that inasmuch as the relief sought for has been attained, the said petitions are herewith returned for filing.

THOMAS, Chairman.

The report was adopted.

Committee Room, Feb. 28, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 15, "An Act to Amend Section 1884 and 1885, Revised Statutes of Utah, 1898, Relating to the Bonding of School Districts, and Prescribing the Denomination of Such Bonds, the Maximum Rate of Interest on the Same, the Maximum Amount of Such Bonds in Any District, and Prescribing the Form of Such Bonds and the Manner of Voting, Issuing and Registering the Same," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you, for your signature.

WHITNEY, Chairman.

The report was adopted and S. B. No. 15 was read by title and signed by the President, in open session.

S. B. No. 19, "An Act Amending Section 380, Revised Statutes of Utah, 1898, and Limiting the Total Liability to Banking Corporations of Any Person, Company, Corporation or Firm for Money Borrowed," was taken from the table, read by title and signed by the President, in open session.

H. B. No. 39, "An Act Amending Section 3588 of the Revised Statutes of Utah, 1898, Providing for the Uses in Which the Right of Eminent Domain May be Exercised," was taken from the table, read by title and signed by the President, in open session.

INTRODUCTION OF BILLS.

S. B. No. 89, by Mr. Howell, "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," was read the first time and referred to the Committee on Judiciary.

S. B. No. 90, by Mr. Johnson (by request), "An Act Amending Section 666 of the Revised Statutes of Utah, 1898, Enacting a New Section, to be Known as Section 666, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," was read the first time and referred to the Committee on Salaries.

S. B. No. 91, by Mr. Larsen (by request), "An Act to Amend Section 2866 of the Revised Statutes of Utah, 1898, Relating to Limitation, Real Property," was read the first time and referred to the Committee on Judiciary.

S. B. No. 92, by Mr. Larsen (by request), "An Act to Amend Section 3343 of the Revised Statutes of Utah, 1898, Relating to Costs," was read the first time and referred to the Committee on Judiciary.

S. B. No. 93 by Mr. Lawrence (by request), "An Act Appropriating for the Payment of Outstanding Juror and Witness Certificates for the Period of 1874 to 1895; and Providing for the Manner of Payment Thereof," was read the first time and referred to the Committe on Appropriations and Claims.

S. B. No. 94, by Mr. Allison (by request), "An Act to Prohibit and Punish Fraudulent Voting at Primaries, and also to Punish Tellers and Others Officers, Who Make False Returns, and to Punish Persons Who Vote at More Than One Primary," was read the first time and referred to the Committee on Judiciary.

S. B. No. 95, by Mr. Allison (by request), "An Act to Amend Section 213 of the Revised Statutes of Utah, 1898, as Amended by Chapter 24 of the Laws of Utah, 1899, with Reference to the Election of City Justices in Cities of the Second Class," was read the first time and referred to the Committee on Judiciary.

S. B. No. 96, by Mr. Allison (by request), "An Act to Amend Section 544 of the Revised Statutes of Utah, 1898, with Reference to Precinct Officers and to Provide for the Election and Tenure of Office of Such Officers in Cities of the Second Class," was read the first time and referred to the Committee on Judiciary.

S. B. No. 97, by Mr. Allison (by request), "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, with Reference to the Election of Justices of the Peace and Constables in Cities of the Second Class," was read the first time and referred to the Committee on Judiciary.

S. B. No. 98, by Mr. Allison (by request), "An Act to Create and Organize a Municipal Court in Cities of the Second Class, and to Define the Powers, Duties and Jurisdiction Thereof, and Making the Justice of Said Court Ex-Officio Justice of the Peace of Said Cities, and Ex-Officio Justice of the Peace of the Precincts Embraced in

Said Cities," was read the first time and referred to the Committee on Judiciary.

SPECIAL ORDERS.

S. B. No. 31, by Mr. Bennion, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands, and Providing for the Reclamation, Occupancy and Disposal of the Same," special order for 3 p. m., was taken up, read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore Whitney, Mr. President.

Absent and not voting: Mr. Thomas.

The title of the bill was made the title of the act.

S. B. No. 7, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases, and to Provide for the Collection of the Tax," special order for 4 p. m., was taken up and passed by the following vote: Ayes, 13; nays, 3; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Tanner, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Kiesel, Murdock, Sherman.

Absent and not voting: Messrs. Smoot, Thomas.

The title of the bill was made the title of the act.

THIRD READING OF SENATE BILLS.

S. B. No. 67, by Mr. Love, "An Act to Amend Section 1867 of the Revised Statutes of Utah, 1898, Relating to the Apportionment of the County School Fund," was read third time and, on motion of Mr. Love, was made the special order for 2:30 p. m., Saturday, March 2, 1901.

S. B. No. 68, by Mr. Love, "An Act to Amend Section 1865 of the Revised Statutes of Utah, 1898, Relating to the Levying of County School Taxes," was read the third time and, on motion of Mr. Love, was made the special order for 3 p. m., Saturday, March 2, 1901.

S. B. No. 13, by Mr. Alder, "An Act Classifying Judi-

cial Districts, Fixing the Salaries, and Providing for the Payment of Expenses of District Attorneys, and Repealing Section 13 of Chapter 56, of the Laws of Utah, 1899," was read the third time and made the special order for 4 p. m., Saturday, March 2, 1901.

H. B. No. 53, entitled "An Act to Amend Sections 4606, 4692, 4693, 4731, and 4771 of the Revised Statutes of the State of Utah, 1898, Relating to Inform tion " was taken from the table and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Whitmore, Mr. President.

Absent and not voting: Messrs. Smoot, Thomas, Whitney.

The title of the bill was made the title of the act.

SECOND READING OF SENATE BILLS.

S. B. No. 63, by Mr. Larsen, "An Act to Amend Section 55 of the Revised Statutes of Utah, 1898, Authorizing the Appointment of and Defining the Duties of a County Stock Inspector, Regulating the Shipment of Stock," was read the second time and, on motion of Mr. Howell, was recommitted to the Committee on Live Stock.

S. B. No. 77, by Mr. Tanner (by request), "An Act to Amend Section 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices' Courts," was read the second time.

S. B. No. 71, by Mr. Bennion, "An Act Providing That the Judges of the Supreme and Districts Courts Shall Determine and File Their Decisions Within a Specified Time Before Drawing Their Salaries," was read the second time.

On motion of Mr. Allison, the enacting clause of S. B. No. 71 was stricken out.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, Feb. 27, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No.

35, by Mr. Holzheimer, "A Bill to Prevent the Compelling of Employees of Persons or Corporations, to Trade With Any Store, or Board at any Boarding House, by Means of Coercion, Intimidation or Otherwise," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 35 was read the first time and referred to the Committee on Mines and Mining.

House of Representatives,
Salt Lake City, Utah, Feb. 28, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 19, entitled "An Act Amending Section 380, Revised Statutes of Utah, 1898, and Limiting the Total Liability to Banking Corporations or Firm for Money Borrowed," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, Feb. 27, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bills Nos. 38, 70, 99 and 69, and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, Feb. 28, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State, Senate Bill No. 19, entitled "An Act Amending Section 380, Revised Statutes of Utah, 1898, and Limiting the Total Liability to Banking Corporations

of Any Person, Company, Corporation or Firm for Money Borrowed."

Very respectfully,
HEBER M. WELLS, Governor.

THIRD READING OF HOUSE BILLS.

H. B. No. 65, by Mr. Harmon (by request), "An Act Amending Section 1780 of the Revised Statutes of Utah, 1898, Relating to Contingent Expenses and the Payment of the Salary of the State Superintendent of Public Instruction," was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Tanner, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Murdock, Smoot, Thomas.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

The Committee on Printing was authorized to have printed S. B. No. 88, by the Committee on Judiciary (Substitute for S. B. No. 79), "An Act to Amend Section 613 of the Revised Statutes of Utah, 1898, Providing the Manner County Auditors Shall Prepare Annual Statements."

S. J. M. No. 4, by Mr. Whitney, "Memorializing Congress to Extend the Right of Suffrage to All Citizens of the United States Without Discrimination on Account of Sex," was referred to the Committee on Federal Relations.

Mr. Allison moved that when the Senate adjourn it be, under a suspension of the rules, to meet Saturday, March 2, 1901. Carried.

The Senate, at 5:40 p. m., adjourned.

FORTY-EIGHTH DAY.

State of Utah, Senate Chamber,
March 2, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Mr. Murdock, who was excused.

Prayer by the Chaplain.

Minutes of forty-sixth day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. President:—Your Committee on Salaries, to whom was referred S. B. No. 62, "An Act to Amend Section 2050 of the Revised Statutes of Utah, 1898, Relating to Salaries of State Officers," respectfully report that they have had the same under consideration and recommend that the act be not passed.

JOHNSON, Chairman.

The report was adopted and S. B. No. 62 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 2, "An Act to Fix the Salaries of the Justices of the Supreme Court, and to Fix the Times of Payment Thereof," respectfully report that they have had the same under consideration and recommend that the act be not passed.

JOHNSON, Chairman.

The report was adopted and H. B. No. 2 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 57, "An Act Amending Sec-

tion 3064 of the Revised Statutes of Utah, 1898, Relating to Attachment," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and S. B. No. 57 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 78, "An Act to Amend Section 3848 of the Revised Statutes of Utah, 1898, Providing for Notice to Creditors," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and S. B. No. 78 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 91, "An Act to Amend Section 2866 of the Revised Statutes of Utah, 1898, Relating to Limitation, Real Property," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and S. B. No. 91 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 92, "An Act to Amend Section 3343 of the Revised Statutes of Utah, 1898, Relating to Costs on Appeal From Justices' Courts," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and S. B. No. 92 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Salaries, to whom was recommitted S. B. No. 46, "An Act to Amend

Section 2051 of the Revised Statutes of Utah in Relation to Mileage of Judges of the District Courts," respectfully report that they have had the same under consideration and recommend that, inasmuch as the subject matter therein is more definitely covered by S. B. No. 72, the bill be not passed.

JOHNSON, Chairman.

The report was adopted and S. B. No. 46 was rejected.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred S. B. No. 90, "An Act Amending Section 666 of the Revised Statutes of Utah, 1898, Relating to the Appointment of a Deputy Clerk of the Supreme Court and Enacting a New Section, to be Known as Section 666 a, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," respectfully report that they have had the same under consideration and recommend that the act be not passed.

JOHNSON, Chairman.

On motion of Mr. Lawrence, the report on S. B. No. 90 was made the special order for 2:30 p. m., Wednesday, March 6, 1901.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 58, "An Act to Amend Section 4168 of the Revised Statutes of Utah, 1898, Relating to Justifiable Homicide," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Labor, to whom was referred S. B. No. 74, "An Act to Create a State Board of Labor, Conciliation and Arbitration, for the Investigation and Settlement of Differences Between Employers and Their Employees; to Define the Power and Duties of Said Board; Fixing Its Members' Compensation and Re-

pealing Chapter 1 of Title 36 of the Revised Statutes of Utah, 1898," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BARNES, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 81, "An Act to Amend Sections 3948 and 3949 of the Revised Statutes of Utah, 1898, Relating to the Partial Distribution of the Estates of Decedents," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 85, "An Act Amending Section 2061 of the Revised Statutes of Utah, 1898, Providing for the Payment of Salaries of County Officers," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 87, "An Act to Amend Sections 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties to Civil Action," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 56, "An Act in Relation to Pleading and Proving Corporate Existence by and Against Corporations," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred S. B. No. 72, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Relating to Traveling Expenses of District Judges," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

JOHNSON, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 34, "An Act to Amend Sections 1, 2, 8 and 9 of Chapter 4 of the Laws of Utah, 1899, Relating to Tax of Transient Stock and Prescribing the Method of Assessment, Collection and Division of Taxes Received Upon the Live Stock Brought into the State or Moved From one County to Another, etc.," also S. B. No. 35, "An Act Defining Transient Live Stock, Prescribing a Method of Assessment, Collection and Division of Taxes Received From the Same, etc.," respectfully report that they have had the same under consideration, offer a substitute for the two bills, recommend that the substitute be passed, and that Senate Bills Nos. 34 and 35 be rejected.

WHITMORE, Chairman.

The report was adopted, S. B. No. 34 and S. B. No. 35, were rejected, and S. B. No. 99, by the Committee on

Live Stock, "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of the Provisions, and Repealing Sections 2537, 2538, 2539, 2540, 2541 and 2542 of the Revised Statutes of Utah, 1898, and Repealing Chapter 44 of the Session Laws of 1899," was substituted therefor.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 26, "An Act Amending Section 1312 of the Revised Statutes of Utah, 1898, Providing for Special Venire," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 2, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred H. B. No. 147, "An Act Authorizing Cities to Aid and Encourage the Construction of Railroads by Granting to Railroad Companies for Depot Sites or Other Railroad Purposes, Real Property of Cities not Necessary for Municipal or Public Purposes," respectfully report that they have had the same under consideration and recommend that the act be passed. We also recommend that the act, before being further considered be printed.

TANNER, Chairman.

The report was adopted and the Committee on Printing was authorized to have H. B. No. 147 printed.

SPECIAL ORDERS.

S. B. No. 67, by Mr. Love, "An Act to Amend Section 1867 of the Revised Statutes of Utah, 1898, Relating to the Apportionment of the County School Fund," special order for 2:30 p.m., was taken up and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder,

Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting, Mr. Murdock.

The title of the bill was made the title of the act.

S. B. No. 68, by Mr. Love, "An Act to Amend Section 1865 of the Revised Statutes of Utah, 1898, Relating to the Levying of County School Taxes," special order for 3 p. m., was taken up and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting, Mr. Murdock.

The title of the bill was made the title of the act.

S. B. No. 13, by Mr. Alder, "An Act Classifying Judicial Districts, Fixing the Salaries, and Providing for the Payment of Expenses of District Attorneys and Repealing Section 13 of Chapter 56 of the Laws of Utah, 1899," special order for 4 p. m., was taken up and passed by the following vote: Ayes, 12; nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Sherman, Tanner, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Lawrence, Love, Thomas, Whitney.

Absent and not voting: Messrs. Murdock, Smoot.

The title of the bill was made the title of the act.

Mr. President voted in the negative but changed his vote prior to announcing the result, for the purpose of moving a reconsideration of the vote whereby S. B. No. 13 was passed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 15, entitled "An Act to

Amend Sections 1884 and 1885, Revised Statutes of Utah, 1898, Relating to the Bonding of School Districts, and Prescribing the Denomination of Such Bonds, the Maximum Rate of Interest on the Same, the Maximum Amount of Such Bonds in Any District, and Prescribing the Form of Such Bonds and the Manner of Voting, Issuing and Registering the Same," and the same is hereby returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the amendments of the Senate to H. B. No. 65, by Mr. Harmon (by request); also to the Senate amendments to H. B. No. 53, by Mr. Harmon, and passed the same as amended, and the same has been referred to the Engrossing Clerk for engrossment.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 158, entitled "An Act Relating to Justices of the Peace in Cities of the First Class, and Defining Their Jurisdiction, and Limiting the Application of This Act to Justices of the Peace Hereafter Elected," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 158 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 28, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No.

159 entitled "An Act to Amend Section 544 of the Revised Statutes of Utah, 1898, Defining Precinct Officers, and the Division of Counties, for the Purpose of Electing Precinct Officers, and Making the Municipal Boundaries of Cities of the First Class One Precinct, for the Purpose of Electing a Justice of the Peace and Constable," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 159 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 28, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. 160, by Smith, entitled "An Act to amend Section 1, Chapter 24, of the Session Laws of 1899, entitled 'An Act to Amend Section 213, Chapter 6, Title 10, Revised Statutes of Utah, 1898,' Providing for the Election of Certain Officers in the Cities and Towns of This State, and Fixing the Terms Thereof," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 160 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, Feb. 28, 1891.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 115, by Redd, "An Act Providing the Manner of Annexing a County to an Adjoining County and Prescribing the Conditions of Such Annexation," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 115 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, Feb. 28, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 157, entitled "An Act Relating to and Establishing City Courts in Cities of the First Class, Providing for the Qualifications, Election and Removal of Its Judges, Their Salaries, Powers, Authority and Term of Office, Filling of Vacancies by Appointment, Designating the Clerk and Fixing His Duties and Fees, Costs and Fines to be Collected and the Disposition and Division of the Same Between the City and County, Fixing the Jurisdiction, Both Civil and Criminal, Removal of Cases to District Courts in Certain Cases, Providing for the Payment of Witnesses and Jurors, and Providing for Appeals and Prescribing the Rules of Practice and Procedure," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 157 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 129 by Wells, "An Act Providing for the Incorporation of Churches and Religious Societies," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 129 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 116, by Redd, "An Act Amending Section 467 and Repealing Section 476 of the Revised Statutes, Providing for Annexing San Juan County to Grand County, the Manner of Carrying the Same Into Effect, and Prescribing the Condition Thereof," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 116 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of rules, H. J. R. No. 4, by Hall, and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. J. R. No. 4 was read the first time and allowed to lie upon the table to come up in regular order.

INTRODUCTION OF BILLS.

S. B. No. 100, by Mr. Tanner, "An Act to Codify and Revise Certain Laws of This State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties and Appurtenances, Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations," was read the first time and referred to the Committee on Railroads.

S. B. No. 101, by Mr. Lawrence, "An Act to Amend Section 4413 of the Revised Statutes of Utah, 1898, Relating to Fraud and Misconduct of Agents of Corporations," was read the first time and referred to the Committee on Judiciary.

COMMUNICATION FROM SECRETARY OF STATE.

The following was received and filed:

Office of James T. Hammond, Secretary of State, Salt Lake City, March 1, 1901.

Mr. President:—I have the honor to transmit herewith House joint concurrent resolution No. 2 of the Legislative Assembly of the State of Montana, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for election of United States Senators by direct vote of the people.

Very Respectfully,

J. T. HAMMOND,
Secretary of State.

MISCELLANEOUS BUSINESS.

The following invitation was received and accepted with thanks:

Headquarters Fire Department,
Salt Lake City, Utah, March 2, 1901.

To the Honorable Members of the Senate and their Friends:

Gentlemen:—You are respectfully invited to visit Fire Department headquarters on next Monday evening at 8:30 o'clock, where you may spend a pleasant hour with us. Respectfully,

JAMES DEVINE,
Chief of Department.

The Senate, at 4:40 p. m., adjourned.

FIFTIETH DAY.

State of Utah, Senate Chamber,
March 4, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of forty-eighth day's session were read and approved.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 100, "An Act to Codify and Revise Certain Laws of this State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties and Appurtenances, Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

TANNER, Chairman.

The report was adopted.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 64, "An Act Creating a Bureau of Immigration, Labor and Statistics; Providing for the Appointment of a Commissioner Thereof, Defining His Duties, Fixing His Salary, and Providing for the Payment of Certain Expenditures Connected with the Bureau," respectfully report that they have had the same under consideration and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 75, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing the Mode of Procedure in Such Sales, and Providing a Penalty for Any Infraction Thereof," respectfully report that they have had the same under consideration and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 12, "An Act to Adopt the Weights and Measures of the Metric System as the Standard Weights and Measures in the State of Utah," respectfully report that they have had the same under consideration, and inasmuch as Congress has failed to pass such legislation, your Committee recommends that the act be not passed.

KIESEL, Chairman.

The report was adopted and S. B. No. 12 was rejected.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Fish and Game, to whom was referred S. B. No. 65, "An Act to Provide for the Importation of the Bird, Known as the 'Kohl-Meisen,' as a Foe to Orchard Pests, and Authorizing the State Board of Horticulture to Purchase Such Birds, and Making an Appropriation Therefor," respectfully report that they have had the same under consideration and recommend that the act be passed.

SMOOT, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 54, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes, and the Liabilities of the State and School Districts for the Respective Amounts Received," respectfully

report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 52, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 53, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 51, "An Act Amending Section 2690 of the Revised Statutes of Utah, 1898, Relating to Equalization of Taxes," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

The Senate refused to adopt the report, and S. B. No. 51 was filed for second reading.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Judiciary, to

whom was referred S. B. No. 94, "An Act to Prohibit and Punish Fraudulent Voting at Primaries, and Also to Punish Tellers and Other Officers, who make False Returns, and to Punish Persons who Vote at More Than One Primary," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 83, "An Act to Amend Section 668 of the Revised Statutes of Utah, 1898, Providing for the Appointment, Removal and Fixing the Compensation of Bailiffs," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 89, "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Judiciary (a majority being present), to whom was referred S. B. No. 49, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," re-

spectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

On motion of Mr. Alder, the report on S. B. No. 49 was made the special order for 3 p. m., Wednesday, March 6, 1901.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 1, "An Act Amending Section 1774 of the Revised Statutes of Utah, 1898, Relating to the Election of State Superintendent of Public Instruction and to the Appointment and Salary of His Deputy," respectfully report that they have had the same under consideration and recommend that the act be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 114, "An Act Amending Section 1830 of the Revised Statutes of Utah, 1898, Relating to High School Pupils," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 32, "An Act Providing for the Establishment of a State School of Mines," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Education, to

whom was referred S. B. No. 45, "An Act Authorizing the Creating of a Domestic Science Department in the University of Utah, and Making an Appropriation Therefor," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred H. B. No. 142, "An Act Amending Section 431 of the Revised Statutes of Utah, 1898, Providing for the Formation of Railroad Corporations," respectfully report that they have had the same under consideration and recommend that the act be not passed, for the reason that the subject matter therein is amply covered by S. B. No. 100.

TANNER, Chairman.

The report was adopted and H. B. No. 142 was rejected.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on Elections, to whom was referred Senate Petition No. 1, beg leave to make the following report:

Whereas, In our last report, of February 19, 1901, relating to said petition, your committee recommended that the State pay all of the costs of investigating the Ellison vs. Barnes election contest, which report was rejected; and,

Whereas, The contestee in the said case declines to assume the payment of any portion of the expenses that may be incurred in making said investigation; and,

Whereas, The five hundred dollars, or so much thereof as may be necessary, previously appropriated for the use of this committee having been made solely for the purpose of paying the expenses of employing an assistant sergeant-at-arms and an extra clerk;

Therefore, We are without the necessary funds to proceed with the case, and we respectfully ask for further instructions in the matter.

MURDOCK, Chairman.

On motion of Mr. Lawrence, the report was made the special order for 4 p. m., Tuesday, March 5, 1901.

VOTE RECONSIDERED.

Mr. Lawrence, acting for Mr. President, moved a reconsideration of the vote whereby S. B. No. 13 was passed. Carried.

S. B. No. 13 was made the special order for 3 p. m., Tuesday, March 5, 1901.

SPECIAL ORDERS.

S. B. No. 36, by Mr. Alder, "An Act Amending Section 213 of the Revised Statutes of Utah, 1898, Relating to the Election of Municipal Officers," special order for 3 p. m., was taken up, read the third time and passed by the following vote: Ayes, 11; nays, 7.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Howell, Kiesel, Lawrence, Love, Murdock, Sherman, Thomas, Whitney.

Those voting in the negative were: Messrs. Bennion, Johnson, Larsen, Smoot, Tanner, Whitmore, Mr. President.

The title of the bill was made the title of the act.

In announcing his vote on S. B. No. 36, Mr. President said: "I am still a Democrat and as such am opposed to taking away any sovereign right of the people. I therefore vote against this measure."

S. B. No. 32, by Mr. Bennion, "An Act Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands," special order for 3 p. m., was taken up, read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Johnson.

The title of the bill was made the title of the act.

Mr. Love was excused for the day.

S. B. No. 61, by Committee on Railroads (Substitute for S. B. No. 27), "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," special order for 4 p. m., was taken up, read the third time, and, on motion of Mr. Smoot, recommitted to the Committee on Railroads.

By unanimous consent, S. B. No. 100, by Mr. Tanner, "An Act to Codify and Revise Certain Laws of This State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties and Appurtenances, Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations, and to Repeal the Following Named Acts and Parts of Acts, namely: Chapter 1, Laws of Utah, 1899; Chapter 17, Laws of Utah, 1899; Chapter 2, Laws of Utah, 1901; Chapter 3, Laws of Utah, 1901; Sections 431, 432, 433, 435 and 442 of the Revised Statutes of Utah, 1898," was taken up and read the second time.

On motion of Mr. Allison, all rules interfering therewith were suspended, and S. B. No. 100 was read the third time.

On motion of Mr. Tanner, S. B. No. 100 was made the special order for 2:30 p. m., Tuesday, March 5, 1901.

EXECUTIVE COMMUNICATION.

The following was received and filed:

State of Utah, Executive Office,
Salt Lake City, March 2, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State, Senate Bill No. 15, entitled, "An Act to Amend Sections 1884 and 1885, Revised Statutes of Utah, 1898, Relating to the Bonding of School Districts, and Prescribing the Denomination of Such Bonds, the Maximum Rate of Interest on the Same, the Maximum Amount of Such Bonds in Any District, and Prescribing

the Form of Such Bonds and the Manner of Voting, Issuing and Registering the Same."

Very Respectfully,
HEBER M. WELLS, Governor.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bills Nos. 69, 42, 70, 71, 99 and 65, and the same are herewith transmitted for the President's signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 69, H. B. No. 42, H. B. No. 70, H. B. No. 71, H. B. No. 99, and H. B. No. 65 were each read by title and signed by the President in open session.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 18, by Mr. Whitmore, "An Act to Amend Section 496 of the Revised Statutes of Utah, 1898, Providing for the Election and Term of Office of County Commissioners," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 18 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 156, by Langton, "An Act to Amend Section 1, Chapter 54, of Session Laws of 1899, Relating to Letters of Adminis-

tration," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 156 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 76, by Smith, "An Act Providing for the Approval of Official Bonds of State Officers and Other Persons Required by Law to Give Bonds to the State and State Institutions," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 76 was read the first time and referred to the Committee on Judiciary.

House of Representatives,

Salt Lake City, Utah, March 2, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day adopted the committee report on Revenues and Appropriations recommending an appropriation of $184, deficiency for volunteer medals due J. H. Leyson & Co. A copy of said report is herewith enclosed.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The communication and the accompanying report were referred to the Committee on Appropriations and Claims.

House of Representatives,
Salt Lake City, Utah, Feb. 20, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 29, by Hewlett, "An Act to Amend Section 3245 of the Revised Statutes of the State of Utah, 1898, as Amended

by Chapter 66 of the Session Laws of Utah, 1899, Relating to Property Exempt from Execution," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 29 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 174, by Mr. Smith, "An Act Relating to the Manner of Posting Notices in Proceedings Under the Probate Code," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 174 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 180, by Mr. Hewlett (Substitute for H. B. No. 48), "An Act to Amend Section 887 of the Revised Statutes of the State of Utah, 1898, Relating to the Date of Municipal Elections, and the Terms of Office of Municipal Officers, and Repealing all Acts in Conflict Herewith," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 180 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No.

175, by Mr. Smith (Substitute for S. B. No. 8), "An Act Amending Section 2575 of the Revised Statutes of Utah, 1898, Relating to the Powers of the Board of County Commissioners as a County Board of Equalization and Permitting the Board to Remit the Taxes of Indigent Persons," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 175 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 122, by Billings, entitled "An Act to Prevent the Sale of Intoxicating Liquors Within Ten Miles of An Indian Reservation," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 122 was read the first time and referred to the Committee on Manufactures and Commerce.

INTRODUCTION OF BILLS.

S. B. No. 102, by Mr. Sherman (by request), "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Relating to Tax, Estimate, Levy, Rate and Collection Limit," was read the first time and referred to the Committee on Ways and Means.

S. B. No. 103, by Mr. Alder, "An Act to Amend Section 214 of the Revised Statutes of Utah, 1898, Providing for the Appointment of City Officers and Agents," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 104, by Mr. Lawrence (by request), "An Act Authorizing the State Board of Examiners to Cause to be Compiled and Published a Digest of the Decisions Contained in the First Twenty-five Volumes of the Utah Re-

ports, and Making Appropriation Therefor," was read the first time and referred to the Committee on Judiciary.

S. B. No. 105, by Mr. Kiesel, "An Act Amending Section 2583 of Title 67 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization," was read the first time and referred to the Committee on Manufactures and Commerce.

S. B. No. 106, by Mr. Tanner, "An Act Providing for the Taxation of Franchises," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 107, by Mr. Murdock (by request), "An Act to Amend Section 26 of Chapter 64 of the Laws of Utah, 1899, Relating to the Sale of State Lands and the Assignment by the Purchaser of Legal Subdivisions Thereof, and the Issuance of Patent Therefor," was read the first time and referred to the Committee on Public Lands.

S. B. No. 108, by Mr. Murdock, "An Act to Amend Section 2446 of the Revised Statutes of Utah, 1898, Relating to the Office of Dairy and Food Commissioner," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 109, by Mr. Howell, "An Act Creating a State Board of Agriculture; Defining Its Organization and Duties and Making an Appropriation Therefor; Amending Sections 1176 and 1178 of the Revised Statutes of Utah, 1898, as Amended in Chapter 47, Laws of Utah, 1899, and Sections 2044, 2047 and 2049 of the Revised Statutes of Utah, 1898; Defining the Word 'Board' in Sections 1173 and 1177 of the Revised Statutes of Utah, 1898, and Repealing Sections 1168, 1169, 1170, 1171, 1172, 1179, 1180, 1181, 1182, 2043, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128 and 2129 of the Revised Statutes of Utah, 1898," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 110, by Mr. Murdock, "An Act to Amend Sections 951, 952, 962, 527, 528, 529 and 530 of the Revised Statutes of Utah, 1898, Providing for the Contracting and Procuring Printed Stationery, Blanks and Blank Books and Other Supplies Required by State, County and Municipal Officers, and for all Other Public Printing, and for the Publication of Laws, Proceedings, Reports and

Legal Notices and Advertisements, and Fixing the Legal Rate Therefor," was read the first time and referred to the Committee on Judiciary.

The Senate, at 6:10 p. m., adjourned.

FIFTY-FIRST DAY.

State of Utah, Senate Chamber,
Committee Room, March 4, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of fiftieth day's session were read and approved.

BILLS REFERRED.

On motion of Mr. Johnson, S. B. No. 105 was recalled from the Committee on Manufactures and Commerce and referred to the Committee on Salaries.

On motion of Mr. Johnson, S. B. No. 108 was recalled from the Committee on Agriculture and Irrigation and referred to the Committee on Salaries.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 4, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 157, "An Act Relating to the Establishing City Courts in Cities of the First Class, etc.," respectfully return the bill with the recommendation that it be referred to the Committee on Judiciary.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 180, "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, Relating to the Date of the Municipal Elections, and the Term of Office of Municipal Officers, and Repealing All Acts in Conflict Herewith," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

The report was adopted and H. B. No. 180 was rejected.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 175, "An Act Amending Section 2575 of the Revised Statutes of Utah, 1898, Relating to the Powers of the Board of County Commissioners as a County Board of Equalization, and Permitting the Board to Remit the Taxes of Indigent Persons," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 160, "An Act to Amend Section 1, Chapter 24, of the Session Laws of 1899, Entitled 'An Act to Amend Section 213, Chapter 6, Title 10, Revised Statutes of Utah, 1898, Providing for the Election of Certain Officers in the Cities and Towns of This State and Fixing the Terms Thereof,'" respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 159, "An Act to Amend Section 544 of the Revised Statutes of the State of Utah, 1898, Defining Precinct Officers, and the Division of Counties for the Purpose of Electing Precinct Officers, and Making the Municipal Boundaries of Cities of the First Class One Precinct for the Purpose of Electing a Justice of the Peace and Constable," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 158, "An Act Relating to Justices of the Peace in Cities of the First Class, and Defining Their Jurisdiction, and Limiting the Application of This Act to Justices of the Peace Hereafter Elected," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 6, "An Act Amending Sections 14 and 15 of Chapter 45, Laws of Utah, 1899, Providing for the Suppression of Nuisances and Contagious Diseases; Prescribing Quarantine Rules and Regulations Therefor, and Relating to Burial Permits and Health of Schools," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

THOMAS, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Forests and Forestry, to whom was referred H. J. R. No. 1, "Joint Reso-

lution Authorizing the State Board of Examiners to Procure the Printing of 4000 Additional Copies of the Biennial Report of the State Board of Horticulture," respectfully report that they have had the same under consideration and recommend that the resolution be adopted.

BARNES, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 156, "An Act to Amend Section 1, Chapter 54, of Session Laws of 1899, Relating to Letters of Administration," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 174, "An Act Relating to the Manner of Posting Notices in Proceedings Under the Probate Code," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 76, "An Act Providing for the Approval of Official Bonds of State Officers and Other Persons Required by Law to Give Bonds to the State and State Institutions," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted and H. B. No. 76 was rejected.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 122, "An Act to Prevent the Sale of Intoxicating Liquors Within Ten Miles of an Indian Reservation," respectfully report that they have had the same under consideration and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 157, "An Act Relating to the Establishing City Courts in Cities of the First Class, Providing for the Qualifications, Election and Removal of Its Judges, Their Salaries, Powers, Authority and Term of Office, Filling of Vacancies by Appointment, Designating the Clerk and Fixing His Duties and Fees, Costs and Fines to be Collected and the Disposition and Division of the Same Between the City and County, Fixing the Jurisdiction, Both Civil and Criminal, Removal of Cases to District Courts, in Certain Cases; Providing for the Payment of Witnesses and Jurors, and Providing for Appeals, and Prescribing the Rules of Practice and Procedure," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 5, 1901.

Mr. President:—Your Committee on Federal Relations, to whom was referred S. J. M. No. 4, "Memorializing Congress to Extend the Right of Suffrage to All Citizens of the United States Without Discrimination on Account of Sex," respectfully report that they have had the same under consideration and recommend that the memorial do not pass.

ALDER, Chairman.
SMOOT.

Committee Room, March 5, 1901.

Mr. President:—A majority of your Committee on Federal Relations, to whom was referred S. J. M. No. 4, "Memoralizing Congress to Extend the Right of Suffrage to all Citizens of the United States Without Discrimination on Account of Sex," respectfully dissent from the report of the committee in rejecting the memorial. We recommend that the memorial be adopted.

WHITMORE,
WHITNEY,
LOVE.

Roll call being ordered on Mr. Alder's motion to adopt the report against memoralizing Congress, the vote stood: Ayes, 5; nays, 13.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Sherman, Smoot.

Those voting in the negative were: Messrs. Barnes, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The motion was declared lost.

Roll call being ordered on Mr. Kiesel's motion to adopt the report favoring the memorial, the vote stood: Ayes, 11; nays, 5; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Barnes, Howell, Johnson, Kiesel, Lawrence, Love, Murdock, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Allison, Bennion, Sherman, Smoot.

Absent and not voting: Messrs. Larsen, Tanner.

Mr. Thomas moved that the vote on the motion to adopt the report favoring the memorial be considered the vote on the final adoption of S. J. M. No. 4. The motion carried and S. J. M. No. 4 was adopted.

SPECIAL ORDERS.

S. B. No. 100, by Mr. Tanner, "An Act to Codify and Revise Certain Laws of This State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties

and Appurtenances, Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations, and to Repeal the Following Named Acts and Parts of Acts, namely: Chapter 1, Laws of Utah, 1899; Chapter 17, Laws of Utah, 1899; Chapter 2, Laws of Utah, 1901; Chapter 3, Laws of Utah, 1901; Sections 431, 432, 433, 435 and 442 of the Revised Statutes of Utah, 1898," special order for 2:30 p. m., was taken up and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 13, by Mr. Alder, "An Act Classifying Judicial Districts, Fixing the Salaries, and Providing for the Payment of Expenses of District Attorneys, and Repealing Section 13 of Chapter 56 of the Laws of Utah, 1899," special order for 3 p. m., was taken up.

On motion of Mr. Howell, the enacting clause of S. B. No. 13 was stricken out.

The report of the Committee on Elections on the Ellison-Barnes contest case, special order for 4 p. m., was taken up.

Mr. Kiesel moved that the Ellison-Barnes contest be dismissed.

Mr. Allison moved that the motion be amended by adding the following: "Without prejudice to the bringing of a new contest at any time hereafter."

Roll call being ordered, the amendment was carried by the following vote: Ayes, 9; nays, 8; excluded from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Sherman.

Those voting in the negative were: Messrs. Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Excluded from voting: Mr. Barnes.

Roll call being ordered on Mr. Kiesel's motion, as

amended, the vote stood: Ayes, 2; nays, 15; excluded from voting, 1.

Those voting in the affirmative were: Messrs. Kiesel, Murdock.

Those voting in the negative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Excluded from voting, Mr. Barnes.

The motion was declared lost.

Mr. Alder moved that the Committee on Elections be authorized to use the $500, heretofore appropriated to pay for assistance required by the Committee on Elections, for the payment of any expense incurred during the investigation.

Roll call being ordered, the motion was carried by the following vote: Ayes, 9; nays, 8; excluded from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Sherman.

Those voting in the negative were: Messrs. Kiesel, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Excluded from voting: Mr. Barnes.

Mr. Bennion moved that all rules interfering therewith be suspended and that the Chairman of the Committee on Elections be authorized to issue all processes necessary to the investigation of the Ellison-Barnes contest. Carried.

The Senate ordered a check for $500 drawn on the contingent expense fund in favor of Joseph R. Murdock, Chairman of the Committee on Elections.

INTRODUCTION OF BILLS.

Unanimous consent was granted for the introduction of the following bills:

S. B. No. 111 by Mr. Larsen, "An Act to Amend Section 15 of Chapter 1, Title 2, of the Revised Statutes of Utah, 1898, Relating to the Notice of Sale of Estrays," was read the first time and referred to the Committee on Live Stock.

S. B. No. 112, by Mr. Sherman, "An Act to Amend

Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities of the First and Second Class," was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that House Bill No. 18, entitled "An Act to Prevent Compulsory Vaccination and to Prevent Vaccination Being Made a Condition Precedent to Entering the Public Schools of Utah," has been received and filed in the office of the Secretary of State.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bills Nos. 53 and 38, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 53 and H. B. No. 38 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 84, by Mr. Smith, "An Act to Amend Section 2689 of the Revised Statutes of Utah, Relating to City and Town Taxes," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 84 was read the first time and referred to the Committee on County and Municipal Corporations

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 46, by Mr. Stevens, "An Act in Relation to the Deseret Agricultural and Manufacturing Society; for an Annual Fair, the Giving of Premiums for Exhibited Articles and Amending Section 2128, Revised Statutes of Utah, 1898," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 46 was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 155, by Mr. Langton, "An Act to Amend Section 4033 of the Revised Statutes of Utah of 1898, Prescribing the Contents of Notices by Mail Under Provision of the Probate Code," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 155 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 100, by Mr. Barrett, "An Act to Amend Section 2690 of the Revised Statutes of Utah, 1898, Relating to City and Town Taxes," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 100 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 4, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 67, by Mr. Cutler, "An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears and Mountain Lions, Within the State of Utah; to Provide a Bounty for the killing of the Same; to Prevent Fraud in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof," and the same is herewith transmitted for the consideration of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 67 was read the first time and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 86, by Mr. Smith, "An Act to Amend Section 890 of the Revised Statutes of Utah, Relating to Municipal Elections," and the same is herewith transmitted for the consideration of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 86 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 168, by Gardner, "An Act to Amend Section 1386 of the Revised Statutes of Utah, 1898, Relating to Recording

Liens," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 168 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 62, by Evans, "An Act to Amend Sections 2174, 2175 and 2190 of the Revised Statutes, 1898, Providing for the Commitment of Persons to and Discharge from the State Insane Asylum," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 62 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 172, by Mr. Wells, "An Act to Amend Section 2620 of the Revised Statutes of Utah, 1898, Relating to the Publication of and the Contents of the Notice of Sale of Property for Taxes," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 172 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 63, by Mr. McGregor, "An Act to Amend Section 2051 of

the Revised Statutes of Utah of 1898, Providing for the Mileage of District Judges and District Attorneys," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 63 was read the first time and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 150, by Mr. D. C. Johnson (by request), "An Act to Amend Sections 2043, 2044 and 2049 of the Revised Statutes of Utah, 1898, Relating to Sericulture," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 150 was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, March 5, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 30, by G. W. Johnson, "An Act Defining the Powers and Duties of District Attorneys, and Providing for Clerks in Certain Judical Districts," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 30 was read the first time and referred to the Committee on Judiciary.

THIRD READING OF SENATE BILLS.

S. B. No. 77, by Mr. Tanner (by request), "An Act to Amend Section 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices' Courts," was read the third time and passed by the following vote: Ayes, 16; nays, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Barnes and Howell.

The title of the bill was made the title of the act.

SECOND READING OF SENATE BILLS.

S. B. No. 88, by the Committee on Judiciary (Substitute for S. B. No. 79), "An Act to Amend Section 613 of the Revised Statutes of Utah, 1898, Providing the Manner County Auditors Shall Prepare Annual Statements," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 88 was read the third time.

On motion of Mr. Kiesel, S. B. No. 88 was recommitted to the Committee on Judiciary.

The Senate, at 5:20 p. m., adjourned.

FIFTY-SECOND DAY.

State of Utah, Senate Chamber,
March 6, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of fifty-first day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 18, of Samuel J. Berritt and fifty other residents of Pleasant View, Weber County, asking that S. B. No. 27 and H. B. No. 162 be passed, was presented by Mr. Whitmore and referred to the Committee on Railroads.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 100, by Mr. Tanner, "An Act to Codify and Revise Certain Laws of This State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties and Appurtenances, Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 100 was referred to the Committee on Engrossed and Enrolled Bills.

SPECIAL ORDERS.

The report of the Committee on Salaries, recommending the rejection of S. B. No. 90, by Mr. Johnson (by request), "An Act Amending Section 666 of the Revised Statutes of Utah, 1898, Enacting a New Section, to be Known as Section 666a, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," special order for 2:30 p. m., was taken up and, on motion of Mr. Smoot, was rejected.

S. B. No. 90 was read the second time. By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 90 was read the third time and passed by the following vote: Ayes, 15; nays, 2; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Barnes, Murdock.

Excused from voting: Mr. Tanner.

The title of the bill was made the title of the act.

By unanimous consent, S. B. No. 65, by Mr. Kiesel, "An Act to Provide for the Importation of the Bird Known as he 'Kohl Meisen,' as a Foe to Orchard Pests, and Authorizing the State Board of Horticulture to Purchase Such Birds," was taken up and read the second time.

On motion of Mr. Kiesel, all rules interfering therewith were suspended, and S. B. No. 65 was read the third time and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

The President called Mr. Tanner to the Chair.

The report of the Committee on Judiciary, recommending the rejection of S. B. No. 49, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," special order for 3 p. m., was taken up and, on motion of Mr. Evans, was rejected.

Mr. Evans was granted unanimous consent to withdraw S. B. No. 49 and to introduce S. B. No. 113, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," as a substitute therefor.

S. B. No. 113 was read the first and second times.

On motion of Mr. Allison, S. B. No. 113 was made the special order for 2:30 p. m., Thursday, March 7, 1901.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 18, "An Act to Amend Section 496 of the Revised Statutes of Utah, 1898, Providing for the Election and Term of Office of County Commissioners," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 18 was read by title and signed by the President in open session.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 100, "An Act to Codify and Revise Certain Laws of This State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties and Appurtenances, Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations, and to Repeal the Following Named Acts and Parts of Acts, Namely: Chapter 1, Laws of Utah, 1899; Chapter 17, Laws of Utah, 1899; Chapter 2, Laws of Utah, 1901; Chapter 3, Laws of Utah, 1901; Sections 431, 432, 433, 435 and 442, of the Revised Statutes of Utah, 1898," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 100 was read by title and signed by the President, in open session.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 172, "An Act to Amend Section 2620 of the Revised Statutes of Utah, 1898, Relating to the publication of and the Contents of the Notices of Sale of Property for Taxes," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Mines and Mining, to whom was referred H. B. No. 35, "An Act to

Prevent the Compelling of Employees of Persons or Corporations to Trade With Any Store, or Board at Any Boarding House by Means of Coercion, Intimidation, or Otherwise," respectfully report that they have had the same under consideration and recommend that the act be passed.

MURDOCK, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Mines and Mining, to whom was referred H. B. No. 27, "An Act Providing for Safety Apparatus to be Used in All Mines With the Vertical Shaft," respectfully report that they have had the same under consideration and recommend that the act be passed.

MURDOCK, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Elections, to whom was referred H. B. No. 15, "An Act to Amend Section 816 of the Revised Statutes of Utah, 1898, Relating to New Registration, to Provide for Registration by Affidavit in Certain Cases and to Provide for Duplicate Certificates of Registration," respectfully report that they have had the same under consideration and recommend that the act be passed.

MURDOCK, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Elections, to whom was recommitted H. B. No. 14, "An Act Amending Section 800 of the Revised Statutes of Utah, 1898, Relating to Registration," respectfully report that they have had the same under consideration, and, having no further suggestions to offer, recommend that the act, as amended by this committee in a former report, be passed.

MURDOCK, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 116, "An Act Amending Section 467 and Repealing Section 476 of the Revised Statutes of Utah, 1898, Providing for Annexing San Juan County to Grand County, the Manner of Carrying the Same Into Effect, and Prescribing the Conditions Thereof," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 115, "An Act Providing the Manner of Annexing a County to an Adjoining County, and Prescribing the Conditions of Such Annexation," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 86, "An Act to Amend Section 890 of the Revised Statutes of Utah, 1898, Relating to Municipal Elections," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 46, "An Act in Relation to the Deseret Agricultural and Manufacturing Society for an Annual Fair, the Giving of Premiums for

Exhibited Articles and Amending Section 2128 of the Revised Statutes of Utah, 1898," respectfully report that they have had the same under consideration and recommend that the act be passed.

HOWELL, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 29, "An Act to Amend Section 3245 of the Revised Statutes of Utah, 1898, as Amended by Chapter 66 of the Laws of Utah, 1899, Relating to Property Exempt from Execution," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 155, "An Act to Amend Section 4033 of the Revised Statutes of Utah, 1898, Prescribing the Contents of Notices by Mail Under Provisions of the Probate Code," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 168, "An Act to Amend Section 1386 of the Revised Statutes of Utah, 1898, Relating to Recording Liens," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 30, "An Act Defining the Powers and Duties of District Attorneys and Providing for Clerks in Certain Judicial Districts," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 101, "An Act to Amend Section 4413 of the Revised Statutes of Utah, 1898, Relating to Fraud and Misconduct of Agent of Corporation," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 10, "An Act to Provide for the Establishment, Maintenance, Control and Management of Irrigation and Drainage Districts," respectfully report that they have had the same under considerations and recommend that the act be not passed.

HOWELL, Chairman.

The report was adopted and S. B. No. 10 was rejected.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Private Corporations and Insurance, to whom was referred S. B. No. 42, "An Act in Relation to the Transaction of Insurance Business (Other than Life), Requiring the Same to be Done Through Resident Agents, to the End that the State May Receive Proper Revenue Therefrom," respectfully rtport that they have had the same under considera-

tion, offer certain amendments thereto, and recommend that the act, as amended, be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 7, "An Act Fixing the Salaries of Certain State Officers and Providing for Payment Thereof," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

JOHNSON, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred Senate Petitions Nos. 10, 11 and 15, protesting against the raising of the salaries of certain State officers, respectfully report that, inasmuch as this committee has reported on this matter, they return the petitions for filing.

JOHNSON, Chairman.

S. P. No. 10, S. P. No. 11 and S. P. No. 15 were ordered filed.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred H. B. No. 140, "An Act Authorizing City Councils to Grant Franchises to Railroads and Union Railroad Depot Companies," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that H. B. No. 140 be rejected.

TANNER, Chairman.

The report was adopted, H. B. No. 140 was rejected, and S. B. No. 114, by the Committee on Railroads, "An Act to Amend Section 20 of the Revised Statutes of Utah,

1898, Relating to the Powers of City Councils,'' was substituted therefor, and read the first time.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred S. B. No. 105, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization,'' respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

JOHNSON, Chairman.

The report was adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 100, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 50, by Smith (by request), "An Act Fixing the Compensation of Attorneys Appointed by the Court for Defending Pauper Criminals, and Providing for their Payment,'' and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 50 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. 79, by Wells, "An Act to Establish a Bureau of Statistics and to Define the Duties Thereof," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 79 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 87, by Mr. Axton, "An Act to Repeal Sections 283, 284, 285 and 286 of the Revised Statutes of Utah, 1898, Relating to Board of Public Works," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H.B. No. 87 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 123, by Mr. Smith, "An Act Amending Section 2546 of the Revised Statutes of Utah, 1898, in Relation to taxation, and Defining the Powers and Duties of the State Board of Equalization," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H.B.No. 123 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 186, by Mr. Stuart (Substitute for H. B. No. 17), "An Act to Amend Section 6 and Section 7, Chapter 14, Session Laws of Utah, 1899, Relating to Filing Affidavit of Work Done and Organization of Mining Districts," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 186 was read the first time and referred to the Committee on Mines and Mining.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 176, by Mr. Smith (by request), "An Act Amending Section 2597 of the Revised Statutes of Utah, 1898, Fixing the Lien of Taxes Assessed Upon Real Property and Improvements Thereon," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 176 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 61, by Mr. Hamlin, "An Act Compelling Street Railways to Protect Certain of Their Employees from the Inclemencies of the Weather," and the same is herewith transmitted for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 61 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 167, by Wells, "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Providing for the Tax, Estimate Levy, Rate, Collection and Limit of School Taxes," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 167 was read the first time and referred to the Committee on Ways and Means.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 145, by Mr. Smith, "An Act to Amend Section 265 of the Revised Statutes of Utah, 1898, Concerning the Equalization of Special Assessment in Cities," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 145 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 166, by Mr. Smith (by request), "An Act to Amend Section 1, Chapter 20 of the Session Laws of Utah, 1899, Relating to the Annual Financial Statements of Cities, the Duties of the Auditor and City Recorder," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 166 was read the first time and referred to the Committee on County and Municipal Corporations.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 6, 1901.

To the Senate:—I forward herewith Claim No. 3143, of the Deseret News, for $176.37, for reprinting 112 pages of the Senate Journal of 1899, ordered reprinted by the committee appointed to revise the Senate Journal, and I am directed by the Board to report that the said claim has been approved for $176.37, with the recommendation that an appropriation be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

The communication and the accompanying document were referred to the Committee on Appropriations and Claims.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 6, 1901.

To the Senate:—In the report of the State Board of Examiners to the Legislature it is stated that an indebtedness had been created in excess of the appropriation for the services and mileage of court stenographers, and that, at a later date, such deficiency would be reported. I am directed to report that claims for the following indebtedness have been filed with the State Board of Examiners:

No. 3090—John S. Rollo	$ 57.80
No. 3135—John S. Rollo	33.20
No. 3088—P. E. Keller	56.80
No. 3089—J. R. Davis	73.00
No. 3134—C. M. Dull	34.00
No. 3091—D. H. Roberts	64.80
No. 3136—D. H. Roberts	94.40
No. 3201—Daniel Hamer	527.91

I am directed to report that, while the said indebtedness was incurred without first obtaining the consent of the Board, in view of the nature of the services and the fact that a number of stenographers were being paid from

a joint appropriation, so that neither of the stenographers could determine when the appropriation would be exhausted, the said claims have been approved by the Board, with the recommendation that appropriations be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

The communication was referred to the Committee on Appropriations and Claims.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, March 6, 1901.

To the Senate:—I have the honor to enclose herewith a deed from R. J. Burraston of Mona, Juab County, Utah, to the State of Utah, which conveys to the State for the consideration of one dollar the spring commonly known as "Two Mile Spring," and various other small springs and all of the waters flowing therefrom and the channel and channels through which the waters flow and the land upon which the same are situated and over which the same may spread.

These springs are situated in the county of Juab near Mona, and the owner thereof desires to make them a gift to the State on the condition that the State shall use the springs, water and land for the sole purposes of the propagation and culture of fish and for that purpose will construct and maintain such dams and obstructions in the water channels and such banks and appurtenances upon said lands and in said waters as may be necessary for the complete accomplishment of the purposes sought.

I have conferred with the State Fish and Game Commissioner in regard to this proposed gift and am very familiar with the premises myself. It is the opinion of the Commissioner that the waters of said springs would make a most excellent place for the propagation of fish, and especially of black bass, and that the dam necessary to be put in would not cost to exceed the sum of five hundred dollars. I therefore recommend that the gift be accepted

and that the sum of $500.00 be appropriated for the construction of the dam aforesaid.

Very respectfully,
HEBER M. WELLS, Governor.

The communication was read and referred to the Committee on Appropriations and Claims.

SECOND READING OF SENATE BILLS.

S. B. No. 99, by the Committee on Live Stock, "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of the Provisions, and Repealing Sections 2537, 2538, 2539, 2540, 2541 and 2542 of the Revised Statutes of Utah, 1898, and Repealing Chapter 44 of the Session Laws of 1899," was read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 99 was read the third time.

Upon request of Mr. Whitmore S B. No. 99 was allowed to lie upon the table subject to the call of the Chairman of the Committee on Live Stock.

S. B. No. 6, by Mr. Barnes, "An Act Amending Sections 14 and 15, of Chapter 45, Laws of Utah, 1899, Providing for the Suppression of Nuisances and Contagious Diseases, Prescribing Quarantine Rules and Regulations Therefor, and Relating to Burial Permits and Health of Schools," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 6 was read the third time and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 75, by Mr. Love, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing for the Mode of Procedure in such Sales and Providing a Penalty for any Infraction Thereof," was read the second time.

S. B. No. 64, by Mr. Kiesel, "An Act Creating a Bureau of Immigration, Labor and Statistics, Providing for the appointment of a Commissioner Thereof, Defining His Duties, Fixing his Salary and Providing for the Payment of certain Expenditures Connected with the Bureau," was read the second time.

S. B. No. 51, by Mr. Tanner, "An Act Amending Section 2609 of the Revised Statutes of Utah, 1898, Relating to Equalization of Taxes," was taken up.

On motion of Mr. Howell, the enacting clause of S. B. No. 51 was stricken out.

S. B. No. 45, by Mr. Allison (by request), "An Act Authorizing the Creating of a Domestic Science Department in the University of Utah, and Making an Appropriation Therefor," was read the second time.

On motion of Mr. Lawrence, S. B. No. 45, was recommitted to the Committee on Education.

MISCELLANEOUS BUSINESS.

The following was received and ordered filed, with thanks:

Office of Utah State Historical Society,
Salt Lake City, March 6, 1901.

To the President and Members of the Senate, Legislature of Utah:

Yourself and ladies are cordially invited to attend the annual meeting of the Utah State Historical Society, to be held on Friday, March 8th, 7:30 p.m., at the new assembly hall of the L. D. S. College, S. E. corner East Temple and North Temple Streets, Salt Lake City. Addresses will be delivered by Mrs. Helen S. Sanford, Mrs. Ruth M. Fox and Professor George H. Brimhall, and a musical program rendered.

Very respectfully,
JOHN T. CAINE, President.
JERROLD R. LETCHER, Secretary.

Mr. Evans moved that beginning Thursday evening, March 7, 1901, the Senate hold evening sessions. Carried.

The Senate, at 5:50 p.m., adjourned.

FIFTY-THIRD DAY.

State of Utah, Senate Chamber,
March 7, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of fifty-second day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 19, of citizens of Salt Lake City, favoring the passage of H. B. No. 167, was presented by Mr. Sherman and referred to the Committee on Ways and Means.

S. P. No. 20, of citizens of Salt Lake City, favoring the passage of H. B. No. 167, was presented by Mr. Love and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 86, "An Act to Repeal Section 2097 and to Amend Section 2098 of the Revised Statutes of Utah, 1898, Providing for the Payment of Actual and Traveling Expenses of Agricultural College Officers in Certain Cases," respectfully report that they have had the same under consideration and recommend that the act be not passed.

SMOOT, Chairman.

The report was adopted, and S. B. No. 86 was rejected.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 79, "An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making Appropriation Therefor," respect-

fully recommend that the bill be referred to the Committee on Manufactures and Commerce, to be considered with S. B. No. 64.

SMOOT, Chairman.

The report was adopted, and H. B. No. 79 was referred to the Committee on Manufactures and Commerce.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 111, "An Act to Amend Section 15 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sale of Estrays," respectfully report that they have had the same under consideration and recommend that the act be passed.

WHITMORE, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 76, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Prohibiting Certain Injurious Chemicals in Milk or Cream, or the Products Thereof, and Providing a Penalty for a Violation of This Act," respectfully report that they have had the same under consideration and recommend that the act be passed.

THOMAS, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Lands, to whom was referred S. B. No. 107, "An Act to Amend Section 26, of Chapter 64 of the Laws of Utah, 1899, Relating to the Sale of State Lands, and the Assignment by the Purchaser of Legal Subdivisions Thereof, and the Issuance of Patent Therefor," respectfully report that they have had the same under consideration and recommend that the act be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, March 6, 1901.

Mr. President:—Your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 41, "An Act to Amend Section 410 of the Revised Statutes of Utah, 1898, Relating to Certificates of Authority to Agents of Insurance Companies," respectfully report that they have had the same under consideration and recommend that the act be not passed.

KIESEL, Chairman.

H. B. No. 41 was recommitted to the Committee on Private Corporations and Insurance.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 94, "An Act to Amend Section 514 of the Revised Statutes of Utah, 1898, Relating to the Funding of County Indebtedness," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 84, "An Act to Amend Section 2447 of the Revised Statutes of Utah, 1898, Defining the Duties of the Dairy and Food Commissioner, and Repealing Chapter 41 of the Laws of Utah, 1899," respectfully report that they have had the same under consideration and recommend that the act be passed.

THOMAS, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred H. B. No. 67, "An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears and Mountain Lions, Within the State of Utah; to

Provide a Bounty for the Killing of the Same; to Prevent Fraud in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITMORE, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 62, "An Act to Amend Sections 2174, 2175 and 2190 of the Revised Statutes of Utah, 1898, Providing for the Commitment of Persons to and Discharge From the State Insane Asylum," respectfully report that they have had the same under consideration and recommend that the act be passed.

SMOOT, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 14, "An Act to Amend Section 2273 of the Revised Statutes of Utah, 1898, Providing for the Delivery of Convicts to the State Prison"; also H. B. No. 24, "An Act to Amend Section 2273 of the Revised Statutes of Utah, 1898, Relating to Delivery of Convicts to State Prison," respectfully report that they have had the same under consideration, recommend that H. B. No. 24 be passed and that S. B. No. 14 be rejected, for the reason that the matter incorporated in S. B. No. 14 is more fully covered by H. B. No. 24.

SMOOT, Chairman.

The report was adopted, and S. B. No. 14 was rejected.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 23, "An Act to Amend Section 2278, Revised Statutes of the State of Utah, 1898, Relating to Rules for Admission of Visitors

to State Prison, and to Library Fund of State," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that H. B. No. 23 be rejected.

SMOOT, Chairman.

The report on H. B. No. 23 was made the special order for 2:30 p. m., Friday, March 8, 1901.

SPECIAL ORDER.

S. B. No. 113, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," special order for 2:30 p. m., was taken up and read the third time.

Roll call being ordered on Mr. Kiesel's motion to strike out the enacting clause of S. B. No. 113, the vote stood: Ayes, 7; nays, 11.

Those voting in the affirmative were: Messrs. Allison, Bennion, Kiesel, Lawrence, Love, Sherman, Whitmore.

Those voting in the negative were: Messrs. Alder, Barnes, Howell, Johnson, Larsen, Murdock, Smoot, Tanner, Thomas, Whitney, Mr. President.

Pending the further consideration of S. B. No. 113, the Senate, at 5:10 p. m., on motion of Mr. Howell, took a recess until 8 p. m.

EVENING SESSION.

The Senate resumed session at 8 p. m., President Evans presiding.

Roll was called, showing all members present.

UNFINISHED BUSINESS.

Consideration of S. B. No. 113, by Mr. Evans, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," was resumed.

Roll call being ordered on Mr. Alder's motion to amend line 9 of the bill by adding: "Or relative within

the first degree of consanguinity," the vote stood: Ayes, 11; nays, 7.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Thomas.

Those voting in the negative were: Messrs. Barnes, Johnson, Smoot, Tanner, Whitmore, Whitney, Mr. President.

S. B. No. 113 was placed upon final passage, and passed by the following vote: Ayes, 11; nays, 7.

Those voting in the affirmative were: Messrs. Alder, Barnes, Howell, Johnson, Larsen, Murdock, Smoot, Tanner, Thomas, Whitney, Mr. President.

Those voting in the negative were: Messrs. Allison, Bennion, Kiesel, Lawrence, Love, Sherman, Whitmore.

The title of the bill was made the title of the act.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, March 7, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary, Senate Bill No. 100, entitled, "An Act to Codify and Revise Certain Laws of This State Providing for the Formation of Corporations for the Purpose of Purchasing, Constructing, Acquiring, Owning, Maintaining, Operating or Extending Railroad Lines, Franchises, Properties and Appurtenances; Authorizing the Issue by Such Corporations of Stocks and Bonds and Other Securities, and the Making of Deeds of Trust and Mortgages, and Defining Certain Rights and Powers of Such Corporations; and to Repeal the Following Named Acts and Parts of Acts, Namely: Chapter 1, Laws of Utah, 1899; Chapter 17, Laws of Utah, 1899; Chapter 2, Laws of Utah, 1901; Chapter 3, Laws of Utah, 1901; Sections 431, 432, 433, 435 and 442, of the Revised Statutes of Utah, 1898."

Very respectfully,
HEBER M. WELLS,
Governor.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. C. R. No. 1, by Davis, "Authorizing the Governor to Appoint a Board to Consider the Proposition of Participation in the Oriental Centennial Fair, and Memorializing Congress to Aid Said Fair," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to request the return of H. B. No. 167, by Wells, "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Relating to Tax, Estimate, Levy Rate and Collection Limit," from your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 167 was withdrawn from the Committee on Ways and Means and returned to the House.

Under a suspension of the rules, H. C. R. No. 1 was read the first, second and third times and adopted by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting, Mr. Love.

The Senate, at 9:30 p. m., adjourned.

FIFTY-FOURTH DAY.

State of Utah, Senate Chamber,
March 8, 1901.

The Senate met at 2 p. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of fifty-third day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 21, of citizens of Salt Lake City, favoring the passage of H. B. No. 167, was presented by Mr. Sherman and referred to the Committee on Ways and Means.

S. P. No. 22, of citizens of Salt Lake City, favoring the passage of H. B. No. 167, was presented by Mr. Thomas and referred to the Committee on Ways and Means.

S. P. No. 23, of twenty-four women of Box Elder county, asking that a law be enacted prohibiting the use of "slot machines," was presented by Mr. Larsen and referred to the Committee on Manufactures and Commerce.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 108, "An Act to Amend Section 2446 of the Revised Statutes of Utah, 1898, Relating to the Office of Dairy and Food Commissioner," respectfully report that they have had the same under consideration and recommend that the act be passed.

HOWELL, Chairman.

The report was adopted.

Committee Room, March 7, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 150, "An Act

to Amend Sections 2043, 2044 and 2149 of the Revised Statutes of Utah, 1898, Relating to Sericulture," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

HOWELL, Chairman.

The report was adopted.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Education, to whom was recommitted S. B. No. 45, "An Act Authorizing the Creating of a Domectic Science Department in the University of Utah, and Making an Appropriation Therefor," respectfully report that after due and careful consideration of the same, they have no further suggestions to offer. They recommend that the act be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 103, "An Act to Amend Section 214 of the Revised Statutes of Utah, 1898, Providing for the Appointment of City Officers and Agents," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

The report was adopted, and S. B. No. 103 was rejected.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 104, "An Act Authorizing the State Board of Examiners to Cause to be Compiled and Published a Digest of the Decisions Contained in the First Twenty-five Volumes of the Utah Reports, and Making Appropriations Therefor," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and S. B. No. 104 was rejected.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 96, "An Act to Amend Section 544 of the Revised Statutes of Utah, 1898, With Reference to Precinct Officers, and to Provide for the Election and Tenure of Office of Such Officers, in Cities of the Second Class," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and S. B. No. 96 was rejected.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 97, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, With Reference to the Election of Justices of the Peace and Constables in Cities of the Second Class," respectfully report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted S. B. No. 88, "An Act to Amend Section 613 of the Revised Statutes of Utah, 1898, Providing for the Manner County Auditors Shall Prepare Annual Financial Statements," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and S. B. No. 88 was rejected.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 95, "An Act to Amend Section 213 of the Revised Statutes of Utah, 1898, as Amended by Chapter 24 of the Laws of Utah of 1899, With Reference to the Election of City Justices in Cities of the Second Class," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and S. B. No. 95 was rejected.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 100, "An Act to Amend Section 2680 of the Revised Statutes of Utah, 1898, Relating to City and Town Taxes," respectfully report that they have had the same under consideration, and recommend that, inasmuch as the subject matter therein was incorporated in S. B. No. 51, which bill was rejected by this Senate, that the act be not passed.

LAWRENCE, Chairman.

The report was adopted, and H. B. No. 100 was rejected.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 79, "An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making Appropriation Therefor," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

KIESEL, Chairman.

The report was adopted.

S. B. No. 64 was withdrawn by the Committee on Manufactures and Commerce.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 98, "An Act to Create and Organize a Municipal Court in Cities of the Second Class, and to Define the Powers and Duties and Jurisdiction Thereof, and Making the Judge of Said Court Ex-officio Justice of the Peace of Said Cities, and Ex-officio Justice of the Peace of the Precincts Embraced in Such Cities," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Labor, to whom was referred S. B. No. 29, "An Act to Create the Office of State Boiler Inspector and Defining His Duties," respectfully report that they have had the same under consideration and recommend that the act be not passed.

BARNES, Chairman.

Roll call being ordered on the adoption of the report, the vote stood: Ayes, 15; nays, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitney, Mr. President.

Those voting in the negative were: Messrs. Kiesel, Smoot, Whitmore.

The report was declared adopted, and S. B. No. 29 was rejected.

In announcing their affirmative votes on the rejection of S. B. No. 29, Messrs. Allison, Howell, Lawrence, Love, Tanner and Mr. President joined in the following explanation:

"As at present advised, we favor the bill, but having received information from the House that a similar measure has failed to pass that body, and believing that even if the bill passed the Senate it would fail of passage in the House, we vote for its rejection."

Committee Room, March 8, 1901.

Mr. President:—Your Committee on Elections, to whom was referred S. P. No. 1, by Mr. Allison, having had the same under consideration, beg leave to report that they have had before them certain witnesses and the returns from certain precincts for investigation, and submit the following report of their findings, and recommend that the petition be denied.

As to allegation No. 1, your committee finds in the returns from the district named, two rejected ballots that should have been counted, one of which should be credited to the contestant, the other to the contestee.

As to allegation No. 2, your committee found two spoiled ballots, but no rejected ballot.

In allegation No. 7, no rejected ballots were found in the returns.

As to allegation No. 8, there was found one torn Democratic ballot, marked: "Excluded on account of being torn," but which should have been counted for the contestee.

The investigation as to allegation No. 9, shows one ballot in which both the Republican and Democratic emblems had been voted, and, therefore, said ballot had been properly rejected by the judges of election.

As to allegation No. 10, your committee finds that the official tally list shows 43 votes for the contestant, but that the judges of election computed the same at 44. The County Commissioners, as a canvassing board, had properly changed the same to 43.

As to allegations Nos. 3, 4, 5 and 6, all of which pertain to alleged illegal votes cast at said election, your committee made no investigation, for the reason that all matters of this character were subject to inspection and correction by the interested parties on the day of election, and prior thereto, and could have been remedied by due diligence on their part; and further, that evidence in these matters that could be obtained is unsatisfactory and unreliable; all of which is more fully set out in the minority report of your committee, dated the 18th day of February, 1901, which report expresses the views of your committee on this point.

The committee, therefore, finds that all of the allegations as to errors in the counting of votes, the rejection

of votes and the canvassing of returns by the County Commissioners, are not sustained, except as hereinbefore set out, and such errors as are shown give to the contestant one more vote and to the contestee two more votes, a net gain to the contestee of one vote.

Your committee took no evidence in behalf of the contestee, deeming it unnecessary.

Your committee further submits the attached bill of costs, amounting to $100.85, which has been paid, and presents herewith a check for $399.15, payable to the order of the President of the Senate, being the balance of the appropriation made to defray the expenses of this contest.

MURDOCK, Chairman.

The report was unanimously adopted, and S. P. No. 1 was denied.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 18, "An Act to Amend Section 496 of the Revised Statutes of Utah, 1898, Providing for the Election and Term of Office of County Commissioners," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, Heber M. Wells, Governor, has approved and filed with the Secretary of State, H. B. No. 53, "An Act to Amend Sections 4606, 4692, 4693, 4731 and 4771 of the Revised Statutes of the State of Utah, 1898, Relating to Informations."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,

Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, Heber M. Wells, Governor, has approved and filed in the office of the Secretary of State, H. B. No. 39, entitled, "An Act Amending Section 3588 of the Revised Statutes of Utah, 1898, Providing for the Uses in Which the Right of Eminent Domain may be Exercised."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 135, by Mr. Anderson, "An Act to Amend Section 2062 of the Revised Statutes of the State of Utah, 1898, Relating to Deputies or Assistants of County Officers," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 135 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 169, by Hamlin, "An Act Amending Section 2238 of the Revised Statutes of Utah, 1898, Relating to Salaries, Quarters and Board of Employees of the State Prison; the Time of Payment of Such Salaries and the Fixing of the Same by the State Board of Corrections," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 169 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 12, by Mr. Glasmann, "An Act to Provide for the Investment of Sinking Funds Created by Any Subdivision in the State," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 12 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 95, by Mr. Glasmann, "An Act to Amend Section 2560 of the Revised Statutes of Utah, 1898, as Amended by Section 1, Chapter 68, Third Regular Session Laws of 1899, State of Utah, Relating to the State Board of Equalization, Assessments and Apportionment," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 95 was read the first time and referred to the Committee on Ways and Means.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 44, by Mr. Van Horne (by request), "An Act Relating to Coal and Hydro-Carbon Mines, and Providing for the Lives, Health and Safety, and Welfare of Those Employed Therein; and Providing for the Protection and Preservation of Property Connected Therewith," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 44 was read the first time and referred to the Committee on Mines and Mining.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No. 5, by Mr. Glasmann, "Proposing an Amendment to Section 3, Article 13 of the Constitution of the State of Utah," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. J. R. No. 5 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 6, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, Heber M. Wells, Governor, has approved and filed with the Secretary of State the following House Bills:

H. B. No. 42, entitled "An Act to Repeal Sections 2932 and 2933 and to amend Section 2934 of the Revised Statutes of Utah, 1898, Relating to Place of Trial, and Providing for a Change of the Place of Trial of Civil Actions in Certain Places."

H. B. No. 65, entitled "An Act Amending Section 1780 of the Revised Statutes of Utah, 1898, and Regulating the Payment of the Salary and Expenses of the State Superintendent of Public Instruction and Requiring Him to Deliver the Books and Other Articles Pertaining to His Office to His Successor."

H. B. No. 69, entitled "An Act to Amend Section 3735 of the Revised Statutes of Utah, 1898, and Providing for the Issuance of Executions from District Courts in Certain Cases Upon Judgments Rendered in Justices' Courts."

H. B. No. 70, entitled "An Act to Amend Section 3736 of the Revised Statutes of Utah, 1898, Relating to Judgment Liens, and Making Judgments Rendered in a Jus-

tice's Court Liens Upon Lands of Defendants in Civil Actions in Certain Cases, and Fixing the Time During Which Such Liens Shall Continue."

H. B. No. 71, entitled "An Act to Amend Section 3737 of the Revised Statutes of Utah, 1898, Relating to Executions, and Limiting the Time Within Which Executions May be Issued on Judgments in Justices' Courts."

H. B. No. 99, entitled "An Act Providing for the Place of Trial of Civil Actions Arising Without the State."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 131, by Mr. N. L. Morris (by request), "An Act to Amend Section 155, Revised Statutes of Utah, 1898, Relating to the Renewal of Chattel Mortgages," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 131 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 180, by Kelly, "An Act to Amend Section 1794 of the Revised Statutes of Utah, 1898, Relating to the County Board of Examiners; the manner of their Appointment," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 180 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 7, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 208, "An Act to Amend Section 2113 and Section 2114 of the Revised Statutes of 1898, Relating to the School for the Deaf and Dumb, and Providing for a Superintendent and Principal of the School, and Defining Their Powers and Duties," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 208 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 102, by Mr. Harmon, "An Act Amending Section 1818, Revised Statutes of Utah, 1898, Relating to the Powers and Duties of Trustees," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 102 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 67, by Mr. Love, entitled "An Act to Amend Section 1867 of the Revised Statutes of Utah, 1898, Providing for County School funds, and Prescribing Certain Duties of County Superintendents of Schools Respecting the Same," in place of H. B. No. 106. The same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 67 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, H. B. No. 232, by Mr. Smith, entitled "An Act to Authorize the Deseret Agricultural and Manufacturing Society to Dispose of Certain Property and to Invest the Proceeds Thereof," and the same is herewith transmitted to your honorable body for consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 232 was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 36, by Mr. Alder, "An Act Amending Section 213 of the Revised Statutes of Utah, 1898, Providing for the Election of Certain Municipal Officers and Prescribing Their Terms and Office," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 105, by Mr. Harmon (by request), "An Act Amending Section 1795, Revised Statutes of Utah, 1898, Relating to Teachers' Examinations," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 105 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 223, by Mr. Hamlin, "An Act Amending Section 1336 of the Revised Statutes of Utah, 1898, Fixing Eight Hours as a Day's Work on all Public Works, and Prescribing a Penalty for the Violation Thereof," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 223 was read the first time and referred to the Committee on Labor.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. M. No. 3, by Lambert, "Memorializing the Secretary of the Interior to cause the Uintah Indian Reservation to be Thrown Open to Settlement," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. J. M. No. 3 was read the first time and referred to the Committee on Federal Relations.

House of Representatives,
Salt Lake City, Utah, March 8, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 211, by Mr. Smith, "An Act to Exempt from Taxation the Property of Municipal Corporations Held Under Contract," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 211 was read the first time and referred to the Committee on County and Municipal Corporations.

COMMUNICATION FROM THE STATE BOARD OF EXAMINERS.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 7, 1901.

To the Senate:—I herewith return Senate Claim No. 5 (our No. 3197), of W. W. Browning & Co., for $7.50, for printing furnished the Fourth District Court in May, 1883.

I am directed by the board to report that the said claim has been approved for $7.50, with the recommendation that an appropriation be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

The communication and the accompanying document was referred to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS.

Unanimous consent was granted for the introduction of the following bills:

S. B. No. 116, by Mr. Allison (by request), "An Act Prohibiting the Use of the Device Known as the 'Slot Machine' in this State, and Prescribing a Penalty for the Violation Thereof," was read the first time and referred to the Committee on Manufactures and Commerce.

S. B. No. 117, by Mr. Sherman (by request), "An Act Prohibiting Certain Persons from Wearing Certain Insignias or Medals, and Providing a Penalty for a Violation of this Act," was read the first time and referred to the Committee on Military Affairs.

SPECIAL ORDER.

The report of the Committee on Public Institutions, recommending the rejection of H. B. No. 23, "An Act to Amend Section 2278, Revised Statutes of the State of

Utah, 1898, Relating to Rules for Admission of Visitors to State Prison, and to Library Fund of State," special order for 2:30 p. m., was taken up.

The report was adopted, H. B. No. 23 was rejected, and S. B. No. 115, by Committee on Public Institutions, "An Act to Repeal Section 2278 of the Revised Statutes of Utah, 1898," was substituted therefor.

S. B. No. 115 was read the first and second times and, under a suspension of the rules, was read the third time and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

THIRD READING OF SENATE BILLS.

S. B. No. 75, by Mr. Love, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing for the Mode of Procedure in Such Sales and Providing a Penalty for any Infraction Thereof," was taken up.

On motion of Mr. Love, S. B. No. 75 was made the special order for 10:30 a. m., Saturday, March 9, 1901.

By unanimous consent, S. B. No. 94, by Mr. Allison (by request), "An Act to Prohibit and Punish Fraudulent Voting at Primaries, and Also to Punish Tellers and Other Officers Who Make False Returns, and to Punish Persons Who Vote at More Than One Primary," was taken up and read the second time.

On motion of Mr. Allison, all rules interfering therewith were suspended, and S. B. No. 94 was read the third time and passed by the following vote: Ayes, 17; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Excused from voting: Mr. Howell.

The title of the bill was made the title of the act.

The President called Mr. Smoot to the chair.

By unanimous consent, H. B. No. 7, "An Act Fixing

the Salaries of Certain State Officers and Providing for Payment Thereof," was taken up and read the second time.

On motion of Mr. Evans, H. B. No. 7 was made the special order for 2:30 p. m. Monday, March 11, 1901.

By request of Mr. Whitmore, S. B. No. 99, by the Committee on Live Stock, "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of the Provisions, and Repealing Sections 2537, 2538, 2539, 2540, 2541 and 2542 of the Revised Statutes of Utah, 1898, and Repealing Chapter 44 of the Session Laws of 1899," was taken up.

On motion of Mr. Larsen, S. B. No. 99 was made the special order for 3 p. m. Monday, March 11, 1901.

By request of Mr. Sherman, H. B. No. 147, "An Act Authorizing Cities to Aid and Encourage the Construction of Railroads by Granting to Railroad Companies for Depot Sites or Other Railroad Purposes, Real Property of Cities not Necessary for Municipal or Public Purposes," was taken up.

On motion of Mr. Thomas, H. B. No. 147 was referred to the Committee on County and Municipal Corporations.

On motion of Mr. Tanner, S. B. No. 114, by the Committee on Railroads, "An Act to Amend Section 20 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils," was referred to the Committee on County and Municipal Corporations.

SECOND READING OF SENATE BILLS.

S. B. No. 52, by Mr. Whitmore, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," was read the second time.

On motion of Mr. Allison, all rules interfering therewith were suspended, and S. B. No. 52 was read the third time and referred to the Committee on Judiciary.

S. B. No. 53, by Mr. Whitmore, "An Act Authorizing

Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," was read the second time and referred to the Committee on Judiciary.

S. B. No. 54, by Mr. Whitmore, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes, and the Liabilities of the State and School Districts for the Respective Amounts Received," was read the second time and referred to the Committee on Judiciary.

Messrs. Alder and Murdock were excused until Monday, March 11, 1901.

S. B. No. 83, by Mr. Allison (by request), "An Act to Amend Section 668 of the Revised Statutes of Utah, 1898," was read the second time.

On motion of Mr. Allison the enacting clause of S. B. No. 83 was stricken out.

President Evans was excused for the day.

S. B. No. 89, by Mr. Howell, "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," was read the second time.

S. B. No. 74, by Mr. Whitney (by request), "An Act to Create a State Board of Labor, Conciliation and Arbitration, for the Investigation and Settlement of Differences Between Employers and Their Employees; to Define the Power and Duties of the Said Board, Fixing Its Members' Compensation, and Repealing Chapter 1, of Title 36 of the Revised Statutes of Utah, 1898," was read the second time.

S. B. No. 101, by Mr. Lawrence, "An Act to Amend Section 4413 of the Revised Statutes of Utah, 1898, Relating to Fraud and Misconduct of Agents of Corporations," was read the second time.

On motion of Mr. Lawrence, all rules interfering therewith were suspended, and S. B. No. 101 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Alder, Murdock, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 42, by Mr. Smoot, "An Act in Relation to the Transaction of Insurance Business (other than Life); Requiring the Same to be Done Through Resident Agents, to the End that the State May Receive the Proper Revenue Therefrom," was read the second time.

S. B. No. 105, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization," was read the second time.

S. B. No. 87, by Mr. Allison (by request), "An Act to Amend Sections 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties in Civil Actions," was read the second time.

S. B. No. 72, by Mr. Howell, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Relating to Traveling Expenses of District Judges," was read the second time.

MISCELLANEOUS BUSINESS.

Mr. Allison moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 10 a. m. Saturday, March 9, 1901. Carried.

S. C. No. 9, of Morgan Richards, Jr., for $333, for services in preparing biennial reports of the State of Utah for the two years ending December 31, 1900, was presented by Mr. Howell and referred to the State Board of Examiners.

The Senate, at 5:45 p. m., adjourned.

FIFTY-FIFTH DAY.

State of Utah, Senate Chamber,
March 9, 1901.

The Senate met at 10 a. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present, except Messrs. Alder and Murdock, who were excused.

Prayer by the Chaplain.

Minutes of fifty-fourth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 24, of citizens of Ogden, opposing the enactment of S. B. No. 98, was presented by Mr. Evans and filed for consideration in connection with S. B. No. 98.

SPECIAL ORDER.

S. B. No. 75, by Mr. Love, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing for the Mode of Procedure in Such Sales and Providing a Penalty for any Infraction Thereof," special order for 10:30 a. m., was taken up.

Roll call being ordered on Mr. Thomas's motion to strike out the enacting clause of S. B. No. 75, the vote stood: Ayes, 5; nays, 11; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Howell, Johnson, Smoot, Tanner, Thomas.

Those voting in the negative were: Messrs. Allison, Barnes, Bennion, Kiesel, Larsen, Lawrence, Love, Sherman, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Murdock.

Roll call being ordered on the final passage of S. B. No. 75, the bill was rejected by the following vote: Ayes, 9; nays, 7; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Kiesel, Larsen, Love, Sherman, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Howell,

Johnson, Lawrence, Smoot, Tanner, Thomas, Whitney.

Absent and not voting: Messrs. Alder, Murdock.

Mr. Lawrence gave notice he would move a reconsideration of the vote whereby S. B. No. 75 was rejected.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1901.

Mr. President:—Your joint Committee on Fish and Game, to whom was referred S. B. No. 17, by Mr. Allison, "An Act for the Protection of Fish, Game and Birds; for Appointment of a State Fish and Game Commissioner and State Fish and Game Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of This Act; to Provide for Licenses for the Taking or Sale of Certain Kinds of Fish and to Prohibit the Sale of other kinds of Fish and of Game; and also for Hunting or Taking Game or Fish; and to Repeal Chapter 26, Session Laws of Utah, 1899, and All Acts and Parts of Acts Inconsistent Herewith," respectfully report that they have had the same under consideration, offer a substitute therefor, and recommend that the substitute be passed and that S. B. No. 17 be rejected.

SMOOT,
Chairman Senate Committee.
STEVENS,
Chairman House Committee.

The report was made the special order for 4:30 p. m., Monday, March 11, 1901.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 63, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Providing for the Mileage of District Judges and District Attorneys," respectfully report that they have had the same under consideration, and recommend that the act be passed.

JOHNSON, Chairman.

The report was adopted.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 53, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," respectfully report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 54, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes, and the Liabilities of the State and School Districts for the Respective Amounts Received," respectfully report that they have had the same under cosideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 52, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

BENNION, Chairman.

The report was adopted, and S. B. No. 52 was rejected.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Labor, to whom was referred H. B. No. 223, "An Act Amending Section 1336 of the Revised Statutes of Utah, 1898, Fixing Eight Hours as a Day's Work on All Public Works, and Pre-

scribing a Penalty for the Violation Thereof," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

BARNES, Chairman.

The report was adopted, and H. B. No. 223 was rejected.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 67, "An Act to Amend Section 1867 of the Revised Statutes of Utah, 1898, Providing for the Apportionment of the County School Fund and Prescribing Certain Duties of County Superintendents of Schools Respecting the Same," respectfully report that they have carefully examined the same, have found it correctly engrossed and enrolled the same, and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 67 was read by title and signed by the President in open session.

INTRODUCTION OF BILLS.

Unanimous consent was granted for the introduction of the following bill:

S. B. No. 119, by Mr. Smoot, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, Relating to the Terms of Office of County Officers," was read the first time and referred to the Committee on Elections.

THIRD READING OF SENATE BILLS.

S. B. No. 87, by Mr. Allison (by request), "An Act to Amend Sections 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties in Civil Actions," was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 2; excused from voting, 1.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Murdock.
Excused from voting: Mr. Johnson.
The title of the bill was made the title of the act.

S. B. No. 72, by Mr. Howell, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Relating to Traveling Expenses of District Judges," was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Murdock.
The title of the bill was made the title of the act.

H. B. No. 63, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Providing for the Mileage of District Judges and District Attorneys," was called up by Mr. Johnson for consideration in connection with S. B. No. 72.

On motion of Mr. Allison, the enacting clause of H. B. No. 63 was stricken out.

The Senate, at 12:10 p. m., on motion of Mr. Smoot, took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate resumed session at 2 p. m., President Evans presiding.

Roll was called, showing a quorum present.

THIRD READING OF SENATE BILLS.

S. B. No. 74, by Mr. Whitney (by request), "An Act to Create a State Board of Labor, Conciliation and Arbitration, for the Investigation and Settlement of Differences Between Employers and Their Employees; to Define the Power and Duties of the Said Board, Fixing its Members' Compensation, and Repealing Chapter 1, of Title 36 of the Revised Statutes of Utah, 1898," was read the third

time and passed by the following vote: Ayes, 12; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Johnson, Love, Murdock, Sherman, Smoot.

The title of the bill was made the title of the act.

S. B. No. 42, by Mr. Smoot, "An Act in Relation to the Transaction of Insurance Business (other than Life); Requiring the Same to be Done Through Resident Agents, to the End that the State May Receive the Proper Revenue Therefrom," was taken up and, on motion of Mr. Kiesel was recommitted to the Committee on Private Corporations and Insurance.

S. B. No. 105, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization," was read the third time and made the special order for 3:15 p. m., Monday, March 11, 1901.

S. B. No. 89, by Mr. Howell, "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 3; excused from voting, 1.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Alder, Murdock, Whitney.

Excused from voting: Mr. Sherman.

The title of the bill was made the title of the act.

S. B. No. 53, by Mr. Whitmore, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Love, Murdock.

The title of the bill was made the title of the act.

S. B. No. 54, by Mr. Whitmore, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes, and the Liabilities of the State and School Districts for the Respective Amounts Received," was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Murdock.

The title of the bill was made the title of the act.

HOUSE BILLS CONSIDERED.

By unanimous consent, H. B. No. 32, "An Act Providing for the Establishment of a State School of Mines," was taken up and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 32 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Love, Murdock, Tanner.

The title of the bill was made the title of the act.

By request of Mr. Larsen, H. B. No. 24, "An Act to Amend Section 2273 of the Revised Statutes of Utah, 1898, Relating to Delivery of Convicts to State Prison," was taken up and read the second time.

By unanimous consent, all rules interfering there-

with were suspended, and H. B. No. 24 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Murdock.

The title of the bill was made the title of the act.

By request of Mr. Bennion, H. B. No. 29, "An Act to Amend Section 3245 of the Revised Statutes of Utah, 1898, as Amended by Chapter 66 of the Laws of Utah, 1899, Relating to Property Exempt from Execution," was taken up and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 29 was read the third time.

On motion of Mr. Tanner, H. B. No. 29 was made the special order for 10:15 a. m., Monday, March 11, 1901.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 235, by the Committee on Highways and Bridges, "Appropriation for Highways," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 235 was read the first time and referred to the Committee on Highways and Bridges.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. M. No. 4, by Whitney, "Memorializing Congress to Extend the Right of Suffrage to All Citizens of the United States,

Without Discrimination on Account of Sex," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. J. M. No. 4 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 47, by Mr. Bennion (by request), "An Act to Relinquish to the United States the Unsurveyed School Lands of This State in Lieu of a Grant of Land of Equal Area to be Made by the United States to this State," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 47 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 210, by Mr. Smith, "An Act Fixing the Limit of the Rate of Taxation in Cities of the First Class," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 210 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives.
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 73, by Committee on Public Lands

(substitute for S. B. No. 59, S. B. No. 66, and H. B. No. 91), and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate refused to concur in the amendments made by the House to S. B. No. 73.

A conference committee, consisting of Messrs. Sherman, Smoot and Johnson, was appointed to meet with a like committee from the House, and consider the amendments to S. B. No. 73.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 177, by Holzheimer, "An Act Relating to Instruments of Writing Informally Executed, and Validating All of the Same Which Were of Record Prior to January 1, 1901," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 177 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 167, by Mr. Wells, entitled, "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Providing for the Tax Estimate, Levy, Collection, and Limit of School Taxes, and Making Special Provision for a Levy of a School," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 167 was referred to the Committee on Ways and Means.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 92, by Mr. Glasmann (substitute for H. B. No. 10), entitled, "An Act to Amend Section 2559 of the Revised Statutes of Utah of 1898, as Amended by Section 1 of Chapter 68 of the Session Laws of the State of Utah, of 1899, Providing for Statements by Corporations for Assessment Purposes and the Equalization of Taxes," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 92 was read the first time and referred to the Committee on Ways and Means.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 7, by Mr. Allison, entitled, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases, and to Provide for the Collection of the Tax," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Allison, the Senate concurred in the amendments made by the House to S. B. No. 7.

S. B. No. 7 was passed, as amended, by the following vote: Ayes, 15; nays, 1; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Voting in the negative: Mr. Sherman.

Absent and not voting: Messrs. Alder, Murdock.

The title of the bill was made the title of the act.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 230, by Axton, entitled, "An Act to Amend Section 2627 of the Revised Statutes of Utah, in Relation to Redemption of Real Property from Tax Sales," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 230 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 225, by Mr. Kelly, entitled, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Terms of the State Board of Equalization and Fixing the Salary of the Members of the Board and Its Secretary," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 225 was read the first time and referred to the Committee on Salaries.

S. B. No. 105 was taken from the table and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 124, by Mr. Smith, entitled, "An Act Amending Sections 2562, 2610 and 2620, of Title 67 of the Revised Statutes of Utah, 1898, as Amended by Chapter 68, of the Session Laws of Utah, 1899, in Relation to Collection of Taxes from Car Companies, and Fixing the Annual Salary of

the Collector," and the same is herewith transmitted for the consideration of your honorable body.

Respectfully,

M. M. STEELE, JR., Chief Clerk.

H. B. No. 124 was read the first time and referred to the Committee on Ways and Means.

REPORT OF SELECT COMMITTEES.

Committee Room, March 9, 1901.

Mr. President:—Your Committee on Conference, appointed to act with a like committee from the House on certain amendmens to S. B. No. 73, respectfully report that they have had the same under consideration, and unanimously make the following recommendations:

First.—That the House recede from its amendment to line 15, reducing the salary from eighteen hundred dollars, to fifteen hundred dollars.

Second.—That the act be passed, fixing the said salary at eighteen hundred dollars.

SHERMAN,
Chairman Senate Committee.
LANGTON,
Chairman House Commi t ee.

On motion of Mr. Lawrence, the Senate adopted the report of the conference committee.

S. B. No. 73 was placed upon its final passage and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Sherman, Smoot, Thomas, Whitmore, Mr. President.

Voting in the negative: Mr. Love.

Absent and not voting: Messrs. Alder, Murdock, Tanner, Whitney.

The title of the bill was made the title of the act.

Mr. Johnson moved a reconsideration of the vote whereby S. B. No. 75 was rejected. Carried.

Roll call being ordered on the final passage of S. B. No. 75, the bill was passed by the following vote: Ayes,

11; nays, 4; absent and not voting, 2; excused from voting, 1.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Howell, Smoot, Tanner, Thomas.

Absent and not voting: Messrs. Alder, Murdock.

Excused from voting: Mr. Whitney.

The title of the bill was made the title of the act.

COMMUNICATION FROM STATE BOARD OF EXAMINERS.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 9, 1901.

To the Senate:—I transmit herewith the following claims of newspapers for publishing amendments proposed to the Constitution of the State for two months immediately preceding the last general election. I am directed by the board to report that the claims have been approved for the amounts stated herein:

3159.	Emery County Progress....	$65.00
3158.	Advocate Pub. Co.....	65.00
3159.	Beaver County Blade.....	65.00
3160.	Box Elder News.....	30.00
3161.	Clear Lake Pub. Co.....	65.00
3162.	The Dixie Falcon.....	65.00
3163.	Davis County Clipper.....	60.00
3164.	Enquirer Co.....	109.60
3165.	Eureka Weekly Reporter...	65.00
3166.	Grand Valley Times.....	57.75
3167.	Iron County Record.....	65.00
3168.	Manti Messenger	65.00
3169.	The Morgan Mirror.....	65.00
3170.	The Nation	65.00
3171.	The Park Record.....	65.00
3172.	Panguitch Progress	65.00
3173.	The Piute Pioneer.....	65.00
3174.	Rich County News	65.00
3175.	Tooele Transcript	65.00

3176.	Tribune Pub. Co.	160.54
3177.	Vernal Express	63.00
3216.	Kanab Clipper..	121.32
3215.	Wasatch Wave	65.00
3214.	The Standard	109.60
3213.	Salina Press	65.00

It will be observed that the claims of the weekly papers vary from $30 to $121.32. The board had before it members of the Press Association, and after due examination and consideration decided upon $65 as the maximum amount to be paid any weekly newspaper.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

The communication was referred to the Committee on Appropriations and Claims.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 9, 1901.

To the Senate:—I herewith return Senate Claim No. 8 (our No. 3272), being the claim of I. C. Thoresen for $593.48, for assigned claims for the following named persons for 75 per cent of the appraised valuation of school lands in Cache county, under the provisions of Chapter 88, Laws of Utah, 1899, to-wit:

John Morse, by widow.....	$ 4.28
Christian Sorensen, by wife.....	7.69
Christian Sorensen, by wife.....	445.83
John Lallis, by widow.....	14.30
Ole Sonne, by widow.....	54.43
James L. Jansen, by wife.....	66.93
Total	$593.48

I am directed to report that the board has examined the said claim and approved the came for $593.48, with the recommendation that an appropriation be made therefor out of the State school fund, that being the fund into which the money was paid.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

The communication and accompanying documents were referred to the Committee on Appropriations and Claims.

MISCELLANEOUS BUSINESS.

Mr. Tanner moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 10 a. m., Monday, March 11, 1901. Carried.

The Senate, at 4:40 p. m., adjourned.

FIFTY-SEVENTH DAY.

State of Utah, Senate Chamber,

March 11, 1901.

By request of the President, Mr. Tanner called the Senate to order at 10 a. m.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of fifty-fifth day's session were read and approved.

President Evans arrived and took the chair.

SPECIAL ORDERS.

H. B. No. 29, "An Act to Amend Section 3245 of the Revised Statutes of Utah, 1898, as Amended by Chapter 66 of the Laws of Utah, 1899, Relating to Property Exempt from Execution," special order for 10:15 a. m., was taken up and passed by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Lar-

sen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Voting in the negative: Mr. President.

Absent and not voting: Mr. Whitney.

The title of the bill was made the title of the act.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 114, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Power of City Councils," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 39, "An Act Amending Sections 460 and 471, Revised Statutes of Utah, 1898, Defining the Boundaries of Beaver and Millard Counties, State of Utah," respectfully report that they have had the same under consideration and recommend that the same be not passed.

LAWRENCE, Chairman.

The report was adopted, and S. B. No. 39 was rejected.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 47, "An Act to Relinquish to the United States the Unsurveyed School Land of this State in Lieu of a Grant of Land of Equal Area to be Made by the United States to the State," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 47 was read by title and signed by the President, in open session.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred S. B. No. 105, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization;" also H. B. No. 225, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization and Fixing the Salary of the Members of the Board and its Secretary," respectfully report that they have had the same under consideration, recommend that H. B. No. 225 be passed, as amended by your Committee, and that S. B. No. 105 be rejected.

JOHNSON, Chairman.

The report was adopted, and S. B. No. 105 was rejected.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 102, "An Act Amending Section 1818, Revised Statutes of Utah, 1898, Fixing the Powers and Duties of Trustees," respectfully report that they have had the same under consideration and recommend that the act be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 106, "An Act Providing for the Taxation of Franchises," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

The report was adopted, and S. B. No. 106 was rejected.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 61, "An Act Compelling Street Railway Companies and Persons Owning or Operating Street Railways to Protect Certain of Their Employees from the Inclemencies of the Weather," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 123, "An Act Amending Section 2546 of the Revised Statutes of Utah, 1898, in Relation to Taxation and Defining the Powers and Duties of the State Board of Equalization," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 166, "An Act to Amend Section 1, Chapter 20, of the Laws of Utah, 1899, Relating to the Annual Financial Statements of Cities, the Duties of the Auditor and City Recorder," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No.

176, "An Act Amending Section 2597 of the Revised Statutes of Utah, 1898, Fixing the Lien of Taxes Assessed Upon Real Property and Improvements Thereon," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 230, "An Act to Amend Section 2627 of the Revised Statutes of Utah, 1898, in Relation to Redemption of Real Property from Tax Sales," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Private Corporations and Insurance, to whom was recommitted S. B. No. 42, "An Act in Relation to the Transaction of Insurance Business (Other Than Life), Requiring the Same to be Done Through Resident Agents, to the End that the State May Receive the Proper Revenue Therefrom," respectfully report that after due and careful consideration of the same we have no further suggestions to offer; we recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 26, "An Act Prescribing Rules of Negligence in Cases Where Live Stock is Killed or Injured by Railroad Companies," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that S. B. No. 26 be rejected.

TANNER, Chairman.

The report of the Committee on Railroads, recommending the rejection of S. B. No. 26, was made the special order for 10:30 a. m., Tuesday, March 12, 1901.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 208, "An Act to Amend Section 2113 and Section 2114 of the Revised Statutes of Utah, 1898, Relating to the School for the Deaf and Dumb, and Providing for a Superintendent and Principal of the School and Defining Their Duties," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 180, "An Act to Amend Section 1794 of the Revised Statutes of Utah, 1898, Relating to the County Board of Examiners and the Manner of Their Appointment," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 30, "An Act to License Dogs and Providing for the Payment of Damages Sustained in the Maiming or Killing of Sheep by Dogs; Declaring Unlicensed Dogs Nuisances and Declaring Under What Circumstances They May be Killed, and Prescribing a Punishment for Killing Licensed Dogs and to Provide Penalties for the Violation of this Act," respectfully report that they have had the same under consideration,

offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 44, "An Act to Create a Commission to Provide for the Display of Utah's Resources at the Pan-American Exposition, to be Held at Buffalo, in the State of New York, in the Year 1901, to Define Its Duties and to Appropriate Money Therefor," respectfully report that they have had the same under consideration and that, while your committee believes that the objects sought for in the bill are to be commended, still, with the shortness of time before the opening of said exposition, your committee are of the opinion that the measure could not be successfully carried out. They therefore recommend that the act be not passed.

THOMAS, Chairman.

The report of the Committee on Appropriations and Claims, recommending the rejection of S. B. No. 44, was made the special order for 10:45 a. m., Tuesday, March 12, 1901.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 61, "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated From Locomotive Engines," respectfully report that they have had the same under consideration and recommend that the act be passed.

TANNER, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Private Corpor-

ations and Insurance, to whom was recommitted H. B. No. 41, "An Act to Amend Section 410 of the Revised Statutes of Utah, 1898, Relating to Certificates of Authority to Agents of Insurance Companies," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Military Affairs, to whom was referred S. B. No. 117, "An Act Prohibiting Certain Persons from Wearing Certain Insignias or Medals, and Providing a Penalty for a Violation of this Act," respectfully report that they have had the same under consideration and recommend that the act be passed.

SHERMAN, Chairman.

The report was adopted.

By Mr. Kiesel's request, S. B. No. 117 was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 117 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Love.

The title of the bill was made the title of the act.

BILLS CONSIDERED.

S. B. No. 98, by Mr. Allison (by request), "An Act to Create and Organize a Municipal Court in Cities of the Second Class, and to Define the Powers, Duties and Jurisdiction Thereof, and Making the Justice of Said Court

Ex-Officio Justice of the Peace of Said Cities, and Ex-Officio Justice of the Peace of the Precincts Embraced in Said Cities," was read the second time.

On motion of Mr. Allison, all rules interfering therewith were suspended, and S. B. No. 98 was read the third time.

Roll call being ordered on Mr. Kiesel's motion to strike out the enacting clause of S. B. No. 98, the motion failed by the following vote: Ayes, 7; nays, 9; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Barnes, Howell, Larsen, Smoot, Thomas, Whitney, Mr. President.

Those voting in the negative were: Messrs. Allison, Bennion, Johnson, Kiesel, Lawrence, Love, Murdock, Sherman, Whitmore.

Absent and not voting: Messrs. Alder, Tanner.

Roll call being ordered on the final passage of S. B. No. 98, the bill was passed by the following vote: Ayes, 10; nays, 6; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Bennion, Johnson, Kiesel, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore.

Those voting in the negative were: Messrs. Barnes, Howell, Larsen, Smoot, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Tanner.

The title of the bill was made the title of the act.

COMMUNICATION FROM STATE BOARD OF EXAMINERS.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 11, 1901.

To the Senate:—I return herewith Senate Claim No. 4 (our No. 3195), being the claim of S. A. King for $320.64, for mileage as District Attorney of the Fourth Judicial District.

I am directed to report that the Board has approved the said claim for the above amount and recommends that an appropriation be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners

The communication and the accompanying documents were referred to the Committee on Appropriations and Claims.

MISCELLANEOUS BUSINESS.

S. C. No. 10, of I. C. Thoresen, for $873.33, refund of part of purchase price of school land settled upon prior to March 1, 1869, was presented by Mr. Howell and referred to the State Board of Examiners.

S. J. M. No. 5, "Asking the Establishment of a National Soldiers' Home at Salt Lake City," was presented by Mr. Murdock and referred to the Committee on Public Lands.

The Senate, at 12 m., took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate resumed session at 2 p. m., President Evans presiding.

Roll was called, showing all members present.

The President called Mr. Thomas to the chair.

SPECIAL ORDER.

H. B. No. 7, "An Act Fixing the Salaries of Certain State Officers and Providing for Payment Thereof," special order for 2:30 p. m., was taken up.

Roll call being ordered on Mr. Sherman's motion to fix the annual salary of the Governor at $4000 instead of $3000, the motion failed by the following vote: Ayes, 7; nays, 10; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Johnson, Lawrence, Love, Sherman, Whitmore.

Those voting in the negative were: Messrs. Barnes, Bennion, Howell, Kiesel, Larsen, Murdock, Smoot, Tanner, Thomas, Mr. President.

Absent and not voting: Mr. Whitney.

Mr. Smoot explained that he voted in the affirmative for the purpose of moving a reconsideration of the question.

By unanimous consent, the vote whereby Mr. Sherman's motion to fix the Governor's salary at $4000 per annum failed, was reconsidered.

Roll call being ordered, the motion prevailed by the following vote: Ayes, 10; nays, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Johnson, Lawrence, Love, Sherman, Smoot, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Howell, Kiesel, Larsen, Murdock, Tanner, Thomas, Mr. President.

Mr. Howell moved to amend the bill by fixing the salary of the Secretary of State at $3600 instead of $3000.

Roll call being ordered, the motion failed by the following vote: Ayes, 5; nays, 13.

Those voting in the affirmative were: Messrs. Alder, Howell, Johnson, Thomas, Whitney.

Those voting in the negative were: Messrs. Allison, Barnes, Bennion, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Mr. President.

Mr. Kiesel moved to amend Section 1 of H. B. No. 7 by adding the following: "Provided, the foregoing increase of salaries shall not apply to the present incumbents of said offices."

Roll call being ordered, Mr. Kiesel's motion failed by the following vote: Ayes, 8; nays, 9; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Kiesel, Murdock, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Allison, Howell, Johnson, Larsen, Lawrence, Love, Sherman, Tanner.

Absent and not voting: Mr. Smoot.

On motion of Mr. Howell, H. B. No. 7 was made the special for 11 a. m., Wednesday, March 13, 1901.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No.

28, by Mr. Murdock, entitled, "An Act to Amend Section 1815 of the Revised Statutes of Uah, 1898, Relating to Annual and Special School Taxes, and the Powers and Duties of School District Boards Respecting the Same, and Conferring upon School District Boards the Management of the Schools and the Care and Control of School Property," and the same is herewith transmitted for your further consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 28 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 65, by Mr. Kiesel, entitled, "An Act to Provide for the Importation of the Bird Known as the 'Kohl Meisen' as a Foe to Orchard Pests, and Authorizing the State Board of Horticulture to Purchase Such Birds, and Making an Appropriation Therefor," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 65 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 187, by Mr. Langton, entitled, "An Act to Provide that Personal Knowledge of the Facts in the Case Shall Not Disqualify a Member of the Board of Pardons from Sitting Thereon," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 187 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 195, by Mr. Page, entitled, "An Act to Amend Section 3847 of the Revised Statutes of Utah, 1898, Providing for the Support of Families of Decedents, and for the Summary Administration of the Estates of Decedents in Certain Cases," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No 195 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 188, by Mr. Langton, "An Act to Provide for Filling Vacancies on the Board of Pardons, Caused by the Absence of Any Member or Members Thereof," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 188 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the amendments of the Senate to H. B. No. 32 and H. B. No. 24, and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in

open session, signed Senate Bill No. 67, "Providing for Apportionment of the County School Fund," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 51, by Holmgren, "Providing for the Proper Measurement and Division of Water; Creating Water Divisions in the State of Utah; Creating a Board of Control of Irrigation for the State of Utah, and Defining its Duties; Defining the Duties of the State Engineer; Providing for the Adjudication of Water Rights and for the Recognition of Existing Water Rights; Providing for the Proper Handling of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 51 was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, March 9, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day adopted the conference committee report on S. B. No. 73, and repassed the same as amended by the said committee. The same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 73 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 68, by Mr. Love, entitled, "An Act to Amend Section 1865

of the Revised Statutes of Utah, 1898, Providing for the Levying of County School Taxes by the Board of County Commissioners and Providing for the Collection of the Same," and the same is herewith transmitted for the further action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 68 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 231, by Mr. Page (by request), entitled, "An Act Providing for the Printing and Distribution of Certain Laws of the State of Utah," and the same is herewith transmitted for the consideration of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 231 was read the first time and referred to the Committee on Public Printing.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 103, by Mr. Harmon, entitled, "An Act to Provide Contingent Expenses of County Superintendents of District Schools and for the Payment of their Salaries," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 103 was read the first time and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 108, by Mr. Harmon (by request), "An Act Providing for

Uniform Examinations of Teachers in the Different Counties of the State of Utah," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 108 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the Senate amendments to House Bill No. 29, by Hewlett, and passed the same.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 72, by Mr. Howell, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 113, by Mr. Evans (substitute for S. B. No. 49), "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Bennion, the Senate concurred in the amendment made by the House to S. B. No. 113.

S. B. No. 113 was passed, as amended, by the following vote: Ayes, 11; nays, 7.

Those voting in the affirmative were: Messrs. Alder, Barnes, Howell, Johnson, Larsen, Murdock, Smoot, Tanner, Thomas, Whitney, Mr. President.

Those voting in the negative were: Messrs. Allison, Bennion, Kiesel, Lawrence, Love, Sherman, Whitmore.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

Mr. Evans moved that when the Senate take a recess it be until 7:45 p. m. Carried.

The Senate, at 5:20 p. m., took a recess.

EVENING SESSION.

The Senate resumed session at 7:45 p. m., President Evans presiding.

Roll was called, showing a quorum present.

SPECIAL ORDERS.

S. B. No. 99, by the Committte on Live Stock, "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of the Provisions, and Repealing Sections 2537, 2538, 2539, 2540, 2541 and 2542 of the Revised Statutes of Utah, 1898, and Repealing Chapter 44 of the Session Laws of 1899," special order for 3 p. m. was taken up and passed by the following vote: Ayes, 12; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Johnson, Larsen, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Mr. President.

Absent and not voting: Messrs. Alder, Howell, Kiesel, Lawrence, Thomas, Whitney.

The title of the bill was made the title of the act.

The report of the Joint Committee on Fish and Game, recommending the rejection of S. B. No. 17 and offering

a substitute therefor, to be known as S. B. No. 118, special order for 4:30 p. m., was taken up.

The report was adopted, and S. B. No. 17 was rejected.

S. B. No. 118, by the Joint Committee on Fish and Game, "An Act for the Protection of Fish, Game and Birds; for Appointment of a State Fish and Game Commissioner, and Fixing His Salary, and for the Appointment of State Fish and Game Wardens, Providing for Their Compensation, and Prescribing Their Duties; to Prohibit the Sale of Certain Kinds of Fish and Game; and also for Hunting or Taking Game or Fish; to Provide Penalties for the Violation of this Act; and to Repeal Chapter 26, Laws of Utah, 1899," was read the first and second times.

By request of Mr. Barnes, the Secretary was instructed to ask the House to return H. B. No. 223 for further consideration.

BILLS CONSIDERED.

H. B. No. 30, "An Act Defining the Powers and Duties of District Attorneys and Providing for Clerks in Certain Judicial Districts," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 30 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Mr. President.

Absent and not voting: Messrs. Howell, Thomas, Whitney.

The title of the bill was made the title of the act.

H. B. No. 55, "An Act to Amend Section 633 and to Repeal Section 4879 of the Revised Statutes of the State of Utah, 1898, Relating to the Duties of County Attorneys," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 55 was read the third time and passed by the following vote: Ayes, 15; absent and not voting ,3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Mr. President.

Absent and not voting: Messrs. Howell, Thomas, Whitney.

The title of the bill was made the title of the act.

H. B. No. 79, "An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making Appropriation Therefor," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 79 was read the third time.

On motion of Mr. Lawrence, H. B. No. 79 was recommitted to the Committee on Manufactures and Commerce.

H. B. No. 94, "An Act to Amend Section 514 of the Revised Statutes of Utah, 1898, Relating to the Funding of County Indebtedness," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 94 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Whitmore, Mr. President.

Absent and not voting: Messrs. Howell, Tanner, Thomas, Whitney.

The title of the bill was made the title of the act.

H. B. No. 225 was called up by Mr. Kiesel and made the special order for 3 p. m., Wednesday, March 13, 1901.

On motion of Mr. Lawrence, H. B. No. 157, H. B. No. 158, H. B. No. 159, H. B. No. 160 and S. B. No. 97 were made the special order for 10:15 a. m., Tuesday, March 12, 1901.

S. B. No. 30, by Mr. Barnes, "An Act to License Dogs and Providing for the Payment of Damages Sustained in the Maiming or Killing of Sheep by Dogs; Declaring Unlicensed Dogs Nuisances and Declaring Under What Cir-

S. B. No. 121, by the Committee on Mines and Mining (substitute for H. B. No. 44), "An Act Relating to Coal and Hydro-Carbon Mines and Providing for the Lives, Health and Safety and Welfare of Those Employed Therein; and Providing for the Protection and Preservation of Property Connected Therewith, and for the Appointment of the Inspector, Defining His Duties, Fixing His Salary and Repealing Chapter 2, Title 42 of the Revised Statutes of Utah, 1898," was read the first time.

Committee Room, March 11, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. M. No. 4, "Memorializing Congress to Extend the Right of Suffrage to All Citizens of the United States Without Discrimination on Account of Sex," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. J. M. No. 4 was read by title and signed by the President, in open session.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, Senate Bill No. 47, "An Act to Relinquish to the United States the Unsurveyed School Lands of this State in Lieu of a Grant of Land of Equal Area to be Made by the United States to the State," and the same is herewith returned.

Respectfully.
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 197, by Mr. Davis (substitute for H. B. No. 4), entitled,

"An Act Amending Sections 2110 and 2134, Revised Statutes of Utah, 1898, Relating to Compensation of the Trustees of the Deaf, Dumb and Blind and Industrial Schools," and the same is herewith transmitted for your consideration.

Respectfully.
M. M. STEELE, JR., Chief Clerk

H. B. No. 197 was read the first time and referred to the Committee on Salaries.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

The following communications were received and referred, with accompanying documents, to the Committee on Appropriations and Claims:

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 11, 1901.

To the Senate:—I transmit herewith claim No. 3178, of Thomas Marioneaux for $626.16, for mileage as District Attorney for the Fifth Judicial District.

Also claim No. 3179, of John F. Chidester for $462.08 for mileage as District Attorney for the Sixth District.

I am directed to report that each of the said claims has been approved for the amount above stated, with recommendation that an appropriation be made therefor.

In connection with the claim of John F. Chidester is a claim for rent, fuel and stationery, amounting to $62.50. I am directed to report that this item was disapproved by the Board as not being a legal charge against the State.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

Office of James T. Hammond, Secretary of State,
Salt Lake City, March 11, 1901.

To the Senate:—I am directed to transmit the enclosed claims, viz:

3289, of the Skeleton Publishing Co., for taxpayers' statements for the current year, amounting to $126.28;

3221, of the Utah Lithographing Co., for changing names on letterheads for Legislature in 1899, amounting to $5.00;

2599, of J. R. Robinson, for services as member of State Board of Examiners for coal mine bosses, amounting to $10.00,

And to report that the said claims have been approved by the Board, with recommendation that appropriations be made therefor.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Office of Secretary of State,
Salt Lake City, March 11, 1901.

To the Senate:—I am directed by the Board to transmit the inclosed claims for expenses of the present Legislature, contracted under the provisions of Section 957 of the Revised Statutes, viz.:

3281.	Co-op Furniture Co., for carpeting the legislative hall	$184.70
3280.	J. T. Hammond, for miscellaneous expenses as per attached bills	75.83
3282.	Utah Lithographing Co., for lithographed letterheads	107.00
3283.	Margetts Brothers, for stationery	274.01
3284.	A. R. Derge & Co., for typewriter ribbons	4.50
3285.	Keystone File Co., for journal and bill binders	342.00
3286.	The Skelton Pub. Co., manuscript covers	6.35
3287.	Pembroke Stationery Co., stationery	137.48
3288.	Deseret News, printing file covers and letterheads	20.30

And to report that the said claims have been ap-

proved for the respective amounts as above stated, with recommendation that appropriations be made therefor.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Office of James T. Hammond, Secretary of State.
Salt Lake City, March 11, 1901.

To the Senate:—I am directed by the Board to transmit the following claims on account of contingent expenses of the Supreme Court for the years 1899 and 1900, viz:

3138.	Kelly & Co	$22.50
3269.	Kelly & Co	10.55
2895.	Mountain Ice Co	4.50
3275.	Mountain Ice Co	6.00
3261.	L. P. Palmer	5.50

And to report that said claims have been approved, with recommendation that appropriations be made therefor.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Office of James T. Hammond, Secretary of State.
Salt Lake City, March 11, 1901.

To the Senate:—I return herewith Senate Claim No. 9 (our No. 3274) of Morgan Richards, Jr., for $333.00, for services in preparing the biennial report of the State Auditor for the period ending December 31, 1900.

I am directed to report that the said claim has not been approved by the Board, for the reason that there is no provision in law for the payment of the same. The Board is aware of the fact that Mr. Richards has rendered the services and that, by reason of the fact that the fiscal year ends practically with his term of office, it was impossible to prepare this report during the term of his office.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Office of James T. Hammond, Secretary of State.
Salt Lake City, March 11, 1901.

To the Senate:—I transmit herewith claim No. 3189 of William T. Olmstead for $10.80, for services rendered in State Engineer's office;

Also claim No. 3190 of R. C. Gemmel, State Engineer, for $83.57, for contingent expenses paid out as State Engineer.

These two claims are in excess of the appropriation for the years 1899 and 1900. They were contracted by the State Engineer in good faith under a misapprehension of the balance of his appropriation.

I am directed to report that the claims have been approved by the Board, with recommendation that appropriation be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

MISCELLANEOUS BUSINESS.

Mr. Smoot moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 10 a. m., Tuesday, March 12, 1901. Carried.

President Evans was excused until Wednesday, March 13, 1901.

The Senate, at 10 p. m. adjourned.

FIFTY-EIGHTH DAY.

State of Utah, Senate Chamber,
March 12, 1901.

By request of the President, Mr. Smoot called the Senate to order at 10 a. m.

Roll was called, showing all members present, except Mr. Johnson and Mr. President, who were excused.

Prayer by the Chaplain.

Minutes of the fifty-seventh day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 25 of Ada S. Randall and thirty other women of Weber county, asking the enactment of a law against gambling with "slot machines," was presented by Mr. Allison, read and referred to the Committee on Manufactures and Commerce.

SPECIAL ORDERS.

S. B. No. 97, by Mr. Allison (by request), "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, with Reference to the Election of Justices of the Peace and Constables in Cities of the Second Class," special order for 10:15 a. m., was read the second time.

On motion of Mr. Allison, S. B. No. 97, H. B. No. 157, H. B. No. 158, H. B. No. 159 and H. B. No. 160 were referred to the Committee on Judiciary.

The report of the Committee on Railroads, recommending the rejection of S. B. No. 26, and offering a substitute therefor, to be known as S. B. No. 120, special order for 10:30 a. m., was taken up. The report was adopted, and S. B. No. 26 was rejected.

S. B. No. 120, by the Committee on Railroads, "An Act Requiring Railroad Companies to Fence Their Tracks," was read the first time and ordered printed.

The report of the Committee on Appropriations and Claims, recommending the rejection of S. B. No. 44, special order for 10:45 a. m., was taken up.

On motion of Mr. Thomas, the report was adopted, and S. B. No. 44 was rejected.

Mr. Kiesel voted in the affirmative and gave notice of a motion to reconsider the question.

On motion of Mr. Allison, H. B. No. 157 and H. B. No. 158 were recalled from the Committee on Judiciary and filed for consideration under special order.

SPECIAL ORDERS.

H. B. No. 157, entitled, "An Act Relating to and Establishing City Courts in Cities of the First Class, Providing for the Qualifications, Election and Removal of its

Judges, Their Salaries, Powers, Authority and Term of Office, Filling of Vacancies by Appointment, Designating the Clerk and Fixing his Duties and Fees, Costs and Fines to be Collected and the Disposition and Division of the Same Between the City and County, Fixing the Jurisdiction, Both Civil and Criminal, Removal of Cases to District Courts in Certain Cases, Providing for the Payment of Witnesses and Jurors, and Providing for Appeals and Prescribing the Rules of Practice and Procedure," special order for 10:15 a. m., was read the second time.

By unanimous consent, all rules interfering therewith were suspended and H. B. No. 157 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Tanner, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 158, entitled, "An Act Relating to Justices of the Peace in Cities of the First Class, and Defining Their Jurisdiction, and Limiting the Application of This Act to Justices of the Peace Hereafter Elected," special order for 10:15 a. m., was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 158 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Alder, Johnson, Tanner, Mr. President.

The title of the bill was made the title of the act.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Ways and Means, to whom was referred H. B. No. 167, "An Act

to Amend Section 1936, Revised Statutes of Utah, 1898, Providing for the Tax, Estimate, Levy, Rate, Collection and Limit of School Taxes, and Making Special Provisions for a Levy of a School," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LOVE, Chairman.

On motion of Mr. Love, the report of the Committee on Ways and Means, recommending the rejection of H. B. No. 167, was made the special order for 2:30 p. m.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Public Lands, to whom was referred S. J. M. No. 5, "Asking the Establishment of a National Soldiers' Home, at Salt Lake City," respectfully report that they have had the same under consideration and recommend that the memorial be not passed.

SHERMAN, Chairman.

The report was adopted and S. J. M. No. 5 was rejected.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Mines and Mining, to whom was referred H. B. No. 186, "An Act to Amend Section 6 and Section 7 of the Laws of Utah, 1899, Relating to Filing Affidavit of Work Done and Organization of Mining Districts," respectfully report that they have had the same under consideration and recommend that the act be not passed.

MURDOCK, Chairman.

By request of Mr. Smoot, the report of the Committee on Mines and Mining, recommending the rejection of H. B. No. 186, was made the special order for 10:15 a. m., Wednesday, March 13, 1901.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 61, "An Act Making Rail-

road Corporations Liable for Damages Done by the Destruction of Property Caused by Fire Communicated From Locomotive Engines," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 112, "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notices of Intention to Levy Local Assessments in Cities of the First and Second Class," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that S. B. No. 112 be rejected.

BENNION, Chairman.

The report was adopted, and S. B. No. 112 was rejected.

S. B. No. 122, by Committee on Judiciary (substitute for S. B. No. 112), "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities," was read the first time and ordered printed.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Public Printing, to whom was referred H. B. No. 231, "An Act Providing for the Printing and Distribution of Certain Laws of the State of Utah," respectfully report that they have had the same under consideration and recommend that the act be passed.

TANNER, Chairman.

The report was not adopted. H. B. No. 231 was referred to the Committee on Judiciary.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was recommitted H. B. No. 79,

"An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making Appropriation Therefor," respectfully report that, after due and careful consideration of the same, they have no further suggestions to offer. They recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 131, "An Act to Amend Section 155 of the Revised Statutes of Utah, 1898, Relating to the Renewal of Chattel Mortgages," respectfully report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 60, "An Act to Amend Sections 1722 and 1726 of the Revised Statutes of Utah, 1898, Relating to Penalties, Acting Without Registration, Adulterated Drugs, etc," respectfully report that they have had the same under consideration and recommend that the act be passed.

THOMAS, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 232, "An Act to Authorize the Deseret Agricultural and Manufacturing Society to Dispose of Certain Property, and to Invest the Proceeds Therefor," respectfully report that they have had the same under consideration and recommend that the act be passed.

HOWELL, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Federal Relations, to whom was referred H. J. M. No. 4, "Asking the Establishment of a National Soldiers' Home at Salt Lake City," respectfully report that they have had the same under consideration and recommend that the memorial be passed.

ALDER, Chairman.

The report was adopted.

Roll call being ordered on the adoption of H. J. M. No. 4, the memorial was adopted by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitney.

Absent and not voting: Messrs. Whitmore, Mr. President.

The title of the memorial was approved.

BILLS CONSIDERED.

S. B. No. 61, by Committee on Railroads (substitute for S. B. No. 27), "An Act Creating Liability for Damages Done by the Destruction of Property Caused by Fire Communicated from Locomotive Engines," was taken up and passed by the following vote: Ayes, 13; nays, 3; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Whitmore, Whitney.

Those voting in the negative were: Messrs. Smoot, Tanner, Thomas.

Absent and not voting: Messrs. Johnson, Mr. President.

The title of the bill was made the title of the act.

Mr. Murdock gave notice of a motion to reconsider the vote whereby S. B. No. 61 was passed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 216, by Smith, entitled, "An Act Making it Unlawful to Dock the Tail of Any Horse, Fixing a Penalty Therefor, and Evidence Thereof and the Disposition of Fines Collected on Account of Conviction of Persons Guilty of Cruelty to Animals," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 216 was read the first time and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 152, by Mr. Holzheimer, entitled, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful collection of Taxes, and the Liabilities of the State and School Districts for the Respective Amounts Received."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 152 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 98, by Mr. Allison (by request), entitled, "An Act to Create and Organize a Municipal Court in Certain Cities of the Second Class, and to Define the Powers and Duties and Jurisdiction Thereof, and Making the Justice of Said Court Ex-Officio Justice of the Peace of Said Cities and

Ex-Officio Justice of the Precincts Embraced in Said Cities," and the same is herewith transmitted for your further consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 98 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 191, by Mr. Hewlett, "An Act Authorizing the Counties to Purchase Voting Machines," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 191 was read the first time and referred to the Committee on Elections.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 90, by Mr. Johnson (by request), "An Act Amending Section 666 of the Revised Statutes of Utah, 1898, Relating to the Appointment of a Deputy Clerk of the Supreme Court, and Enacting a New Section to be Known as Section 666 a, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Allison, the Senate concurred in the amendments made by the House to S. B. No. 90.

H. B. No. 90 was placed upon its final passage and passed by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore, Whitney.

Voting in the negative: Mr. Smoot.

Absent and not voting: Messrs. Johnson, Love, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 90 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 204, by Mr. D. H. Morris, entitled, "An Act Providing for Placing Road Brands on Cattle and Horses Being Driven Through From One Part of the State to Another, and Fixing the Penalty for Its Violation," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 204 was read the first time and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 153, by Mr. Holzheimer, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 153 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. M. No.

4, by Hall, "Asking the Establishment of a National Soldiers' Home at Salt Lake City," and the same is herewith submitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. J. M. No. 4 was read the first time and referred to the Committee on Federal Relations.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 154, by Mr. Holzheimer, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 154 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 212, by Mr. Smith, "An Act Permitting the Waiver of the Undertaking on Appeal from City, Municipal and Justices' Courts to the District Court in Civil Action," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 212 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 171, by Mr. Kelly (by request), entitled, "An Act to

Amend Sections 1441, 1465, 1466, 1481 and 1486, of Revised Statutes of Utah, 1898, Relating to the Offices of the Militia and Defining Military Courts and Their Jurisdiction," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 171 was read the first time and referred to the Committee on Military Affairs.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed by the House to return for your consideration H. B. No. 223, by Hamlin, same is herewith inclosed.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Barnes, H. B. No. 223 was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 223 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Mr. President.

The title of the bill was made the title of the act.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 125, by Mr. Kelly, "An Act Amending Section 1 of Chapter 43, Session Laws of the State of Utah, 1899, Relating to Preparing and Keeping of Present Ownership Maps," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 125 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 190, by Mr. Kelly, entitled, "An Act Amending Sections 639 and 2553, of the Revised Statutes of the State of Utah, 1898, Relating to County, Precinct, Road District Assessors and Other Maps," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 190 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 213, by Mr. Smith, "An Act Amending Section 3343 of the Revised Statutes of Utah, 1898, Relating to Costs on Appeal from Justices Courts," and the same is herewith transmitted for the consideration of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 213 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Harmon, Axton and Johnson, as a Conference Committee with a like committee of the Senate on S. B. No. 72 and H. B. No. 63.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Alder, Messrs. Alder, Tanner and

Allison were appointed as a Conference Committee on S. B. No. 72 and H. B. No. 63.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 54 and S. B. No. 53, they being duplicates of House Bills Nos. 152 and 153, and the said Senate Bills are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the Senate amendments of House Bill No. 94, by Mr. Anderson, and the same has been passed by the House as amended.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker, in open session of the House, has signed Senate Bill No. 7, entitled, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases and Providing for the Collection of the Tax," and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed in triplicate S. J. M. No. 4 and the same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 33, by Mr. Whitney, and same is herewith inclosed.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate, at 12 m., took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate resumed session at 2 p. m., Mr. Smoot presiding.

Roll was called, showing a quorum present.

EXECUTIVE COMMUNICATIONS.

The following communications were received and filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1901.

To the Senate:—I have the honor to transmit herewith copy of a letter from the Secretary of State of the United States, which is self-explanatory.

Very respectfully,
HEBER M. WELLS, Governor.

Department of State,
Washington, March 7, 1901.

His Excellency, The Governor of Utah, Salt Lake City:—

Sir:—I have the honor to acknowledge receipt of your letter of the 27th ultimo enclosing a signed copy of the resolution relating to the death of Queen Victoria, passed by the Senate of Utah.

In compliance with the request which you make, I have taken pleasure in forwarding the resolution to the

Ambassador of the United States at London, with instructions to transmit it to His Majesty, King Edward VII., through the proper channel.

I have the honor to be, Sir,

Your obedient servant,

[Signed.] JOHN HAY.

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, March 12, 1901.

To the Senate:—I have the honor to make the following named appointments, and respectfully invite your advice and consent thereto:

To be trustees of the State Industrial School:

N. C. Flygare of Weber county, for the term of four years.

Richard T. Hume of Weber county, for the remainder of the unexpired term of J. H. McMillan, deceased.

To be regents of the University of Utah:

James Sharp of Salt Lake county, for the term of four years, ending July 1, 1904.

Moses Thatcher of Salt Lake county, for the term of four years, ending July 1, 1904.

To be a member of the State Board of Labor Conciliation and Arbitration:

E. A. Wall of Salt Lake county, for the term of four years, ending March 6, 1904.

To be members of the Governing Board of the Art Institute:

J. T. Harwood of Salt Lake county, for the term of four years.

H. L. A. Culmer of Salt Lake county, for the term of three years.

Mrs. Elizabeth C. McCune of Salt Lake county, for the term of three years.

Miss Mary Teasdel of Salt Lake county, for the term of three years.

Mrs. Alice Merrill Horne of Salt Lake county, for the term of three years.

W. C. Ware of Salt Lake county, for the term of two years.

G. F. Taggart of Salt Lake county, for the term of two years.

Very respectfully,
HEBER M. WELLS, Governor.

EXECUTIVE SESSION.

On motion of Mr. Allison, the Senate, at 2:45 p. m., went into executive session.

When the doors were opened, at 3 p. m., it was announced that the Senate had given its advice and consent to the following appointments, made by His Excellency, Governor Heber M. Wells:

To be trustees of the State Industrial School:

N. C. Flygare, of Weber County, for the term of four years.

Richard T. Hume, of Weber County, for the remainder of the unexpired term of J. H. McMillan, deceased.

To be regents of the University of Utah:

James Sharp, of Salt Lake County, for the term of four years, ending July 1, 1904.

Moses Thatcher, of Salt Lake County, for the term of four years, ending July 1, 1904.

To be a member of the State Board of Labor, Conciliation and Arbitration:

E. A. Wall, of Salt Lake County, for the term of four years, ending March 6, 1904.

To be members of the Governing Board of the Utah Art Institute:

J. T. Harwood, of Salt Lake County, for the term of four years.

H. L. A. Culmer, of Salt Lake County, for the term of three years.

Mrs. Elizabeth C. McCune, of Salt Lake County, for the term of three years.

Miss Mary Teasdel, of Salt Lake County, for the term of three years.

Mrs. Alice Merrill Horne, of Salt Lake County, for the term of three years.

W. C. Ware, of Salt Lake County, for the term of two years.

G. F. Taggart, of Salt Lake County, for the term of two years.

SPECIAL ORDER.

The report of the Committee on Ways and Means, recommending the rejection of H. B. No. 167, special order for 2:30 p. m., was taken up.

On motion of Mr. Allison, H. B. No. 167 was referred to the Committee on Education, with instructions to report at 10 a. m., Wednesday, March 13, 1901.

Mr. Smoot called Mr. Howell to the chair.

BILLS CONSIDERED.

By request of Mr. Howell, H. B. No. 46, "An Act in Relation to the Deseret Agricultural and Manufacturing Society for an Annual Fair, the Giving of Premiums for Exhibited Articles and Amending Section 2128 of the Revised Statutes of Utah, 1898," was taken up and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 46 was read the third time and passed by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Voting in the negative: Mr. Allison.

Absent and not voting: Mr. President.

The title of the bill was made the title of the act.

S. B. No. 118, by the Joint Committee on Fish and Game, "An Act for the Protection of Fish, Game and Birds; for Appointment of a State Fish and Game Commissioner, and Fixing His Salary, and for the Appointment of State Fish and Game Wardens, Providing for Their Compensation, and Prescribing Their Duties; to Prohibit the Sale of Certain Kinds of Fish and Game; and also for Hunting or Taking Game or Fish; to Provide Penaltes for the Violation of this Act; and to Repeal Chapter 26, Laws of Utah, 1899," as read the third time.

Mr. Smoot gave notice of a motion to reconsider the vote whereby the Senate refused to strike out Section 16 of S. B. No. 118.

On motion of Mr. Lawrence, S. B. No. 118 was made the special order for 10 a. m., Wednesday, March 13, 1901.

H. B. No. 232, by Mr. Smith, entitled, "An Act to Authorize the Deseret Agricultural and Manufacturing Society to Dispose of Certain Property and to Invest the Proceeds Thereof," was called up by Mr. Howell and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 232 was read the third time and made the special order for 4 p. m., Wednesday, March 13, 1901.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, S. B. No. 38, by Mr. Howell, entitled, "An Act Providing for the Approval of the Bonds of State Officers and Other Persons in Case Where no Provisions are Made for the Approval of the Same," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Howell, the Senate concurred in the amendments made by the House to S. B. No. 38.

S. B. No. 38 was placed upon its final passage and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Tanner, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 38 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 101, by Mr. Lawrence, "An Act to Amend Section 4413 of the Revised Statutes of Utah, 1898, and to Punish Directors, Officers and Agents of Corporations for Fraud and Misconduct," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 101 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 89, by Howell, "An Act to Amend Section 665 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," and the same is herewith transmitted for your further consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Bennion, the Senate concurred in the amendments made by the House to S. B. No. 89.

S. B. No. 89 was placed upon its final passage and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Mr .Whitney, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 89 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 87, by Mr. Allison (by request), entitled, "An Act to Amend Sections 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties to Civil Actions," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 87 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 31, by Mr. Bennion, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands, and Providing for the Reclamation, Occupancy and Disposal of the Same," and the same is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 31 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 77, by Mr. Tanner (by request), "An Act to Amend Section 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices' Courts," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 113, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

The report was adopted and S. B. No. 113 was allowed to lie upon the table to await the signature of the President.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 63, "An Act to Amend Section 55 of the Revised Statutes of Utah, 1898, Authorizing the Appointment of and Defining the Duties of a County Stock Inspector, Regulating the Shipment of Stock," respecfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that S. B. No. 63 be rejected.

WHITMORE, Chairman.

The report was adopted, and S. B. No. 63 was rejected.

S. B. No. 123, by Committee on Live Stock (substitute for S. B. No. 63), "An Act Making County Sheriffs Live Stock Inspectors and Defining Their Duties and Regulating the Inspection and Shipment of Live Stock," was read the first time and ordered printed.

MISCELLANEOUS BUSINESS.

S. C. No. 11 of I. C. Thoresen, for $21.21, refund of interest overpaid on school land, was presented by Mr.

Smoot and referred to the Committee on Appropriations and Claims.

The Senate, at 5:45 p. m., took a recess until 7:45 p. m.

The Senate resumed session at 7:45 p. m., Mr. Smoot presiding.

Roll was called, showing a quorum present.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1901.

Mr. President:—Your Conference Committee appointed to confer in relation to Senate Bill No. 72 and House Bill No. 63, agree as follows: That Senate Bill No. 72 and House Bill No. 63 shall be rejected and that House Bill No. 237 be and the same is herewith substituted for the same and we recommend that the said bill be passed.

LEVI N. HARMON,
Chairman House Committee.
FERDINAND ALDER,
Chairman Senate Committee.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 147, "An Act Authorizing Cities to Aid and Encourage the Construction of Railroads by Granting to Railroad Companies for Depot Sites or Other Railroad Purposes, Real Property of Cities, Not Necessary for Municipal or Public Purposes," respectfully report that they have had the same under consideration, offer certain amendments thereto and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Education, to

whom was referred H. B. No. 167, "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Providing for the Tax Estimate, Levy, Rate and Collection and Limit of School Taxes, and Making Special Provisions for a Levy of a School," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 105, "An Act Amending Section 1795 Revised Statutes of Utah, 1898, Relating to Teachers Examinations," respectfully report that they have had the same under consideration and recommend that the act be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 108, "An Act Providing for Uniform Examinations of Teachers in the Different Counties of the State of Utah," respectfully report that they have had the same under consideration and recommend that the act be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Appropriations, herewith present the "Appropriation Bill," "An Act Making Appropriations for General Purposes," and recommend that the act be passed.

THOMAS, Chairman.

The report was adopted.

S. B. No. 124, by the Committee on Appropriations

and Claims, "An Act Making Appropriations for General Purposes," was read the first time and ordered printed.

THIRD READING OF SENATE BILLS.

S. B. No. 45, by Mr. Allison (by request), "An Act Authorizing the Creating of a Domestic Science Department in the University of Utah, and Making an Appropriation Therefor," was read the third time and referred to the Committee on Appropriations and Claims.

H. B. No. 79, "An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making Appropriation Therefor," was placed upon its final passage and rejected by the following vote: Ayes, 9; nays, 6; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Bennion, Kiesel, Lawrence, Love, Sherman, Smoot, Whitmore, Whitney.

Those voting in the negative were: Messrs. Alder, Barnes, Howell, Larsen, Murdock, Tanner.

Absent and not voting: Messrs. Johnson, Thomas, Mr. President.

Mr. Tanner gave notice of a motion to reconsider the vote whereby H. B. No. 79 was rejected.

S. B. No. 42, "An Act in Relation to the Transaction of Insurance Business (Other Than Life), Requiring the Same to be Done Through Resident Agents," was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Thomas, Mr. President.

The title of the bill was made the title of the act.

SECOND READING OF SENATE BILLS.

S. B. No. 108, by Mr. Murdock, "An Act to Amend Section 2446 of the Revised Statutes of Utah, 1898, Re-

lating to the Office of Dairy and Food Commissioner," was read the second time.

S. B. No. 76, by Mr. Murdock, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Relating to Injurious Chemicals in Milk or Cream, or Other Products of the Dairy," was read the second time.

S. B. No. 111, by Mr. Larsen, "An Act to Amend Section 15 of Chapter 1, Title 2, of the Revised Statutes of Utah, 1898, Relating to the Notice of Sale of Estrays," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 111 was read the third time and passed by the following vote: Ayes, 12; nays, 2; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larson, Lawrence, Murdock, Sherman, Whitmore, Whitney.

Those voting in the negative were: Messrs. Smoot, Tanner.

Absent and not voting: Messrs. Johnson, Love, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 107, by Mr. Murdock (by request), "An Act to Amend Section 26 of Chapter 64 of the Laws of Utah, 1899, Relating to the Sale of State Lands and the Assignment by the Purchaser of Legal Subdivisions Thereof, and the Issuance of Patent Therefor," was read the second time.

By unanimous consent, all rules interfering therewith were suspended and S. B. No. 107 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 84, by Mr. Murdock, "An Act to Amend

Section 2447 of the Revised Statutes of Utah, 1898, Defining the Duties of the Dairy and Food Commissioner," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 84 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 58, by Mr. Sherman (by request), "An Act to Amend Section 4168 of the Revised Statutes of Utah, 1898, Relating to Justifiable Homicide," was read the second time.

S. B. No. 85, by Mr. Alder, "An Act Amending Section 2061 of the Revised Statutes of Utah, 1898; Providing for the Payment of Salaries of County Officers," was read the second time.

By unanimous consent, all rules interfering therewith were suspended and S. B. No. 85 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Smoot, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 56, by Mr. Lawrence, "An Act in Relation to Pleading and Proving Corporate Existence in Actions by and Against Corporations," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 56 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Banres, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 81, by Mr. Allison (by request), "An Act to Amend Sections 3948 and 3949 of the Revised Statutes of Utah, 1898, Relating to the Partial Distribution of the Estates of Decedents," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 81 was read the third time and passed by the following vote: Ayes, 11; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Kiesel, Larsen, Lawrence, Murdock, Tanner, Whitmore, Whitney.

Absent and not voting: Messrs. Howell, Johnson, Love, Sherman, Smoot, Thomas, Mr. President.

The title of the bill was made the title of the act.

S. B. No. 60, by Mr. Tanner (by request), "An Act to Amend Sections 1722 and 1726, Revised Statutes of Utah, Relating to Penalties, Acting Without Registration, Adulterated Drugs, etc.," was read the second time.

S. B. No. 114, by the Committee on Railroads, "An Act to Amend Section 20 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 114 was read the third time.

On motion of Mr. Tanner, S. B. No. 114 was made the special order for 3:30 p. m., Wednesday, March 13, 1901.

Mr. Lawrence moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 10 a. m., Wednesday, March 13, 1901. Carried.

The Senate, at 10 p. m., adjourned.

FIFTY-NINTH DAY.

State of Utah, Senate Chamber,
March 13, 1901.

The Senate met at 10 a. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

Minutes of fifty-eighth day's session were read and approved.

SPECIAL ORDERS.

S. B. No. 118, by the Joint Committee on Fish and Game, "An Act for the Protection of Fish, Game and Birds; for Appointment of a State Fish and Game Commissioner, and Fixing His Salary, and for the Appointment of State Fish and Game Wardens, Providing for Their Compensation, and Prescribing Their Duties; to Prohibit the Sale of Certain Kinds of Fish and Game; and also for Hunting or Taking Game or Fish; to Provide Penalties for the Violation of this Act; and to Repeal Chapter 2, Laws of Utah, 1899," special order for 10 a. m., was taken up.

By unanimous consent, Mr. Love was allowed to introduce S. B. No. 125, "An Act to Amend Sections 2, 6, 10, 14, 19, 23 and 30 of the Laws of Utah, 1899, of An Act Entitled, 'An Act for the Protection of Fish, Game and Birds; for the Appointment of Fish and County Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of This Act, and to Repeal Title 21 of the Revised Statutes of Utah, 1898, Approved March 9, 1899,'" as a substitute for S. B. No. 118.

S. B. No. 118 and S. B. No. 125 were referred to the Committee on Fish and Game.

H. B. No. 7, "An Act Fixing the Salaries of Certain State Officers and Providing for Payment Thereof," special order for 11 a. m., was taken up and made the special order for 2:30 p. m.

H. B. No. 186, "An Act to Amend Section 6 and Section 7 of the Laws of Utah, 1899, Relating to Filing Affi-

davit of Work Done and Organization of Mining Districts," special order for 10:15 a. m., was taken up and referred to the Committee on Mines and Mining.

H. B. No. 232, "An Act to Authorize the Deseret Agricultural and Manufacturing Society to Dispose of Certain Property, and to Invest the Proceeds Thereof," special order for 4 p. m., was taken up, out of order, by unanimous consent, and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Larsen.

The title of the bill was made the title of the act.

BILL RECONSIDERED.

Mr. Tanner moved a reconsideration of the vote whereby H. B. No. 79 was rejected.

H. B. No. 79, "An Act to Establish a Bureau of Statistics and to Define the Duties Thereof, and Making Appropriation Therefor," was placed upon its final passage and passed by the following vote: Ayes, 12; nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Johnson, Kiesel, Lawrence, Love, Sherman, Smoot, Thomas, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Howell, Murdock, Mr. President.

Absent and not voting: Messrs. Larsen, Tanner.

The title of the bill was made the title of the act.

Mr. Murdock moved a reconsideration of the vote whereby S. B. No. 61 was passed. Carried.

S. B. No. 61 was referred to the Committee on Judiciary.

PRESENTATION OF PETITIONS.

S. P. No. 26, of residents of Riverside School District, Salt Lake County, praying that some measure be passed

for the financial relief of the Salt Lake City schools, was presented by Mr. Alder and allowed to lie upon the table to be considered in connection with H. B. No. 167.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature.

S. B. No. 98, "An Act to Create and Organize a Municipal Court in Certain Cities and to Define the Powers and Duties and Jurisdiction Thereof, and Making the Judge of Said Court Ex-Officio Justice of the Peace of Said Cities, and Ex-Officio Justice of the Peace of the Precincts Embraced in Said Cities."

S. B. No. 90, "An Act Amending Section 666 of the Revised Statutes of Utah, 1898, Relating to the Appointment of a Deputy Clerk of the Supreme Court and Enacting a New Section to be Known at Section 666 a, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof."

S. B. No. 28, "An Act to Amend Section 1815 of the Revised Statutes of Utah, 1898, Relating to Annual and Special School Taxes and the Powers and Duties of School District Boards Respecting the Same, and Conferring upon School District Boards the Management of the Schools and the Care and Control of School Property."

S. B. No. 65, "An Act to Provide for the Importation of the Bird Known as the 'Kohl Meisen' as a Foe to Orchard Pests, and Authorizing the State Board of Horticulture to Purchase Such Birds, and Making an Appropriation Therefor."

S. B. No. 68, "An Act to Amend Section 1865 of the Revised Statutes of Utah, 1898, Providing for the Levying of County School Taxes by the Board of County Commissioners, and Providing for the Collection of the Same."

S. B. No. 73, "An Act to Amend Sections 1, 3, 17 and 42 of Chapter 64, of the Laws of Utah, 1899, of an Act Entitled, 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, Pro-

viding for the Selection, Location, Appraisement, Protection, Sale, Rental and General Management of the Public Lands of the State, and for the Investment of the Funds Arising from the Sale and Leasing of Such Lands, the Distribution of the Income Thereof, and for the Sale and Protection of the Timber on the Lands of the State. Approved March 9, 1899,' "

WHITNEY, Chairman.

S. B. No. 98, S. B. No. 90, S. B. No. 28, S. B. No. 65, S. B. No. 68 and S. B. No. 73 were each read by title and signed by the President, in open session.

S. B. No. 113 was taken from the table, read by title and signed by the President, in open session.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 110, "An Act to Amend Sections 528, 529 and 530 of the Revised Statutes of Utah, 1898, Providing for the Contracting and Procuring Printed Stationery, Blanks and Blank Books and Other Supplies Required by State, County and Municipal Officers, and for all Other Public Printing; and for the Publication of Laws, Proceedings, Reports and Legal Notices and Advertisements and Fixing the Legal Rate Therefor," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 167, "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Providing for the Tax Estimate, Levy, Rate and Collection and Limit of School Taxes, and Making Special Provisions for a Levy of a School," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Military Affairs, to whom was referred H. B. No. 171, "An Act to Amend Sections 1441, 1465, 1481 and 1486 of the Revised Statutes of Utah, 1898, Relating to the Officers of the Militia and Defining Military Courts and Their Jurisdiction," respectfully report that they have had the same under consideration and recommend that the act be passed.

SHERMAN, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 5, "An Act to Amend Section 1249 of the Revised Statutes of Utah, 1898, Regulating the Sale of Intoxicating Liquors and Preventing Certain Persons Frequenting Places of Business Where Such Liquors are Sold," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that S. B. No. 5, be rejected.

LAWRENCE, Chairman.

The report was adopted, and S. B. No. 5 was rejected.

S. B. No. 126, by Committee on County and Municipal Corporations, "An Act to Amend Section 1249 of the Revised Statutes of Utah, 1898, Regulating the Sale of Intoxicating Liquors and Preventing Certain Persons from Frequenting Places of Business Where Such Liquors are Sold, and Repealing Section 4246 of the Revised Statutes of Utah, 1898," was read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 126 was read the third time and made the special order for 10:30 a. m., Thursday, March 14, 1901.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted S. B. No. 97, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, with Reference to the Election of Justices of the Peace and Constables in Cities of the Second Class," respectfully re-

port that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

S. B. No. 97 was read the third time and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 159, "An Act to Amend Section 544 of the Revised Statutes of Utah, 1898, Defining Precinct Officers and the Division of Counties for the Purpose of Electing Precinct Officers and Making Municipal Boundaries of Cities of the First Class One Precinct for the Purpose of Electing a Justice of the Peace and Constable," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted, and H. B. No. 159 was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 159 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Sherman, Tanner.

The title of the bill was made the title of the act.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 160, "An Act to Amend Section 1, Chapter 24 of the Laws of Utah, 1899, Entitled, 'An Act to Amend Section 213, Chapter 6, Title 10, Revised Statutes of Utah, 1898, Providing for the Election of Certain Officers in the Cities and Towns of the State, and Fixing the Terms Thereof,'" respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted and H. B. No. 160 was read the second time.

By unanimous consent, all rules interfering therewith were suspended and H. B. No. 160 was read the third time and passed by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Voting in the negative: Mr. Smoot.

Absent and not voting: Mr. Love.

The title of the bill was made the title of the act.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 11, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. Nos. 53 and 30, and the same have been passed and referred to Engrossing Committee.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in

open session, signed House Bill No. 32, entitled, "An Act Providing for the Establishment of a State School of Mines," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 32 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bill No. 158, entitled, "An Act Relating to Justices of the Peace in Cities of the First Class, and Defining Their Jurisdiction and Limiting the Application of the Act to Justices of the Peace Hereafter Elected," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 158 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bill No. 30, entitled, "An Act Defining the Powers and Duties of District Attorneys and Providing for Clerks in Certain Judicial Districts," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 30 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honor-

able body that the Speaker of the House has this day, in open session, signed House Bill No. 24, entitled, "An Act to Amend Section 2273 of the Revised Statutes of Utah, 1898, Relating to Delivery of Convicts to State Prison," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 24 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Concurrent Resolution No. 1, "Relating to an Oriental Centennial Exhibition at Portland, Oregon, in 1905," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. C. R. No. 1 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bill No. 29, entitled, "An Act to Amend Section 3245 of the Revised Statutes of Utah, 1898, as Amended by Chapter 66 of the Laws of Utah, 1899, Relating to Property Exempt from Execution," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 29 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in

open session, signed H. B. No. 94, entitled, "An Act to Amend Section 514 of the Revised Statutes of Utah, 1898, Relating to the Funding of County Indebtedness," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 94 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 228, by Mr. Axton, "An Act Defining an Infernal Machine, and Prescribing Penalties for the Construction or Contrivance of the Same, or Having Any Such Machine in Possession, or Delivering Such Machine to Any Person or Common Carrier, or Sending the Same Through the son May be Injured in His Person or Property, and Providing When Offenses Against This Act May be Tried in Case of Such Infernal Machine Being Transmitted Out-Mail, or Throwing or Placing the Same Where Any Perside the County, When Delivered," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 228 was read the first time and referred to the Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 227, by Mr. Axton, "An Act Relating to the Marking of Explosives, Inflammable Substances or Dangerous Acids, Chemicals and Compounds for Storage or Transportation, and Providing Penalties for the Violation of this Act," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 227 was read the first time and referred to the Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 181, by Mr. Glasmann, entitled, "An Act to Amend Section 2512 of the Revised Statutes of Utah, 1898, Providing for a License Tax on all Money Loaned by All Parties and also by National and State Banks and Persons Loaning Money," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 181 was read the first time and referred to the Committee on Banks and Banking.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 202, by Mr. Evans, entitled, "An Act to Amend Section 4173, Revised Statutes of Utah, 1898, Defining the Offenses of Kidnapping and Abduction, and Prescribing the Punishment Therefor," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 202 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 233, by Lambert, "An Act Making Appropriation to the Governor for the Purpose of Purchasing Poison to be Distributed Among the Several Counties of the State, for the Destruction of Ground Squirrels, Gophers and Prairie

Dogs," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 233 was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 72, by Mr. Anderson, "An Act to Provide the Method for the Changing of County Lines Pursuant to Article 11, Section 3, of the Constitution, and to Provide for Transcribing the County Records Made Necessary by Such Change," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 72 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 70, by Mr. Whitmore (by request), entitled, "An Act to Amend Section 45 of the Revised Statutesof Utah, 1898, Relating to Marks and Brands, and Defining Certain Duties of the Recorder of Marks and Brands With Respect Thereto," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Whitmore, the Senate concurred in the amendments made by the House to S. B. No. 70.

S. B. No. 70 was placed upon its final passage and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Sherman, Smoot.

The title of the bill was made the title of the act.

S. B. No. 70 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 94, by Mr. Allison (by request), "An Act to Prohibit and Punish Fraudulent Voting at Primaries, and Also to Punish Tellers and Other Officers, who Make False Returns, and to Punish Persons who Vote at More Than One Primary," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Allison, the Senate concurred in the amendments made by the House to S. B. No. 94.

S. B. No. 94 was placed upon its final passage and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Sherman.

The title of the bill was made the title of the act.

S. B. No. 94 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 6, by Mr. Barnes, entitled, "An Act Amending Sections

14 and 15 of Chapter 45, Laws of Utah, 1899, Providing for the Suppression of Nuisances and Contagious Diseases; Prescribing Quarantine Rules and Regulations Therefor, and Relating to Burial Permits and Health of Schools," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 6 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 69, by Whitmore (by request), "An Act to Amend Section 40 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands and Defining Certain Duties of the Recorder of Marks and Brands With Respect Thereto," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 69 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 75, by Mr. Love, entitled, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing the Mode of Procedure in Such Sales, and Providing a Penalty for Any Infraction Thereof," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 75 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 117, by Mr. Sherman (by request), "An Act Prohibiting Certain Persons from Wearing Certain Insignias or Medals, and Providing a Penalty for a Violation of the Same," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 117 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 12, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 237 (substitute for Senate Bill No. 7 and House Bill No. 63), as adopted by the Conference Committee of Senate and House, entitled, "An Act to Amend Section 2051 of the Revised Statutes of Utah, Providing for the Mileage of District Judges and District Attorneys," and the same is herewith transmitted for consideration of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 237 was read the first and second times.

House of Representatives.
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, Senate Bills Nos. 28, 65, 90, 98, 73, 68, 113. Same are herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bill No. 159, and have passed the same.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bill 160, and have passed the same.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 79 and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate, at 12:15 p. m., took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate resumed session at 2 p. m., President Evans presiding.

Roll was called, showing a quorum present.

SPECIAL ORDERS.

H. B. No. 7, "An Act Fixing the Salaries of Certain State Officers and Providing for Payment Thereof," special order for 2:30 p. m., was taken up and read the third time.

Roll call being ordered on Mr. Barnes's motion to fix the annual salary of the Governor at $6000 instead of $4000, the motion failed by the following vote: Ayes, 3; nays, 15.

Those voting in the affirmative were: Messrs. Barnes, Kiesel, Thomas.

Those voting in the negative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney, Mr. President.

Roll call being ordered on the final passage of H. B. No. 7, the bill was passed by the following vote: Ayes, 11; nays, 7.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Larsen, Lawrence, Love, Sherman, Tanner, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Bennion, Kiesel, Murdock, Smoot, Thomas, Mr. President.

The title of the bill was made the title of the act.

Mr. Tanner changed his vote from "nay" to "aye," prior to the announcement of the result, and gave notice of a motion to reconsider the vote whereby H. B. No. 7 was passed.

President Evans, in explanation of his vote, said:

"I vote no because I am not in favor of violating Section 20, of Article 7, of the State Constitution of Utah—the only safeguard of the people."

Senator Whitney, in explanation of his vote, said:

"Mr. President:—I have great respect for the motives of those who have spoken in opposition to this measure, and especially of those who have argued against its constitutionality. If I thought it unconstitutional I too would oppose it. But I do not so regard it. I was a member of the constitutional convention and a member of the committee which formulated the address to accompany the Constitution when it was submitted to the people. I was perfectly familiar with those proceedings and the spirit which actuated them, and I know that the framers of the State Constitution never intended that the salaries of the State officials should remain at the ridiculously low figure at which they now stand. It was almost

a matter of ridicule in the convention at the time but the salaries were so fixed in order that no pretext or shadow of a pretext, might be made of this question for the rejection of the Constitution. In the address that went forth with it we stated: 'The salaries of all officials have been marked down close to the danger line of extravagant economy.' But there was a tacit understanding that the salaries would be raised thereafter by the Legislature. Hence the Constitution, in Section 20 of Article 7, states that the salaries shall remain as fixed 'until otherwise provided by law.' Now this Legislature has a perfect right under the Constitution to 'otherwise provide by law,' and this bill is merely the expression of that right. Wherein then is it unconstitutional? As to when it applies, that is another question. I leave that open. The bill in its present shape does not say that the salaries of the present incumbents shall be affected by it, the words 'from and after the seventh day of January, nineteen hundren and one' having been stricken out. I shall vote for this measure because in my opinion, it does not violate the Constitution, but is in pursuance thereof. I therefore vote 'aye.'"

H. B. No. 225, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization and Fixing the Salary of the Members of the Board and its Secretary," special order for 3 p. m., was taken up and read the second time. By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 225 was read the third time and recommitted to the Committee on Judiciary.

S. B. No. 114, by the Committee on Railroads, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils," special order for 3:30 p. m., was taken up and made the special order for 10:15 a. m., Thursday, March 14, 1901.

BILLS CONSIDERED.

H. B. No. 167, "An Act to Amend Section 1936, Revised Statutes of Utah, 1898, Providing for the Tax, Estimate, Levy, Rate, Collection and Limit of School Taxes, and Making Special Provisions for a Levy of a School," was called up and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 167 was read the third time and passed by the following vote: Ayes, 10; nays, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Murdock, Sherman, Thomas, Whitney.

Those voting in the negative were: Messrs. Howell, Larsen, Lawrence, Love, Smoot, Tanner, Whitmore, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 35, "An Act to Prevent the Compelling of Employees of Persons or Corporations to Trade With Any Store, or Board at Any Boarding House by Means of Coercion, Intimidation, or Otherwise," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 35 was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Love.

The title of the bill was made the title of the act.

H. B. No. 171, by Mr. Kelly (by request), "An Act to Amend Sections 1441, 1465, 1466, 1481 and 1486 of Revised Statutes of Utah, 1898, Relating to the Officers of the Militia and Defining Military Courts and Their Jurisdiction," was called up by Mr. Sherman and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 171 was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Love.

The title of the bill was made the title of the act.

H. B. No. 147, "An Act Authorizing Cities to Aid and Encourage the Construction of Railroads by Granting to Railroad Companies for Depot Sites or Other Railroad Purposes, Real Property of Cities, Not Necessary for Municipal or Public Purposes," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 147 was read the third time.

Roll call being ordered on Mr. Larsen's motion to amend Section 1 of the bill by striking out the words: "In cities of the first and second class," the motion prevailed by the following vote: Ayes, 10; nays, 7; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Barnes, Kiesel, Sherman, Smoot, Tanner, Thomas, Whitney.

Roll call being ordered on the final passage of H. B. No. 147, the bill was passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Murdock.

The title of the bill was made the title of the act.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 16 and House Bill No. 51, both titles being identical, viz: "An Act Providing for the Proper Measurement and Division of Water; Creating Water Divisions in the State of Utah; Creating a Board of Control of Irrigation for the State of Utah, and Defining the Duties of the State Engineer; Providing for the Adjudication of Water Rights and for the Recognition of Existing Rights; Providing for the Proper Handling of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898," respectfully report that they have had the same under consider-

ation, offer a substitute therefor, to be known as "Substitute for S. B. No. 16," recommend that the substitute be passed and that S. B. No. 16 and H. B. No. 51 be rejected.

HOWELL, Chairman.

The report was adopted, and S. B. No. 16 and H. B. 51 were rejected.

S. B. No. 127, by Committee on Agriculture and Irrigation, "An Act Defining the Duties of the State Engineer; Providing for Making the State Engineer's Office the Office of Record for all Claims to Water; Regulating the Method of Making Applications to Appropriate Water; Providing for the Creation of Water Districts and for the Appointment of a Water Commissioner for Each District; Providing for the Proper Measurement and Division of Water; Providing for the Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898," was read the first and second times and made the special order for 10:45 a. m., Thursday, March 14, 1901.

EXECUTIVE COMMUNICATIONS.

The following communications were received and filed:

State of Utah, Executive Office,
Salt Lake City, March 13, 1901.

To the Senate:—I have the honor to make the fol lowing named appointments and invite your advice and consent thereto:

To be Members of the State Board of Education:

Frank B. Cooper of Salt Lake County for the term of four years, William S. Marks of Tooele County for the term of four years.

To be Members of the State Board of Pharmacy:

T. H. Carr of Weber County for the term of five years, B. F. Riter of Cache County for the term of five years.

To be Members of the Utah Silk Commission:

Mrs. Rachel Siegel of Salt Lake County for the term of five years, Miss Maria E. Zundelof Box Elder County for the term of five years.

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 15, 1901.

To the Senate:—I have the honor to make the following named appointments and invite your advice and consent thereto:

To be Members of the State Board of Health and Vital Statistics:

Dr. S. H. Allen of Utah County to fill the vacancy caused by the resignation of Dr. W. R. Pike, whose term expires December 31, 1902.

Dr. Frank B. Steele of Juab County for the term ending December 31, 1907.

Dr. Willard Y. Croxall of Cache County for the term ending December 31, 1906.

To be Members of the State Board of Medical Examiners for the term of two years:

Dr. Ephraim Gowan of Cache County.
Dr. S. L. Brick of Weber County.
Dr. Briant Stringham of Davis County.
Dr. A. C. Ewing of Salt Lake County.
Dr. Elias S. Wright of Salt Lake County.
Dr. J. C. Hanchett of Salt Lake County.
Dr. R. W. Fisher of Salt Lake County.

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 12, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 18, entitled, "An Act to Amend Section 496 of the Revised Statutes of Utah, 1898, Providing for the Election and Term of Office of County Commissioners."

Senate Bill No. 47, entitled, "An Act to Relinquish to the United States the Unsurveyed School Land of this Sate in Lieu of a Grant of Land of Equal Area to be Made by the United States to the State."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 13, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 28, entitled, "An Act to Amend Section 1815 of the Revised Statutes of Utah, 1898, Relating to Annual and Special School Taxes, and the Powers and Duties of School District Boards Respecting the Same, and Conferring upon School District Boards the Management of the Schools and the Care and Control of School Property."

Senate Bill No. 65, entitled, "An Act to Provide for the Importation of the Bird Known as the 'Kohl Meisen,' as a Foe to Orchard Pests, and Authorizing the State Board of Horticulture to Purchase Such Birds, and Making an Appropriation Therefor."

Senate Bill No. 73, entitled, "An Act to Amend Sections 1, 3, 17 and 42 of Chapter 64 of the Laws of Utah, 1899, of an Act Entitled, 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, Providing for the Selection, Location, Appraisement, Protection, Sale, Rental and General Management of the Public Lands of the State, and for the Investment of the Funds Arising from the Sale and Leasing of Such Lands, the Distribution of the Income Thereof, and for the Sale and Protection of the Timber on the Lands of the State,' Approved March 9, 1899."

Senate Bill No. 90, entitled, "An Act Amending Section 666 of the Revised Statutes of Utah, 1898, Relating to the Appointment of a Deputy Clerk of the Supreme Court, and Enacting a New Section to be Known as Section 666 a, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof."

Senate Joint Memorial No. 4, "Memorializing Congress to Extend the Right of Suffrage to all Citizens of the United States Without Discrimination on Account of Sex."

Very respectfully,
HEBER M. WELLS, Governor.

MISCELLANEOUS BUSINESS.

S. J. M. No. 3 was taken from the table and recommitted to the Committee on Public Lands.

On motion of Mr. Whitmore, the Senate, at 6:15 p. m., took a recess until 8 p. m.

EVENING SESSION.

The Senate resumed session at 8 p. m., President Evans presiding.

Roll was called, showing a quorum present.

EXECUTIVE SESSION.

The Senate, at 8:10 p. m., went into executive session.

When the doors were opened, it was announced that the Senate had given its advice and consent to the following appointments, made by His Excellency, Governor Heber M. Wells:

To be members of the State Board of Education:

Frank B. Cooper, of Salt Lake County, for the term of four years.

William S. Marks, of Tooele County, for the term of four years.

To be members of the State Board of Pharmacy:

T. H. Carr, of Weber County, for the term of five years.

B. F. Riter, of Cache County, for the term of five years.

To be members of the Utah Silk Commission:

Mrs. Rachel Siegel, of Salt Lake County, for the term of five years.

Miss Maria E. Zundel, of Box Elder County, for the term of five years.

For members of the State Board of Health and Vital Statistics:

Dr. S. H. Allen, of Utah County, to fill the vacancy caused by the resignation of Dr. W. R. Pike, whose term expires December 31, 1902.

Dr. Frank B. Steele, of Juab County, for term ending December 31, 1907.

Dr. Willard Y. Croxall, of Cache County, for the term ending December 31, 1906.

To be members of the State Board of Medical Examiners for the term of two years:

Dr. Ephraim Gowan, of Cache County.
Dr. S. L. Brick, of Weber County.
Dr. Briant Stringham, of Davis County.
Dr. A. C. Ewing, of Salt Lake County.
Dr. Elias S. Wright, of Salt Lake County.
Dr. J. C. Hanchett, of Salt Lake County.
Dr. R. W. Fisher, of Salt Lake County.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature.

S. B. No. 38, "An Act Providing for the Approval of the Bonds of State Officers in Cases Where no Provision is Made for the Approval of the Same,"

S. B. No. 101, "An Act to Amend Section 4413 of the Revised Statutes of Utah, 1898, and to Punish Directors, Officers and Agents of Corporations for Fraud and Misconduct."

S. B. No. 87, "An Act to Amend Section 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties to Civil Actions."

WHITNEY, Chairman.

S. B. No. 38, S. B. No. 101, and S. B. No. 87 were each read by title and signed by the President, in open session.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 74, "An Act to Create a State Board of Labor, Conciliation and Arbitration, for the Investigation and Settlement of Differences Between Employers and Their Employees; to Define the Power and Duties of the Said Board, Fixing Its Members Compensation, and Repealing Chapter 1, of Title 36 of the Revised Statutes of Utah, 1898," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

A Conference Committee, consisting of Messrs. Whitney, Kiesel and Lawrence, was appointed to meet a like committee from the House and endeavor to secure the reinstatement of S. B. No. 74.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 85, by Mr. Alder, "An Act Amending Section 2061 of the Revised Statutes of Utah, 1898, Providing for the Payment of Salaries of County Officers," and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 85 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 242 (substitute for H. B. No. 111), by McFarland, entitled, "An Act Making an Appropriation for the Extermination

of the San Jose scale," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 242 was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, the Governor, has this day approved and filed in the office of the Secretary of State the following measures: House Bill No. 24, House Bill No. 32, House Bill No. 29, House Bill No. 94.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 98, by Mr. Stuart (by request), "An Act to Amend Sections 527, 528 and 529 of the Revised Statutes of Utah, 1898, Providing for the Purchase of Books, Blanks, Stationery and Contracts for County Printing," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 98 was read the first time and referred to the Committee on Public Printing.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 241, by Holzheimer (substitute for H. B. No. 185), "An Act to Provide for Fire Protection in All of the Mines of the State of Utah, and Defining the Same," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 241 was read the first time and referred to the Committee on Mines and Mining.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 133, by Hewlett, entitled, "An Act in Relation to the Brands and Property Marks of Bottles, Kegs, Casks, Barrels, Boxes, Fountains, Tanks, Syphons and Other Vessels, and Tools, Implements and Apparatus of all Kinds, and for the Protection of Owners Thereof, and Providing a Penalty for the Violation Hereof," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 133 was read the first time and referred to the Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 240, by Mr. Langton, entitled, "An Act to Repeal Section 2082 of the Revised Statutes of Utah, 1898, Relating to Trustees of the Agricultural College."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 240 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 56, by Mr. Lawrence, entitled, "An Act in Relation to Pleading and Proving Corporate Existence in Actions by and Against Corporations," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 56 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bill No. 167, by Mr. Wells, and same passed the House.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 42, by Mr. Smoot, entitled, "An Act Regulating the Transaction of Insurance Business (Other Than Life) in this State by Foreign Insurance Companies, Requiring the Same to be Done Through Resident Agents; Prescribing Certain Duties of the Secretary of State in Relation Thereto, and Prescribing Certain Penalties for the Violation of the Laws," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 42 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 97, by Mr. Allison, entitled, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, Providing for the Election of Certain County and Precinct Officers and Fixing Their Terms of Office," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 97 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 99, by Committee on Live Stock (substitute for S. B. Nos. 34 and 35), "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of the Provisions and Repealing Sections 2537, 2538, 2539, 2540, 2541 and 2542 of the Revised Statutes of Utah for 1898, and Repealing Chapter 44 of the Session Laws of 1899," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Howell, the Senate refused to concur in the amendments made by the House to S. B. No. 99.

The Committee on Live Stock was appointed a Conference Committee to meet a like committee from the House and consider S. B. No. 99.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. B. No. 32, by Mr. Bennion, entitled, "An Act creating the reservoir land grant fund and providing for the procuring of reservoir sites and the construction of reservoirs for the purpose of supplying water to State lands," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Howell, the Senate concurred in the amendments made by the House to S. B. No. 32.

S. B. No. 32 was placed upon its final passage and passed by the following vote: Ayes, 10; absent and not voting, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Larsen, Love, Sherman, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Barnes, Bennion, Kiesel, Lawrence, Murdock, Smoot, Tanner, Whitney.

The title of the bill was made the title of the act.

S. B. No. 32 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has his day concurred in the Senate amendments to House Bill No. 147, by D. H. Morris, and the same has passed the House.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bill No. 171, and the House has passed same as amended by the Senate.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, Senate Bill No. 87, S. B. No. 38 and S. B. No. 101, and the same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. C. R. No. 1, by Mr. Smoot, addressed to Senators and Representatives from this commonwealth, and the same is herewith transmitted for further action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. C. R. No. 1 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Van Horne, Page and Hall a Conference Committee to confer with a like committee from the Senate in relation to H. B. No. 211, "An Act to Exempt From Taxation the Property of Municipal Corporations Held Under Contract."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Lawrence a Conference Committee, consisting of Messrs. Lawrence, Howell and Tanner, was appointed to confer with the House Committee on H. B. No. 211.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Axton, Wells and N. L. Morris a Conference Committee to confer with a like committee from the Senate on H. B. No. 23.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Howell, the Senate refused to appoint a Conference Committee on H. B. No. 23, the bill having been rejected on March 8, 1901.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 81, by Mr. Allison (by request), "An Act to Amend Section 3948 and 3949 of the Revised Statutes of Utah, 1898, Relating to the Partial Distribution of the Estates of Decedents," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate concurred in the amendments made by the House to S. B. No. 81.

S. B. No. 81 was placed upon its final passage and passed by the following vote: Ayes, 13; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Allison, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Bennion, Howell, Murdock, Smoot.

The title of the bill was made the title of the act.

S. B. No. 81 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF SELECT COMMITTEES.

Mr. Whitney of the Committee appointed to confer with a Committee from the House and endeavor to secure a reinstatement of S. B. No. 74, reported that the joint committee had reported the bill favorably from the House and it had been passed by that body.

The report was adopted and the committee was discharged.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day adopted the Conference Committee report on S. B. No. 74, and passed the same. The bill is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 74 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATION FROM STATE BOARD OF EXAMINERS.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Utah March 13, 1901.

To the Senate:—I am directed to transmit the inclosed claim No. 3293 of the Hooper Building, for $189.00, for storage of weights and measures, and to report that the said claim has been approved by the Board for $94.50, the claimant having agreed to accept such sum in settlement of the bill. It is recommended that an appropriation be made therefor.

Very respectfully,
JAMES T. HAMMOND,
Secretary State Board of Examiners.

The communication and the accompanying documents were referred to the Committee on Appropriations and Claims.

BILLS REJECTED.

H. B. No. 14, "An Act Amending Section 800 of the Revised Statutes of Utah, 1898, Relating to Registration," was taken up.

On motion of Mr. Allison, the enacting clause of H. B. No. 14 was stricken out.

H. B. No. 15, "An Act to Amend Section 816 of the Revised Statutes of Utah, 1898, Relating to New Registration by Affidavit in Certain Cases and to Provide for Duplicate Certificates of Registration," was taken up.

On motion of Mr. Tanner, the enacting clause of H. B. No. 15 was sricken out.

BILLS CONSIDERED.

H. B. No. 61, "An Act Compelling Street Railway Companies and Persons Owning or Operating Street Railways to Protect Certain of Their Employees from the Inclemencies of the Weather," was read the second time.

By unanimous consent, all rules interfering there-

with were suspended, and H. B. No. 61 was read the third time and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Tanner, Thomas, Whitney, Mr. President.

Voting in the negative: Mr. Whitmore.

Absent and not voting: Messrs. Barnes, Bennion, Murdock, Smoot.

The title of the bill was made the title of the act.

S. B. No. 122, by Committe on Judiciary (substitute for S. B. No. 112), "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities," was read second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 122 was read the third time and passed by the following vote: Ayes, 13; absent and not voting, 4; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Bennion, Murdock, Smoot.

Excused from voting: Mr. Tanner.

The title of the bill was made the title of the act.

H. B. No. 237, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Providing for the Mileage of District Judges and District Attorneys," was called up by Mr. Alder, and read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 237 was read the third time, and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Contingent Expenses, having had under consideration the following ac-

counts, respectfully report that they have carefully examined the same, found all to be correct, and recommend that a check for the total amount, $24.30, be drawn in favor of Joseph Phillips, Sergeant-at-Arms, who will settle the bills, obtain receipt in full for each amount, and return all to the secretary for filing:

Salt Lake City Postoffice, Stamps	$10.00
George F. Felt, Rent of Machine, etc.	11.80
L. C. Johnson, Drayage	1.00
L. C. Johnson, return of office furniture	1.00
L. C. Johnson, Gurney for Committee	.50
Total	$24.30

LOVE, Chairman.

The report was adopted and the amount was appropriated.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Private Corporations and Insurance, to whom was referred S. B. No. 55, "An Act Relating to Fire Insurance, Authorizing a Form of Policy and Providing Against the Reduction of the Amount Insured for in Case of Total Loss," respectfully report that they have had the same under consideration and recommend that the act be not passed.

KIESEL, Chairman.

The report was adopted, and S. B. No. 55 was rejected.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Public Lands, to whom was recommitted S. J. M. No. 3, "Requesting the Secretary of the Interior to Reduce the Forest Reserve, created for the Protection of the Water Supply of Salt Lake City, etc.," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed and that S. J. M. No. 3 be rejected.

SHERMAN Chairman.

The report was adopted, S. J. M. No. 3 was rejected, and S. J. M. No. 6 was substituted therefor.

By request of Mr. Sherman, S. J. M. No. 6 was taken up for consideration and adopted by the following vote: Ayes, 12; absent and not voting, 5; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Kiesel, Larsen, Love, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Bennion, Murdock, Smoot, Tanner.

Excused from voting: Mr. Lawrence.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred H. B. No. 204, "An Act Providing for Placing Road Brands on Cattle and Horses Being Driven Through, or From One Part of the State to Another, and Fixing the Penalty for Its Violation," respectfully report that they have had the same under consideration and recommend that the act be not passed.

WHITMORE, Chairman.

On motion of Mr. Tanner, the report of the Committee on Live Stock, recommending the rejection of H. B. No. 204, was made the special order for 11 a. m., Thursday, March 14, 1901.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Highways and Bridges, to whom was referred H. B. No. 235, "An Act Making Appropriations for Certain Highways and Bridges," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

LARSEN, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 116, "An Act Prohibiting the Use of the Device Known as the Slot

Machine, in this State, and Prescribing a Penalty for the Violation of this Act," respectfully report that they have had the same under consideration and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Fish and Game, to whom was referred S. B. No. 118, "An Act for the Protection of Fish, Game and Birds; for Appointment of a Fish and Game Commissioner and Fixing His Salary and for the Appointment of Fish and Game Wardens, Providing for Their Compensation and Prescribing Their Duties; to Prohibit the Sale of Certain Kinds of Fish and Game; and Also for Hunting, or Taking Game or Fish; to Provide Penalties for the Violation of this Act; and to Repeal Chapter 26, Laws of Utah, 1899," also S. B. No. 125, "An Act to Amend Sections 2, 6, 10, 12, 14, 19 and 23 of the Laws of Utah, 1899, of An Act Entitled, 'An Act for the Protection of Fish, Game and Birds; for the Appointment of Fish and Game Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of this Act, and to Repeal Title 21 of the Revised Statutes of Utah, 1898, Approved March 8, 1899," respectfully report that they have had the same under consideration and unanimously recommend that S. B. No. 125 be passed, and that S. B. No. 118, be rejected.

SMOOT, Chairman.

The report was adopted, S. B. No. 118 was rejected and S. B. No. 125, "An Act to Amend Section 2, 6, 10, 14, 19, 23 and 30 of the Laws of Utah, 1899, of An Act Entitled, 'An Act for the Protection of Fish, Game and Birds; for the Appointment of Fish and County Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of This Act, and to Repeal Title 21 of the Revised Statutes of Utah, 1898, Approved March 9, 1899,'" was substituted therefor and read the first and second times.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on County and Mu-

nicipal Corporations, to whom was referred H. B. No. 211, "An Act to Exempt from Taxation the Property of Municipal Corporations Held Under Contract," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

The report was adopted, and H. B. No. 211 was rejected.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 177, "An Act Relating to Instruments of Writing Informally Executed, and Validating All of the Same Which Were of Record Prior to January 1, 1901," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

REPORTS OF SELECT COMMITTEES.

March 13, 1901.

Mr. President:—Your Conference Committee, appointed to confer with a like committee from the Senate, to reconsider H. B. No. 211, beg leave to report that they have met in conference and have unanimously requested the return to the Senate of H. B. No. 211 for further consideration by the Senate.

LAWRENCE, Chairman.

The report was adopted and the committee was discharged.

MISCELLANEOUS BUSINESS.

Mr. Kiesel moved that when the Senate adjourn it be, under a suspension of the rules, to meet at 10 a. m., Thursday, March 14, 1901. Carried.

Mr. Lawrence informed the Senate of the death of

Ex-President Benjamin Harrison, and moved that a committee of three be appointed to prepare appropriate resolutions of respect.

Messrs. Lawrence, Whitney and Allison were appointed as such committee.

The special committee reported the following (known as S. C. R. No. 6), which was unanimousiy adopted, under a suspension of the rules, by a rising vote:

Whereas, The public press announces the death of General Benjamin Harrison, ex-President of the United States, who passed from this life on Wednesday, March 13, 1901, at his home in Indianapolis, Indiana, and,

Whereas, By the death of this distinguished citizen the nation loses a notable character whose public services, both in war and peace, were conducive to the country's welfare and glory; therefore, be it

Resolved, by the Senate, the House concurring, That Utah as an integral part of the Union for which he fought and at whose helm he subsequently stood, a pilot of courage and wisdom, guiding the Ship of State safe through perilous waters, has cause to mourn, in common with her sister states, over this great man's demise; and be it further

Resolved, That we, the representatives of the sovereign people of this commonwealth, hereby express our deep sympathy with the family of the deceased in their heavy bereavement, and our sorrow at the loss which the whole nation thereby sustains.

Resolved, also, That these resolutions be spread upon the records of the Senate and the House, and that an engrossed copy thereof be sent to the family of ex-President Harrison.

Out of respect for the memory of Ex-President Harrison, the Senate adjourned.

SIXTIETH DAY.

State of Utah, Senate Chamber,
March 14, 1901.

The Senate met at 10 a. m., pursuant to adjournment, President Evans presiding.

Roll was called, showing all members present.

Prayer by the Chaplain.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 89, "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 89 was read by title and signed by the President, in open session.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 13, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Holmgren, Stuart and Wells as a conference committee to confer with a like committee from the Senate to consider H. B. Nos. 14 and 15.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate refused to appoint a conference committee to meet a like committee from the House and consider H. B. No. 14 and H. B. No. 15.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day, by unanimous vote, decided to insist on a conference committee being appointed by the Senate to confer with a like committee from the House regarding H. B. No. 23, and have appointed Messrs. Van Horne, D. C. Johnson and Billings as members of the House committee.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

By unanimous consent a conference committee, consisting of Messrs. Thomas, Sherman and Bennion, was appointed to meet a like committee from the House and consider H. B. No. 23.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed House Bills Nos. 157, 79, 223, 55, 46, 232, 160, 159, 167, 35 and H. J. M. No. 4. The same are herewith enclosed for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 157, H. B. No. 79, H. B. No. 223, H. B. No. 55, H. B. No. 46, H. B. No. 232, H. B. No. 160, H. B. No. 159, H. B. No. 167, H. B. No. 35, and H. J. M. No. 4 were each read by title and signed by the President, in open session.

INTRODUCTION OF BILLS.

Unanimous consent was granted for the introduction of the following bills:

S. B. No. 128, by Mr. Thomas, "An Act Providing for the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah, With the View of Determining the Amount Thereof, and the Liability of the State Therefor and Barring from Pay-

ment all Certificates not Presented Within the Time Prescribed in this Act," was read the first time and filed for second reading.

S. B. No. 129, by Committee on Public Institutions, "An Act to Repeal Section 2127 of the Revised Statutes of Utah, 1898, Relating to Trustees of the Deseret Agricultural and Manufacturing Society," was read the first time and referred to the Committee on Salaries.

S. B. No. 130, by Committee on Public Institutions, "An Act to Repeal Section 2082 of the Revised Statutes of Utah, 1898, Relating to the Trustees of the Agricultural College," was read the first time and referred to the Committee on Salaries.

REPORTS OF SELECT COMMITTEES.

Mr. Thomas, of the conference committee appointed to meet a like committee from the House and consider H. B. No. 23, reported that the committee had agreed to ask that H. B. No. 23 be recalled from the House for further consideration.

The report was adopted, and the Secretary was instructed to request the return of H. B. No. 23.

Mr. Howell moved that hereafter no conference committees be appointed by the Senate to consider any measures that have been rejected by either house. Carried.

SPECIAL ORDERS.

S. B. No. 114, by the Committee on Railroads, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils," special order for 10:15 a. m., was taken up and passed by the following vote: Ayes, 14; nays, 3; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Allison, Lawrence, Love.

Absent and not voting: Mr. Alder.

The title of the bill was made the title of the act.

S. B. No. 126, by Committee on County and Municipal Corporations, "An Act to Amend Section 1249 of the Revised Statutes of Utah, 1898, Regulating the Sale of Intoxicating Liquors and Preventing Certain Persons from Frequenting Places of Business Where Such Liquors are Sold, and Repealing Section 4246 of the Revised Statutes of Utah, 1898," special order for 10:30 a. m., was taken up and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Smoot, Tanner, Whitney, Mr. President.

Absent and not voting: Messrs. Bennion, Sherman, Thomas, Whitmore.

The title of the bill was made the title of the act.

S. B. No. 127, by Committee on Agriculture and Irrigation, "An Act Defining the Duties of the State Engineer; Providing for the Creation of Water Districts and for the Appointment of a Water Commissioner for Each District; Providing for the Proper Measurement and Division of Water; Providing for the Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898," special order for 10:45 a. m., was read the third time.

Pending further consideration of S. B. No. 127, the Senate, at 12:15 p. m., took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate resumed session at 2 p. m., Mr. Howell presiding.

Roll was called, showing a quorum present.

UNFINISHED BUSINESS.

Consideration of S. B. No. 127 was resumed and the bill was passed by the following vote: Ayes, 10; nays, 6; absent and not voting, 1; excused from voting, 1.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner.

Those voting in the negative were: Messrs. Alder, Johnson, Smoot, Thomas, Whitmore, Mr. President.

Absent and not voting: Mr. Allison.

Excused from voting: Mr. Whitney.

The title of the bill was made the title of the act.

BILLS CONSIDERED.

S. B. No. 121, by Committee on Mines and Mining, "An Act Providing for the Appointment of a Coal Mine Inspector; Defining His Duties, Fixing His Salary and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of Property Connected Therewith, and Repealing Chapter 2, Title 42 of the Revised Statutes of Utah, 1898," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 121 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Lawrence.

The title of the bill was made the title of the act.

S. B. No. 125, "An Act to Amend Sections 2, 6, 10, 14, 19, 23 and 30 of the Laws of Utah, 1899, of An Act Entitled, 'An Act for the Protection of Fish, Game and Birds; for the Appointment of State and County Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of This Act, and to Repeal Title 21 of the Revised Statutes of Utah, 1898, Approved March 9, 1899,'" was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore Whitney, Mr. President.

Absent and not voting: Mr. Bennion.
The title of the bill was made the title of the act.

VOTE RECONSIDERED.

By unanimous consent, the vote whereby H. B. No. 7 was passed was reconsidered.

H. B. No. 7 was placed upon its final passage and passed by the following vote: Ayes, 11; nays, 7.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Larsen, Lawrence, Love, Sherman, Thomas, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Bennion, Kiesel, Murdock, Smoot, Tanner, Mr. President.

The title of the bill was made the title of the act.

President Evans, in explanation of his vote, said:

"I vote no because I am not in favor of violating Section 20, of Article 7, of the State Constitution of Utah—the only safeguard of the people."

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of rules, S. B. No. 114 (Substitute for H. B. No. 140), by Senate Committee on Railroads, entitled, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils," and the same is herewith transmitted for further action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 114 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed under suspension of rules H. B. No. 64, by Mr. Smith, "An Act to

Regulate the Practice of Dentistry in the State of Utah, to Provide for a Board of Dental Examiners and Prescribe its Powers and Duties and Provide Penalties and to Repeal Sections 747 to 759 Inclusive of the Revised Statutes of Utah, 1898," and the same is herewith inclosed for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 64 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. B. No. 77, by Mr. Tanner (by request), "An Act to Amend Section 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices, Municipal and City Courts," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Bennion, the Senate concurred in the amendments made by the House to S. B. No. 77.

S. B. No. 77 was placed upon its final passage and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Howell.

The title of the bill was made the title of the act.

S. B. No. 77 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of rules, H. B. No. 121, by Phillips, "An Act to

Amend Section 15 of the Revised Statutes of Utah, 1898, Relating to the Sale of Estray Animals," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 121 was read the first time and referred to the Committee on Live Stock.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, House Bill No. 61, entitled, "An Act Compelling Street Railway Companies and Persons Owning or Operating Street Railways to Protect Certain of Their Employees from the Inclemency of the Weather," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 61 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, H. B. No. 147, entitled, "An Act Authorizing Cities and Incorporated Towns to Aid and Encourage the Construction of Railroads by Granting to Railroads Companies, for Depot Sites or Other Railroad Purposes Certain Property of Cities and Incorporated Towns, Not Necessary for Municipal or Public Purposes, and Providing for Submitting such Proposed Grant to the Qualified Electors of Such City or Incorporated Town and Prescribing the Manner of Holding Said Elections," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 147 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 84, by Mr. Murdock, entitled, "An Act to Amend Section 1447 of the Revised Statutes of Utah, 1898, Defining the Duties of the Dairy and Food Commissioners," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 84 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 122, by Committee on Judiciary, entitled, "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 122 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. M. No. 6, under suspension of the rules, and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. J. M. No. 6 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day asked for the return from the Senate of S. B. No. 77.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 77 was returned to the House.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day, in open session, signed Senate Bill No. 89, and the same is herewith transmitted for further action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 61, and passed the same, as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to return for your consideration H. B. No. 211 as per your request. Same is herewith enclosed.

M. M. STEELE JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 115. The same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 107, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES.

The report of the Committee on Live Stock, recommending the rejection of H. B. No. 204, special order for 11 a. m., was taken up, and, on motion of Mr. Smoot, was adopted, and H. B. No. 204 was rejected.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Banks and Banking, to whom was referred H. B. No. 181, "An Act to Amend Section 2512 of the Revised Statutes of Utah, 1898, Providing for Taxation and Assessment of Private Bankers, Brokers, Dealers, Foreign Banks, and Loan Companies, and Providing for the License Tax on all Money Loaned by All Parties, and Also by National and State Banks and Persons Loaning Money," respectfully report that they have had the same under consideration and unanimously recommend that the act be not passed.

WHITMORE, Chairman.

The report was adopted, and H. B. No. 181 was rejected.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 104, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 153, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," respectfully report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 212, "An Act Permitting the Waiver of the Undertaking on Appeal from City, Municipal and Justices Courts, to the District Court on Civil Actions," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 12, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 12, "An Act to Provide for the Investment of Sinking Funds Created by any Subdivision in the State," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 84, "An Act to Amend Section 2689 of the Revised Statutes of Utah, 1898, Relating to City and Town Taxes," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Live Stock, to whom was referred H. B. No. 216, "An Act Making it Unlawful to Dock the Tail of any Horse, Fixing a Penalty therefor, and Evidence Thereof, and the Disposition of Fines Collected on Account of Convictions of Persons Guilty of Cruelty to Animals," respectfully report that they have had the same under consideration, and recommend that the act be passed.

WHITMORE, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 152, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes, and the Liability of the State and School Districts for the Respective Amounts Received," respectfully report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 103, "An Act to Provide Contingent Expenses of County Superintendents of District Schools and for the Payment of Their Salaries," respectfully report that they have had the same under consideration, and recommend that the act be passed.

JOHNSON, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Elections, to whom was referred H. B. No. 191, "An Act Authorizing the Counties to Purchase Voting Machines," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

MURDOCK, Chairman.

The report was adopted, and H. B. No. 191 was rejected.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 41, "An Act to Provide for the Initiative and Referendum in Legislation," respectfully report that they have had the same under consideration, after certain amendments thereto, and recommend that the act, as amended, be passed.

BENNION, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 233, "An Act Making Appropriations to be Used Under the Direction of a Person Appointed by the Governor for the Destruction of Ground Squirrels, Gophers and Prairie Dogs," respectfully report that they have had the same under consideration, and recommend that the act be passed.

HOWELL, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 228, "An Act Defining an Infernal Machine and Preschibing Penalties for the Construction of Contrivance of the same, or Having Such Machine in Possession, or Delivering Such Machine to Any Person or Common Carrier; or Sending the Same Through the Mail, or Throwing or Placing the Same Where Any Person May be Injured in His Person or Property and Providing Where Offenses Against This Act May be Tried in Case of such Infernal Machine Being Transmitted Outside the County Where Delivered," respectfully report that they have had the same under consideration, and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Conference appointed to consider certain amendments to S. B. No. 99, "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same; Providing Penalties for Violation of its Provisions and Repealing Sectins 2537, 2538, 2539, 2540, 2541 and 2542 of the Revised Statutes of Utah, 1898, and Repealing Chapter 44, of the Session Laws of 1899," respectfully report that they have had the same under consideration and unanimously offer the following recommendations:

1. Page 1, Line 5, Strike out the words "or fed."
2. Page, 1, Line 9, Strike out the words "or fed."
3. Page 1, Line 13, Strike out the words "or fed."
4. Page 2, Lines 17 and 18, That the House recede from its amendments in striking out the words "other than bona-fide residents of the State," and inserting the words "or grazing through."
5. Page 3, Line 9, Strike out the words "or fed." Line 17, the same. Line 18, the same. That the House recede from its amendment in inserting the proviso to Sec. 6.
6. Page 4, Line 4, That the House recede from its amendment in inserting the words "2 and."
7. Page 5, Line 14, Strike out the word "special" and substitute the word "district."
8. Line 35, After the word "another" and before the word "without" insert the following "county for grazing purposes."

WHITMORE,
Chairman, Senate Committee.
D. H. MORRIS,
Chairman, House Committee.

The report was adopted.

S. B. No. 99 was placed upon its final passage and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Howell.

The title of the bill was made the title of the act.

S. B. No. 99 was referred to the Committee on Engrossed and Enrolled Bills.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Manufactures and Commerce to whom was referred H. B. No. 133, "An Act in Relation to the Brands and Property Marks of Bottles, Kegs, Casks, Barrels, Boxes, Fountains, Tanks, Syphons and Other Vessels and Tools, Implements and Apparatus of All Kinds, and for the Protection of Owners Thereof, and Providing a Penalty for the Violation Thereof," respectfully report that they have had the same under consideration and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 227, "An Act Relating to the Marking of Explosives, Inflamable Substances or Dangerous Acids, Chemicals and Compounds for Storage or Transportation, and Providing Penalties for the Violation of This Act," respectfully report that they have had the same under consideration and recommend that the act be passed.

KIESEL, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 169, "An Act Amending Section 2238, Revised Statutes of Utah, 1898, Relating to Salaries, Quarters and Board of Employees of the State Prison; the Time of Payment of Such Salaries and the Fixing of the Same by the State Board of Corrections," respectfully report that they have had the same under consideration and recommend that the act be passed.

SMOOT, Chairman.

The report was adopted.

Committee Room, March 13, 1901.

Mr. President:—Your Committee on County and Municipal Corporations to whom was referred H. B. No. 129, "An Act Prviding for the Incorporation of Churches and Religious Societies," respectfully report that they have had the same under consideration, offer certain amendments thereto and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Salaries, to whom was referred the following bills:

S. B. No. 129, "An Act to Repeal Section 2127 of the Revised Statutes of Utah, 1898, Relating to Trustees of the Deseret Agricultural and Manufacturing Society."

S. B. No. 130, "An Act to Repeal Section 2582 of the Revised Statutes of Utah, 1898, Relating to Trustees of the Agricultural College."

S. B. No. 240, "An Act to Repeal Section 2082 of the Revised Statutes of Utah, 1898, Relating to Trustees of the Agricultural College."

H. B. No. 197, "An Act Amending Section 2110 and 2134, Revised Statutes of Utah, 1898, Relating to Compensation of the Trustees of the Deaf, Dumb and Blind, and Industrial Schools," respectfully report that they have had the same under consideration, offer a substitute for the four bills, recommend that the substitute be passed, and that S. B. No. 129, S. B. No. 130, H. B. No. 240 and H. B. No. 197 be rejected.

JOHNSON, Chairman.

The report was adopted, S. B. No. 129, S. B. No. 130, H. B. No. 240 and H. B. No. 197 were rejected, and S. B. No. 131, by the Committee on Salaries, "An Act to Amend Sections 2082, 2110, 2127, and 2134 of the Revised Statutes of Utah, 1898, Fixing the Compensation of Directors of Certain State Instituions in Attending Board Meetings," was substituted therefor and read the first time.

MISCELLANEOUS BUSINESS.

S. C. No. 12, of Davis County, for $61, for one-half of the cost of revising county assessor's plats for 1897 and 1898, was presented by Mr. Barnes and referred to the State Board of Examiners.

S. B. No. 124, by the Committee on Appropriations and Claims, "An Act Making Appropriations for General Purposes," was called up by Mr. Tanner and made the special order for 8:15 p. m.

The Senate, at 6:20 p. m., took a recess until 8 p. m.

The Senate resumed session at 8 p. m., President Evans presiding.

BILLS CONSIDERED.

S. B. No. 131, by Committee on Salaries (substitute for S. B. No. 129 and S. B. 130, and H. B. No. 197 and H. B. No. 240), "An Act to Amend Sections 2082, 2110, 2127 and 2134 of the Revised Statutes of Utah, 1898, Fixing the Compensation of Directors of Certain State Institutions in Attending Board Meetings," was called up by Mr. Smoot, and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 131 was read the third time and rejected by the following vote: Ayes, 9; nays, 8; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Allison, Johnson, Kiesel, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Bennion, Howell, Larsen, Lawrence, Love, Thomas, Mr. President.

Absent and not voting: Mr. Alder.

H. B. No. 1, "An Act Amending Section 1774 of the Revised Statutes of Utah, 1898, Relating to the Election of State Superintendent of Public Instruction and to the

Appointment and Salary of His Deputy," was called up by Mr. Johnson and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 1 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Alder, Bennion, Whitney.

The title of the bill was made the title of the act.

SPECIAL ORDER.

S. B. No. 124, by Joint Committees on Appropriations and Claims, "An Act Making Appropriations for General Purposes," special order for 8:15 p. m., was taken up and read the second time.

By unanimous consent, all rules interfering therewith were suspended, for the purpose of reading S. B. No. 124 the third time.

Pending the third reading, S. B. No. 124 was recommitted to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature:

S. B. No. 31, "An Act to Provide for the Acceptance by the State of Utah, From the President of the United States, of Certain Desert Lands, and Providing for the Reclamation, Occupancy and Disposal of the Same."

S. C. R. No. 1, "Requesting Congress to Enact a Law for the Purchase, by the Government, of Temple Farm and Moore House at Yorktown, Va."

S. B. No. 85, "An Act Amending Section 2061 of the Revised Statutes of Utah, 1898, Providing for the Payment of Salaries of County Officers."

S. B. No. 117, "An Act Prohibiting Certain Persons from Wearing Certain Insignias or Medals, and Providing a Penalty for a Violation of the Same."

S. B. No. 56, "An Act in Relation to Pleading and Proving Corporate Existence in Actions by and Against Corporations."

WHITNEY, Chairman.

S. B. No. 31, S. C. R. No. 1, S. B. No. 85, S. B. No. 117 and S. B. No. 56 were read by title and signed by the President, in open session.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed H. B. No. 7, entitled, "An Act Fixing the Salaries of Certain State Officers and Providing for Payment Thereof," and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE JR., Chief Clerk.

H. B. No. 7 was read by title and signed by the President, in open session.

MISCELLANEOUS BUSINESS.

Mr. Allison moved that the President appoint a committee of five to consider all bills now before the Senate and make recommendations as to the various measures in a report to be submitted at the earliest convenience.

The motion carried, and the President appointed Messrs. Allison, Tanner, Howell, Bennion and Kiesel as such committee, to be known as the Committee on Sifting

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to return herewith, without approval, Senate Bill No. 113, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases."

No official act of my life has been approached by me with a sense of responsibility so profound as is involved in the consideration of this bill. It is a measure of the supremest importance, and in its consequences for good or ill, it easily surpasses any other proposition that ever came before this commonwealth for legislative and executive determination. It has been argued in both branches of the Assembly with splendid force and ability, while its provisions have doubtless been eagerly discussed in the remotest hamlet of our State. With due allowance for the exaggerations that may be expected from those who warmly support, and from those who with equal warmth antagonize the measure, I accord to all of them, without any reservation whatever, full credit for absolute sincerity, breadth of sympathy, and a desire for the public welfare, which of themselves render it a noteworthy and unique piece of proposed legislation.

But these conditions only serve to make the responsibility of the Executive the more weighty, and I could have wished to be spared the test. Nevertheless, the recollection of my oath of office, the requirements of my duty, as I understand it, and the convictions of my own best judgment and my conscience, unite in demanding of me that I withhold approval from this bill. If I know myself, I can sincerely say that I am anxious that the very best and wisest thing shall be done in respect to all matters that have vexed us so much in times past. And knowing this whole people as I do, it is my firm conviction that whatever the present feeling may be, they will be sincerely grateful in the days to come if this measure is not written upon the statute books.

The patience, loyalty and conservatism of our citi-

zens are so widely recognized that only by the passage of such a bill as this can their reputation be injured. The broad-minded and intelligent everywhere accept the situation here as it exists, and are content to let time complete the solution of the problem. Even the bigoted and the meddlesome have to admit that with rare exceptions the conduct and integrity of the people are above reproach.

In my opinion nothing can be clearer than that this bill, if passed, would be welcomed and employed as a most effective weapon against the very classes whose condition it is intended to ameliorate. Furthermore, I have every reason to believe its enactment would be the signal for a general demand upon the National Congress for a Constitutional amendment, directed solely against certain social conditions here, a demand which under the circumstances would assuredly be complied with. While it may be urged that in any event only the few could be made to suffer, is it not an odious thought, repulsive to every good citizen, of whatsoever creed or party, that the whole State should thus be put under a ban? Surely there is none so selfish and unpatriotic as to argue that this is preferable to the endurance of a few isolated instances of prosecution—unbacked, as they are, by either respectable moral support or sympathy. All of us can readily recall the conditions of the past as compared with those of today. In the shortest memory still remain incidents of that distressing period shortly before Statehood, during which so much sorrow and bitterness stalked through our community. Of still more recent date—no longer than two years ago—another outburst was threatened and to some extent was manifested. But as a termination of the first, came concession, and amnesty, and evidences of good faith, and at length Statehood, in which everybody rejoiced; and while as a result of the second, the sun of our prosperity was for a time obscured, the clouds at length have rolled away, and Utah, united, hopeful and vigorous, is marching bravely forward to the music of the Union.

I yield to no one in affection for those of my people who from the highest motives, and because they believed it a divine command, entered into the relation of plural marriage. Born and reared in Utah, myself a product

of that marriage system, taught from infancy to regard my lineage as approved of the Almighty, and proud today, as I have ever been, of my heritage, it will be granted, I trust, that every instinct of my nature reaches out to shield my friends from harm and to protect them from unjust attack. Their cause is my cause, and when they are hurt, I am hurt, for I am part of them. But in that same heart, which is filled with sympathy for them, I find also the solemn feeling that this bill holds out only a false hope of protection, and that in offering a phantom of relief to a few, it in reality invites a deluge of discord and disaster upon all.

For these reasons, briefly and imperfectly stated, and for many others which might be given at length, I am unable to approve the bill now before me.

Very respectfully,

HEBER M. WELLS, Governor.

The communication and H. B. No. 113 were allowed to lie upon the table.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, appointed to consider all measures now pending before the Senate, respectfully report that after due and careful consideration they recommend that the following bills be passed:

S. B. No. 120, "An Act Requiring Railroad Companies to Fence Their Tracks."

S. B. No. 110, "An Act to amend Sections 951, 652, 962, 527, 528, 529 and 530, of the Revised Statutes of Utah, 1898, Providing for the Contracting and Procuring Printed Stationery, Blanks and Blank Books, and other Supplies Required by State, County and Municipal Officers, and for all other Public Printing; and for the Publication of Laws, Proceedings, Reports, and Legal Notices and Advertisements, and fixing the Rate thereof."

S. B. No. 76, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Prohibiting Certain Injurious Chemicals in Milk or Cream, or the Product

thereof, and Providing a Penalty for the Violation of this Act."

S. B. No. 116, "An Act Prohibiting the Use of the Device Known as the 'Slot Machine' in this State, and Prescribing a Penalty for the Violation of this Act."

S. B. No. 128, "An Act Providing for the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah With the View of Determining the Amount hereof and the Liability of the State Therefor, and Barring from Payment all Certificates not Presented Within the Time Prescribed in this Act."

ALLISON, Chairman.

The report was adopted.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, appointed to consider all measures now pending before the Senate, respectfully report that after due and careful consideration they recommend that the following bills be passed:

H. J. R. No. 1, "Authorizing the State Board of Examiners to Procure the Printing of 4000 Additional Copies of the Biennial Report of the State Board of Horticulture."

H. B. No. 233, "An Act Making An Appropriation to the Governor for the Purpose of Purchasing Poison, to be Distributed Among the Several Counties of the State for the Destruction of Ground Squirrels, Gophers and Prairie Dogs."

H. B. No. 123, "An Act Amending Section 2546 of the Revised Statutes of Utah, 1898, in Relation to Taxation and Defining the Powers and Duties of the State Board of Equalization."

H. B. No. 67, "An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears and Mountain Lions Within the State of Utah, to Provide a Bounty for the Killing of the Same, to Prevent Fraud in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof."

H. B. No. 98, "An Act to Amend Sections 527, 528 and 529 of the Revised Statutes of Utah, 1898, Providing for

Purchase of Books, Blanks, Stationery and Contracts for County Printing."

H. B. No. 116," An Act Amending Section 467 and Repealing Section 476 of the Revised Statutes of Utah, 1898, Providing for Annexing San Juan County to Grand County, the Manner of Carrying the Same Into Effect, and Prescribing the Conditions Thereof."

H. B. No. 227, "An Act Relating to the Marking of Explosives, Inflammable Substances or Dangerous Acids, Chemicals and Compounds for Storage or Transportation, and Providing Penalties for the Violation of This Act."

H. B. No. 216, "An Act Making it Unlawful to Dock the Tail of Any Horse, Fixing a Penalty Therefor, and Evidence Thereof, and the Disposition of Fines Collected on Account of Convictions of Persons Guilty of Cruelty to Animals."

H. B. No. 175, "An Act Amending Section 2575 of the Revised Statutes of Utah, 1898, Relating to the Powers of the Board of County Commissioners as a County Board of Equalization, and Permitting the Board to Remit the Taxes of Indigent Persons."

H. B. 228, "An Act Defining an Infernal Machine and Prescribing Penalties for the Construction of Contrivance of the Same, or Having Such Machine in Possession, or Delivering Such Machine to Any Person or Common Carrier; or Sending the Same Through the Mail, or Throwing or Placing the Same Where Any Person May be Injured in His Person or Property, and Providing Where Offences Against This Act May be Tried in Case of Such Infernal Machine Being Transmitted Outside the County Where Delivered."

H. B. No. 115, "An Act Providing the Manner of Annexing a County to an Adjoining County, and Prescribing the Conditions of Such Annexation."

H. B. No. 23, "An Act to Amend Section 2278 of the Revised Statutes of Utah, 1898, Relating to Rules for Admission of Visitors to State Prison and to Library Fund of State."

H. J. R. No. 4, "Extending Thanks to Persons Who Assisted in the Relief of the Scofield Mine Catastrophy Sufferers."

ALLISON, Chairman.

The report was adopted.

BILLS CONSIDERED.

S. B. No. 76, by Mr. Murdock, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Relating to Injurious Chemicals in Milk or Cream or Other Products of the Dairy," was read the third time and passed by the following vote: Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Alder, Allison, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Voting in the negative: Mr. Barnes.

Absent and not voting: Mr. Whitney.

The title of the bill was made the title of the act.

S. B. No. 120, by the Committee on Railroads, "An Act Requiring Railroad Companies to Fence Their Tracks," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 120 was read the third time and passed by the following vote: Ayes, 11; nays, 5; absent and not voting, 2.

Those voting in the affirmative were Messrs. Alder, Allison, Bennion, Howell, Kiesel, Larsen, Love, Murdock, Thomas, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Barnes, Johnson, Sherman, Smoot, Tanner.

Absent and not voting: Messrs. Lawrence, Whitney.

The title of the bill was made the title of the act.

COMMUNICATION FROM THE HOUSE.

House of Representatives.
Salt Lake City, Utah, March 14, 1901.

Mr. President: I am directed to inform your honorable body that the Speaker has this day signed, in open session, Senate Bills No. 117, No. 56, No. 31, No. 85, and the same is herewith transmitted and returned for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

SENATE BILLS PASSED.

S. B. No. 128, by Mr. Thomas, "An Act Providing for the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah, With the View of Determining the Amount Thereof, and the Liability of the State Therefor and Barring from Payment All Certificates not Presented Within the Time Prescribed in this Act," was read the second time.

By unanimous consent, all rules interfering therewith were suspended and S. B. No. 128 was read the third time and passed by the following vote: Ayes, 11; nays, 5; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Bennion, Kiesel, Lawrence, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Allison, Howell, Johnson, Larsen, Murdock.

Absent and not voting: Messrs. Barnes, Love.

The title of the bill was made the title of the act.

S. B. No. 116, by Mr. Allison (by request), "An Act Prohibiting the Use of the Device Known as the "Slot Machine' in this State, and Prescribing a Penalty for the Violation Thereof," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 116 was read the third time and passed by the following vote: Ayes, 13; nays, 3; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Kiesel, Sherman.

Absent and not voting: Messrs. Love, Tanner.

The title of the bill was made the title of the act.

S. B. No. 110, "An Act to Amend Sections 528, 529 and 530 of the Revised Statutes of Utah, 1898, Providing for the Contracting and Procuring Printed Stationery, Blanks and Blank Books and Other Supplies Re-

quired by State, County and Municipal Officers, and for all Other Public Printing; and for the Publication of Laws, Proceedings, Reports and Legal Notices and Advertisements and Fixing the Legal Rate Therefor," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 110 was read the third time and passed by the following vote: Ayes, 12; nays, 3; absent and not voting, 2; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Love, Murdock, Sherman, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Howell, Larsen, Lawrence.

Absent and not voting: Messrs. Smoot, Tanner.

Excused from voting: Mr. Thomas.

The title of the bill was made the title of the act.

VOTE RECONSIDERED.

Mr. Lawrence moved that the vote whereby S. B. No. 131 was rejected be reconsidered. Carried.

S. B. No. 131 was placed upon its final passage and rejected by the following vote: Ayas, 8; nays, 8; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Johnson, Kiesel, Sherman, Smoot, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Bennion, Howell, Larsen, Lawrence, Murdock, Thomas, Mr. President.

Absent and not voting: Messrs. Love, Tanner.

ACTION ON GOVERNOR'S VETO.

The Governor's veto of S. B. No. 113, "An Act Amending Section 4611 of the Revised Statutes of Utah, 1898, in Relation to the Making of Complaints and Commencing of Prosecutions in Criminal Cases," was called up.

Mr. Murdock moved that S. B. No. 113 pass, notwithstanding the objections of the Governor.

Roll call being ordered, the veto was sustained by the following vote: Ayes, 9; nays, 9.

Those voting in the affirmative were: Messrs. Alder, Barnes, Johnson, Murdock, Smoot, Tanner, Thomas, Whitney, Mr. President.

Those voting in the negative were: Messrs. Allison, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Sherman, Whitmore.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 126, by Committee on Counties and Municipal Corporations, entitled, "An Act to Amend Section 1249 of the Revised Statutes of Utah, 1898, Relating to the Sale of Intoxicating Liquors, and Preventing Certain Persons from Frequenting Places of Business Where Such Liquors are Sold, and Repeatling Section 4246, Revised Statutes of Utah, 1898," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Lawrence the Senate concurred in the amendments made by the House to S. B. No. 126.

S. B. No. 126 was placed upon its final passage and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Smoot, Tanner.

The title of the bill was made the title of the act.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House this day concurred in Senate

amendments to H. B. No. 7, and passed the same as amended by the Senate.

Respectfully,
M. M. STEELE JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under a suspension of the rules, H. B. No. 245, by Smith, "An Act to Provide for the Payment of Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE JR., Chief Clerk.

H. B. No. 245 was read the first time and referred to the Committee on Sifting.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. R. No. 6, by Mr. Lawrence, on the death of Ex-President Harrison, and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE JR., Chief Clerk.

S. J. R. No. 6 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendment to H. B. No. 1, and passed the same as amended by the Senate.

Respectfully,
M. M. STEELE JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 163, by Mr. Barnett, entitled, "An Act to Amend Sections 1722 and 1726, Revised Statutes of Utah, 1898, Relating to Penalties Acting Without Registration, Adulterated Drugs," etc., and the same is herewith transmitted for the consideration of your honorable body.

Respectfully,
M. M. STEELE JR., Chief Clerk.

H. B. No. 163 was read the first time and referred to the Committee on Sifting.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 99, by Committee on Live Stock (substitute for S. B. No. 34 and 35), entitled, "An Act defining and classifying Transient Stock, and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of Its Provision, and Repealing Sections, 2537, 2538, 2539, 2540, 2541 and 2542, of the Revised Statutes of Utah, 1898, and Repealing Chapter 44 of the Session Laws of 1899," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 99 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to return to your honorable body S. B. No. 77, the same having been repassed by the House, without amendments.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 77 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 121, substitute for H. B. No. 44, by Senate Committee on Mines and Mining, "An Act Relating to Coal and Hydro-carbon Mines, and Providing for the Lives, Health and Safety, and Welfare of Those Employed Therein; and Providing for the Protection and Preservation of Property Connected Therewith, and for the Appointment of the Inspector; Defining His Duties; Fixing His Salary, and Repealing Chapter 2 of Title 42 of the Revised Statutes of Utah, 1898," and the same is herewith transmitted for your further consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 121 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature:

S. B. No. 6, "An Act Amending Sections 14 and 15 of Chapter 45, of the Laws of Utah, 1899, Providing for the Suppression of Nuisances and Contagious Diseases, Prescribing Quarantine Rules and Regulations Therefor, and Relating to Burial Permits and Health of Schools."

S. B. No. 70, "An Act to Amend Section 45 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands, and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto."

S. B. No. 84, "An Act to Amend Section 2447 of the Revised Statutes of Utah, 1898, Defining the Duties of the Dairy and Food Commissioner."

S. B. No. 94, "An Act to Prohibit and Punish Fraudulent Voting at Primaries, and Also to Punish Tellers and

Other Officers, Who Make False Returns, and to Punish Persons Who Vote at More Than One Primary."

S. B. No. 69, "An Act to Amend Section 40 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands, and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto."

S. B. No. 77, "An Act to Amend Section 3678 of the Revised Statutes of Utah, 1898, Providing Who May Act as Attorney in Justices, Municipal and City Courts."

S. B. No. 122, "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities."

S. B. No. 75, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing the Mode of Procedure in Such Sales, and Providing a Penalty for any Infraction Thereof."

S. B. No. 114, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils."

WHITNEY, Chairman.

S. B. No. 6, S. B. No. 70, S. B. No. 84, S. B. No. 94, S. B. No. 69, S. B. No. 77, S. B. No. 122, S. B. No. 75 and S. B. No. 114 were each read by title and signed by the President, in open session.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, appointed to consider all measures now pending before the Senate, respectfully report that after due and careful consideration they recommend that the following bills be passed:

H. B. No. 122, "An Act to Prevent the Sale of Intoxicating Liquor Within Ten Miles of an Indian Reservation."

H. B. No. 26, "An Act Amending Section 1312 of the Revised Statutes of Utah, 1898, Providing for Special Venire."

H. B. No. 108, "An Act Providing for Uniform Examinations of Teachers in the Different Counties of the State of Utah."

H. B. No. 114, "An Act Amending Section 1830 of the Revised Statutes of Utah, 1898, Authorizing School Trustees to Establish and Maintain High Schools in Certain Cities."

H. B. No. 27, "An Act Providing for Safety Apparatus to be Used in All Mines With a Vertical Shaft."

H. B. No. 118, "An Act to Amend Sections 315 and 316 of the Revised Statutes of Utah, 1898, Providing for the Formation of General Corporations and Ratifying the Incorporations of Certain Corporations."

H. B. No. 172, "An Act to Amend Section 2620 of the Revised Statutes of Utah, 1898, Relating to the Publication of and the Contents of the Notice of Sale of Property for Taxes."

H. B. No. 105, "An Act Amending Section 1795 of the Revised Statutes of Utah, 1898, Relating to Teachers' Examinations."

H. B. No. 152, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes and the Liability of the State and School Districts for the Respective Amounts Received."

H. B. No. 86, "An Act to Amend Section 890 of the Revised Statutes of Utah, 1898, Relating to Municipal Officers."

H. B. No. 129, "An Act Providing for the Incorporation of Churches and Religious Societies."

H. B. No. 150, "An Act to Amend Sections 2043, 2044, and 2049 of the Revised Statutes of Utah, 1898, Relating to Sericulture."

H. B. No. 103, "An Act to Provide for Contingent Expenses of County Superintendents of District Schools, and for the Payment of Their Salaries."

H. B. No. 177, "An Act Relating to Instruments of Writing Informally Executed, and Validating All of the Same Which Were of Record Prior to January 1st, 1901."

H. B. No. 12, "An Act to Provide for the Investment of Sinking Funds Created by Any Subdivision in the State."

H. B. No. 154, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected."

H. B. No. 153, "An Act Authorizing Trustees of

School Districts to Levy a Tax to Refund Taxes Unlawfully Collected."

H. B. No. 168, "An Act to Amend Section 1386 of the Revised Statutes of Utah, 1898, Relating to Recording Liens."

H. B. No. 174, "An Act Relating to the Manner of Posting Notices in Proceedings Under the Probate Code."

H. B. No. 155, "An Act to Amend Section 4033 of the Revised Statutes of Utah, 1898, Prescribing the Contents of Notices by Mail Under Provisions of the Probate Code."

H. B. No. 235, "An Act Making Appropriations for Certain Highways and Bridges."

H. B. No. 156, "An Act to Amend Section 1, Chapter 54, of the Laws of Utah, 1899, Relating to Letters of Administration."

ALLISON, Chairman.

The report was adopted.

HOUSE BILLS PASSED.

H. B. No. 122, by Billings, "An Act to Prevent the Sale of Intoxicating Liquors Wtihin Ten Miles of An Indian Reservation," was read the second time.

By unanimous consent, all rules interfering therewith, were suspended, and H. B. No. 122 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Smoot, Tanner.

The title of the bill was made the title of the act.

H. B. No. 235, "An Act Making Appropriations for Certain Highways and Bridges," was read the second time.

By unanimous consent, all rules interfering therewith, were suspended, and H. B. No. 235 was read the third time.

Roll call being ordered on a reconsideration of the vote, whereby an additional $2500 was appropriated for repair of Weber County roads, the question was recon-

sidered by the following vote: Ayes, 10; nays, 6; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Bennion, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas.

Those voting in the negative were: Messrs. Allison, Barnes, Kiesel, Smoot, Whitmore, Mr. President.

Absent and not voting: Messrs. Howell, Whitney.

Roll call being ordered on the question of adding $2500 to the appropriation for Weber County roads, the proposition to increase was defeated by the following vote: Ayes, 5; nays, 11; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Kiesel, Smoot, Mr. President.

Those voting in the negative were: Messrs. Alder, Bennion, Johnson, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Howell, Whitney.

H. B. No. 235 was placed upon its final passage and passed by the following vote: Ayes, 12; nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Murdock, Smoot, Tanner, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Lawrence, Love, Sherman, Thomas.

Absent and not voting: Messrs. Howell, Whitney.

The title of the bill was made the title of the act.

PRESENTATION OF RESOLUTIONS.

S. R. No. 6, by Mr. Whitney, was introduced and referred to the Committee on Appropriations and Claims. It was as follows:

"Be it Resolved; That the President of the Senate is hereby authorized and directed to revise and proofread the journal of the Senate of the Fourth State Legislature, the compensation thereof to be paid out of the contingent fund of the said Legislature, and that $500, or so much thereof as may necessary, be appropriated for such purpose."

EXECUTIVE COMMUNICATION.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the following-named appointments, and invite your advice and consent thereto:

To be directors of the Deseret Agricultural & Manufacturing Society:

John C. Cutler of Salt Lake County to fill the vacancy caused by the resignation of John R. Winder, whose term expires March 9, 1903.

George Beckstead of Salt Lake County for the remainder of the unexpired term of S. W. Sears, resigned, whose term expires March 9, 1903.

Ruth M. Fox of Salt Lake County to fill the remainder of the term of Mrs. Margaret B. Salisbury, resigned, whose term expires March 9, 1903.

Moses W. Taylor of Salt Lake County for the remainder of the unexpired term of Hal W. Brown, resigned, whose term expires March 9, 1903.

J. G. McDonald of Salt Lake county to fill the vacancy caused by the resignation of E. J. Conrad, whose term expires March 9, 1903.

Very respectfully,
HEBER M. WELLS, Governor.

EXECUTIVE SESSION.

The Senate went into executive session.

When the doors were opened it was announced that the Senate had advised and consented to the following appointments, made by His Excellency, Governor Heber M. Wells:

To be directors of the Deseret Agricultural & Manufacturing Society:

John C. Cutler of Salt Lake County to fill the vacancy caused by the resignation of John R. Winder, whose term expires March 9, 1903.

George Beckstead of Salt Lake County for the re-

mainder of the unexpired term of S. W. Sears, resigned, whose term expires March 9, 1903.

Ruth M. Fox of Salt Lake County to fill the remainder of the term of Mrs. Margaret B. Salisbury, resigned, whose term expires March 9, 1903.

Moses W. Taylor of Salt Lake County for the remainder of the unexpired term of Hal W. Brown, whose term expires March 9, 1903.

J. G. McDonald of Salt Lake County, to fill the vacancy caused by the resignation of E. J. Conrad, whose term expires March 9, 1903.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 225, "An Act Amending Section 2583 of the Revised Statutes of Utah, 1898, in Relation to Appointment and Term of the State Board of Equalization and Fixing the Salary of the Members of the Board," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed, and that H. B. No. 225 be rejected.

BENNION, Chairman.

The report was adopted, H. B. No. 225 was rejected and S. B. No. 133, by the Committee on Judiciary, "An Act to Amend Section 2583 of the Revised Statutes of Utah, 1898, Creating a State Board of Equalization, Providing the Manner of its Appointment, Fixing the Terms of Office and Salaries of its Members, Providing the Manner of its Organization, Defining its Duties and Terminating the Term of Office of the Board of Equalization now Existing," was substituted therefor, and read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 133 was read the third time and passed by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Kiesel, Larsen, Lawrence,

Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Voting in the negative: Mr. Howell.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Ways and Means, to whom was referred H. B. No. 124, "An Act Amending Sections 2562, 2610, and 2620, of the Revised Statutes of Utah, 1898, as Amended by Chapter 68 of the Session Laws of Utah, 1899, in Relation to Collection of Taxes from Car Companies and Fixing the Annual Salary of the Collector," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be passed, and that H. B. No. 124 be rejected.

LAWRENCE, Chairman.

The report was adopted, H. B. No. 124 was rejected, and S. B. No. 132, by the Committee on Ways and Means (substitute for H. B. No. 124), "An Act Amending Sections 2605, 2562, 2610, and 2620 of the Revised Statutes of Utah, 1898, as Amended by Chapter 68 of the Session Laws of Utah, 1899, in Relation to Collection of Taxes from Car Companies," was substituted therefor, and read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 132 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Alder, Murdock, Mr. President.

The title of the bill was made the title of the act.

HOUSE BILLS PASSED.

H. B. No. 26, "An Act Amending Section 1312 of the Revised Statutes of Utah, 1898, Providing for Special Venire," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 26 was read the third time and passed by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Thomas, Whitmore, Whitney.

Voting in the negative: Mr. Tanner.

Absent and not voting: Messrs. Alder, Murdock, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 27, "An Act Providing for Safety Apparatus to be Used in All Mines With the Vertical Shaft," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 27 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Murdock, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 169, "An Act Amending Section 2238 of the Revised Statutes of Utah, 1898, Relating to Salaries, Quarters and Board of Employees of the State Prison; the Time of Payment of Such Salaries; and the Fixing of the Same by the State Board of Corrections," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 169 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Johnson, Murdock, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 108, "An Act Providing for Uniform Examinations of Teachers in the Different Counties of the State of Utah," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 108 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 114, "An Act Amending Section 1830 of the Revised Statutes of Utah, 1898, Relating to High School Pupils," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 114 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 150, "An Act to Amend Sections 2043, 2044 and 2049, Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, Relating to Sericulture," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 150 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 118, by Mr. Smith, "An Act to Amend Sections 315 and 316, Chapter 1, Title 11, of the Revised Statutes of Utah of 1898, Providing for the Formation of General Corporations, and Ratifying the Incorporation of Certain Corporations," was read the second time.

By unanimous consent, all rules interfering therewith were suspended and H. B. No. 118 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 172, "An Act to Amend Section 2620 of the Revised Statutes of Utah, 1898, Relating to the Publication of and the Contents of the Notice of Sale of Property for Taxes," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 172 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 3; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

Excused from voting: Mr. Sherman.

The title of the bill was made the title of the act.

H. B. No. 105, "An Act Amending Sections 1795 and 1796, Revised Statutes of Utah, 1898, Relating to Teachers' Examinations," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 105 was read the third time and passed by the following vote: Ayes, 15; absent and not voting 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 233, by Lambert, "An Act Making Appropriation to the Governor for the Purpose of Purchasing Poison to be Distributed Among the Several Counties of the State, for the Destruction of Ground Squirrels, Gophers and Prairie Dogs," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 233 was read the third time and rejected by the following vote: Ayes, 6; nays, 9; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Howell, Kiesel, Larsen, Murdock.

Those voting in the negative were: Messrs. Alder, Allison, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

Mr. Tanner gave notice of a motion to reconsider the vote whereby H. B. No. 233 was rejected.

H. B. No. 152, "An Act in Relation to Judgments Obtained Against County Officers or Counties for Unlawful Collection of Taxes and the Liability of the State and School Districts for the Respective Amounts Received," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 152 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 153, "An Act Authorizing Trustees of School Districts to Levy a Tax to Refund Taxes Unlawfully Collected," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 153 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 154, "An Act to Amend Section 2685 of the Revised Statutes of Utah, 1898, Relating to Judgments for Taxes Unlawfully Collected," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 154 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Love, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 86, "An Act to Amend Section 890 of the Revised Statutes of Utah, Relating to Municipal Elections," was read the second time.

By unanimous consent, all rules interfering there-

with were suspended, and H. B. No. 86 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Love, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 129, "An Act Providing for the Incorporation of Churches and Religious Societies, and Providing Fees for Incorporation," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 129 was read the third time and passed by the following vote: Ayes, 13; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Love, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 177, "An Act Relating to Instruments of Writing Informally Executed, and Validating All of the Same Which Were of Record Prior to January 1, 1901," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 177 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 12, "An Act to Provide for the Investment

of Sinking Funds Created by Any Subdivision in the State," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 12 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 230, "An Act to Amend Section 2627 of the Revised Statutes of Utah, in Relation to Redemption of Real Property from Tax Sales," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 230 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Sherman, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 174, "An Act Relating to the Manner of Posting Notices in Proceedings Under the Probate Code," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 174 was read the third time and passed by the following vote: Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore.

Voting in the negative: Mr. Smoot.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 155, "An Act to Amend Section 4033 of the Revised Statutes of Utah of 1898, in Relation to Notices by Mail Under Provisions of the Probate Code," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 155 was read the third time and passed by the following vote: Ayes, 13; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Smoot, Tanner, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 156, "An Act to Amend Section 1, Chapter 54, of Session Laws of 1899, Relating to Letters of Administration," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 156 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 115, "An Act Providing the Manner of Annexing a County to an Adjoining County, and Prescribing the Conditions of Such Annexation," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 115 was read the third time and passed by the following vote: Ayes, 12; nays, 1; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore.

Voting in the negative: Mr. Murdock.

Absent and not voting: Messrs. Johnson, Love, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 116, "An Act Amending Section 467 and Repealing Section 476 of the Revised Statutes of Utah, 1898, Providing for Annexing San Juan County to Grand County, the Manner of Carrying the Same Into Effect, and Prescribing the Conditions Thereof," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 116 was read the third time and passed by the following vote: Ayes, 13; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore.

Absent and not voting: Messrs. Johnson, Love, Smoot, Whitney, Mr. President.

The title of the bill was made the title of the act.

BILLS RECOMMITTEED.

The following bills, reported upon favorably by the Committee on Sifting, were recommitted to the same committee for further consideration:

H. B. No. 123, by Mr. Smith, "An Act Amending Section 2546 of the Revised Statutes of Utah, 1898, in Relation to Taxation and Defining the Powers and Duties of the State Board of Equalization."

H. B. No. 168, by Mr. Gardner, "An Act to Amend Section 1386 of the Revised Statutes of Utah, 1898, Relating to Recording Liens."

H. B. No. 103, by Mr. Harmon, "An Act to Provide Contingent Expenses of County Superintendents of District Schools, and for the Payment of Their Salaries."

H. B. No. 67, "An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears and Mountain Lions Within the State of Utah; to Provide a Bounty for the Killing of the Same; to Prevent Fraud in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof."

H. B. No. 202, by Mr. Evans, "An Act to Amend Sec-

tion 4173, Revised Statutes of Utah, 1898, Defining the Offenses of Kidnapping and Abduction, and Prescribing the Punishment Therefor."

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 110, by Mr. Murdock, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 128, by Thomas, entitled, "An Act Providing for the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah, With the View of Determining the Amount Thereof and the Liability of the State Therefor and Barring From Payment All Certificates Not Presented Within the Time Prescribed in This Act," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 128 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, the Governor, has approved and filed with the Secretary of State, House Bills No. 35, 46, 55, 223, 232 and "House Joint Memorial, asking the establishment of a National Soldier's Home at Salt Lake City."

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, Senate Bills No. 70, 69, 75, 122, 94, 84, 77 and 6, and the same are herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 120 and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

EXECUTIVE COMMUNICATIONS.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 38, entitled, "An Act Providing for the Approval of the Bonds of State Officers and Other Persons in Cases Where no Provision is Made for the Approval of the Same."

Senate Bill No. 56, entitled, "An Act in Relation to Pleading and Proving Corporate Existence in Actions by and Against Corporations."

Senate Bill No. 85, entitled, "An Act Amending Section 2061 of the Revised Statutes of Utah, 1898, Providing for the Payment of Salaries of County Officers."

Senate Bill No. 87, entitled, "An Act to Amend Sections 2911 and 2912 of the Revised Statutes of Utah, 1898, Relating to Parties to Civil Actions."

Senate Bill No. 117, entitled, "An Act Prohibiting Certain Persons from Wearing Certain Insignias or Medals, and Providing a Penalty for a Violation of the Same."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 67, entitled, "An Act to Amend Section 1867 of the Revised Statutes of Uah, 1898, Providing for the Apportionment of the County School Fund, and Prescribing Certain Duties of County Superintendents of Schools Respecting the Same."

Senate Bill No. 68, entitled, "An Act to Amend Section 1865 of the Revised Statutes of Utah, 1898, Providing for the Levying of County School Taxes by the Board of County Commissioners, and Providing for the Collection of the Same."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the following-named appointments, and invite your advice and consent thereto:

To be members of the State Board of Corrections:

George A. Lowe of Salt Lake county for the term of four years.

Elias A. Smith of Salt Lake county for the remainder of the unexpired term of Francis Armstrong, deceased, whose term expires April 5, 1903.

To be trustees of the State School for the Deaf, Dumb and the Blind:

Mrs. A. B. Coray of Weber county for the remainder of the unexpired term of Harriet F. Emerson, resigned, whose term expires February 1, 1903.

Fred W. Chambers of Weber county for the remainder of the unexpired term of Edwin Stratford, deceased, whose term expires February 1, 1903.

M. L. Ritchie of Salt Lake county for the term of four years.

Very respectfully,
HEBER M. WELLS, Governor.

EXECUTIVE SESSION.

The Senate went into executive session.

When the doors were opened, it was announced that the Senate had advised and consented to the following appointments made by His Excellency, Governor Heber M. Wells:

To be members of the State Board of Corrections:

George A. Lowe of Salt Lake county, for the term of four years.

Elias A. Smith of Salt Lake county, for the remainder of the unexpired term of Francis Armstrong, deceased, whose term expires April 5, 1903.

To be trustees of the State School for the Deaf, Dumb and the Blind:

Mrs. A. B. Coray of Weber county for the remainder of the unexpired term of Harriet F. Emerson, resigned, whose term expires February 1, 1903.

Fred W. Chambers of Weber county for the remainder of the unexpired term of Edwin Stratford, deceased, whose term expires February 1, 1903.

M. L. Ritchie of Salt Lake county for the term of four years.

COMMUNICATION FROM THE SECRETARY OF STATE.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Utah, March 14, 1901.

To the Senate:—I have the honor to transmit herewith an enrolled copy of a joint resolution of the Legislature of the State of Wyoming, expressing their thanks for the courtesies extended upon the occasion of their recent visit to this city.

Very respectfully,

J. T. HAMMOND,
Secretary of State.

RESOLUTION.

House of Representatives, Wyoming.

Be it Resolved by the House of Representatives, the Honorable Senate Concurring:

Whereas, At the beginning of our session, the sixth Legislature of the State of Wyoming, determined to visit the various State Institutions of this State, and the City of Salt Lake and the Union Pacific Railroad Company, in order to facilitate our said visit, very generously furnished us transportation from Cheyenne to Ogden and return, the Oregon Short Line Railroad Company from Ogden to Salt Lake City and return, the Pullman Car Company furnishing us with elegant sleeping coaches and attendance to supply our every want, the Western Union Telegraph Company and the Rocky Mountain Bell Telephone Company granting to us the use of their line free of charge, the Legislature of the State of Utah and the citizens of Salt Lake City, Evanston, Rock Springs, Rawlins and Laramie kindly entertaining us and feeding us upon the very best of viands, both going and returning, therefore be it

Resolved, By the House of Representatives, the Honorable Senate concurring, That we extend our most cordial thanks to the above named corporations, assembly and people for cordial reception and courtesies extended to the members of the Legislature and their visitors while on their trip, be it further

Resolved, That a copy of these resolutions be furnished to each of the above corporations, the Representatives of the Assembly and cities above named.

EDWARD W. STONE,
President of the Senate,
J. S. ATHERLY,
Speaker of House.

Approved, D. F. Richards, Governor, February 9, 1901.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 235, "An Act Making Appropriations for Certain Highways and Bridges," and passed the same as amended by the Senate.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives.
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. B. No. 125, by Mr. Love, entitled, "An Act to Amend Sections 2, 6, 10, 12, 14, 19 and 25 of the Laws of Utah, 1898, of An Act Entitled 'An Act for the Protection of Fish, Game and Birds, for Appointment of State and County Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of this Act and to Repeal Title 21 of the Revised Statutes of Utah, 1898, and all Acts and Parts of Acts Inconsistent Herewith Approved March 9, 1899,'" and the same is herewith transmitted for further action of your body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate refused to concur in the amendments made by the House to S. B. No. 125.

On motion of Mr. Larsen, a conference committee, consisting of Messrs. Larsen, Barnes and Love, was appointed to meet a like committee from the House and consider S. B. No. 125.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. C. R. No. 1 and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 246, by Smith, and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 246 was read the first time and filed.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee consisting of Messrs. Homer, Stevens and Page to confer with a like committee from the Senate on S. B. No. 125.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

SENATE BILL PASSED.

S. B. No. 40, by Mr. Howell, "An Act Amending Section 3953 of Revised Statutes of Utah, of 1898, Providing for the Distribution of the Estates of Decedents, and for Supplementary Accounts to be Rendered by Executors and Administrators," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 40 was read the third time and passed by the following vote: Ayes, 11; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Kiesel, Lawrence, Sherman, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love, Murdock, Smoot, Whitney.

The title of the bill was made the title of the act.

REPORT OF SELECT COMMITTEE.

Committee Room, March 14, 1901.

Mr. President:—Your Special Committee on Sifting, appointed to consider all measures now pending before

the Senate, respectfully report that after due and careful consideration they recommend that the following bills be passed:

H. B. No. 67, "An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears and Mountain Lions Within the State of Utah, to Provide a Bounty for the Killing of the Same, to Prevent Fraud in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof."

H. B. No. 133, "An Act in Relation to the Brands and Property Marks of Bottles, Kegs, Casks, Barrels, Boxes, Fountains, Tanks, Syphons, and Other Vessels, and Tools, Implements and Apparatus of All Kinds, and for the Protection of Owners Thereof, and Providing a Penalty for the Violation Thereof."

H. B. No. 72, "An Act to Provide the Method for the Changing of County Lines Pursuant to Article 11, Section 3 of the Constitution, and to Provide for Transcribing the County Records Made Necessary by Such Change."

H. B. No. 123, "An Act Amending Section 2546 of the Revised Statutes of Utah, 1898, in Relation to Taxation and Defining the Powers and Duties of the State Board of Equalization."

H. B. No. 202, "An Act to Amend Section 4173, Revised Statutes of Utah, 1898, Defining the Offenses of Kidnapping and Abduction, and Prescribing the Punishment Thereof."

H. B. No. 163, "An Act to Amend Sections 1722 and 1726, Revised Statutes of Utah, 1898, Relating to Penalties, Acting Without Registration, Adulerated Drugs, Etc."

H. B. No. 188, "An Act to Provide for Filling Vacancies on the Board of Pardons Caused by the Absence of Any Member or Members Thereof."

H. B. No. 245, "An Act to Provide for the Payment of Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah."

H. B. No. 242, "An Act Making Appropriation for the Extermination of the San Jose Scale."

ALLISON, Chairman.

The report was adopted.

HOUSE BILLS PASSED.

H. B. No. 227, by Mr. Axton, "An Act Relating to the Marking of Explosives, Inflammable Substances or Dangerous Acids, Chemicals and Compounds for Storage or Transportation, and Providing Penalties for the Violation of this Act," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 227 was read the third time and passed by the following vote: Ayes, 12; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Allison, Barnes, Larsen, Love, Smoot.

The title of the bill was made the title of the act.

H. B. No. 237, "An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Providing for the Mileage of District Judges and District Attorneys," was taken up and passed by the following vote: Ayes, 11; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Sherman, Tanner, Thomas, Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love, Smoot, Whitmore, Whitney.

The title of the bill was made the title of the act.

H. B. No. 131, "An Act to Amend Section 155, Revised Statutes of Utah, 1898, Relating to the Renewal of Chattel Mortgages," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 131 was read the third time and passed by the following vote: Ayes, 11; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Sherman, Tanner, Thomas, Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love, Smoot, Whitmore, Whitney.

The title of the bill was made the title of the act.

H. B. No. 23, "An Act to Amend Section 2278, Revised Statutes of the State of Utah, 1898, Relating to Rules for Admission of Visitors to State Prison, and to Library Fund of State," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 23 was read the third time and passed by the following vote: Ayes, 10; nays, 1; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Smoot, Tanner, Thomas.

Voting in the negative: Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love, Sherman, Whitmore, Whitney.

The title of the bill was made the title of the act.

H. B. No. 175, "An Act Amending Section 2575 of the Revised Statutes of Utah, 1898, Relating to the Powers of the Board of County Commissioners as a County Board of Equalization, and Permitting the Board to Remit the Taxes of Indigent Persons," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 175 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love.

The title of the bill was made the title of the act.

H. B. No. 228, by Mr. Axton, "An Act Defining an Infernal Machine, and Prescribing Penalties for the Construction or Contrivance of the Same, or Having Any Such Machine in Possession, or Delivering Such Machine to Any Person or Common Carrier, or Sending the Same Through the Mail, or Throwing or Placing the Same Where Any Person May be Injured in His Person or Property, and Providing Where Offenses Against This Act May be Tried in Case of Such Infernal Machine Be-

ing Transmitted Outside the County, Where Delivered," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 228 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love.

The title of the bill was made the title of the act.

By unanimous consent, H. B. No. 67, "An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears and Mountain Lions Within the State of Utah, to Provide a Bounty for the Killing of the Same, to Prevent Fraud in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof," was taken up and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 67 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Kiesel, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Barnes, Larsen, Love, Whitney.

The title of the bill was made the title of the act.

H. B. No. 133, "An Act in Relation to the Brands and Property Marks of Bottles, Kegs, Casks, Barrels, Boxes, Fountains, Tanks, Syphons and Other Vessels, and Tools, Implements and Apparatus of All Kinds, and for the Protection of Owners Thereof, and Providing a Penalty for the Violation Hereof," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 133 was read the third time and passed by the following vote: Ayes, 18; nays, 0.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 123, "An Act Amending Section 2546 of the Revised Statutes of Utah, 1898, in Relation to Taxation and Defining the Powers and Duties of the State Board of Equalization," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 123 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Tanner, Thomas, Whitmore, Mr. President.

Absent and not voting: Messrs. Smoot, Whitney.

The title of the bill was made the title of the act.

REPORT OF STANDING COMMITTEE.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature:

S. B. No. 97, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, Providing for the Election of Certain County and Precinct Officers and Fixing Their Terms of Office."

S. B. No. 32, "An Act Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands."

S. B. No. 42, "An Act Regulating the Transaction of Insurance Business (Other than Life), in the State by Foreign Insurance Companies, Requiring the Same to be Done Through Resident Agents, Prescribing Certain Duties of the Secretary of State, in Relation Thereof."

WHITNEY, Chairman.

S. B. No. 97, S. B. No. 32 and S. B. No. 42 were each read by title and signed by the President, in open session.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 89, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed Senate Bill No. 114 and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed H. B. No. 122, H. B. No. 171 and H. B. No. 1, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 122, H. B. No. 171 and H. B. No. 1 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 129 and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed Senate Bills Nos. 42, 32 and 97, and the same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. B. No. 127, "Relating to the Appointment of Water Commissioners," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate concurred in the amendments made by the House to S. B. No. 127.

S. B. No. 127 was placed upon its final passage, and passed by the following vote: Ayes, 15; nays, 2; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Kiesel, Larsen, Lawrence, Murdock, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Johnson, Smoot.

Absent and not voting: Mr. Love.

The title of the bill was made the title of the act.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 133, "Relating to State Board of Equalization," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 133 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 132, "In Relation to Collection of Taxes from Car Companies," and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 132 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 237, and passed the same as amended by the Senate.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 114, and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 26, and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Sen-

ate amendments to H. B. No. 150, and passed the same as amended by the Senate.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, S. B. No. 76, by Mr. Murdock, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 76 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, to whom was referred H. B. No. 166, "An Act to Amend Section 1, Chapter 20, of the Laws of Utah, 1899, Relating to the Annual Financial Statements of Cities, the Duties of the Auditor and City Recorder," respectfully report that they have had the same under consideration and recommend that the act be passed.

ALLISON, Chairman.

The report was adopted.

H. B. No. 166 was called up by Mr. Lawrence and read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 166 was read the third time and passed by the following vote: Ayes, 16; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Thomas.

The title of the bill was made the title of the act.

BILLS REJECTED.

H. B. No. 213, by Mr. Smith, "An Act Amending Section 3343 of the Revised Statutes of Utah, 1898, Relating to Costs on Appeal from Justices' Courts," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 213 was read the third time and rejected by the following vote: Ayes, 8; nays, 6; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Lawrence, Murdock, Sherman, Smoot, Tanner, Whitmore, Whitney.

Those voting in the negative were: Messrs. Bennion, Howell, Johnson, Kiesel, Thomas, Mr. President.

Absent and not voting: Messrs. Allison, Barnes, Larsen, Love.

H. B. No. 163, by Mr. Barnett, "An Act to Amend Sections 1722 and 1726, Revised Statutes of Utah, 1898, Relating to Penalties, Acting Without Registration, Adulerated Drugs," etc., was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 163 was read the third time and rejected by the following vote: Ayes, 6; nays, 9; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Johnson, Lawrence, Love, Whitmore.

Those voting in the negative were: Messrs. Barnes, Howell, Kiesel, Larsen, Murdock, Sherman, Thomas, Whitney, Mr. President.

Absent and not voting: Messrs. Bennion, Smoot, Tanner.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

The following communications were received and, with accompanying documents, were referred to the Committee on Appropriations and Claims:

Office of James T. Hammond, Secretary of State,
Salt Lake City, Utah, March 14, 1901.

To the Senate:—I return herewith Senate Claim No. 12 (our No. 3298), being the claim of Davis county for $61 for one-half the cost of maps and plats for the years 1897 and 1898.

I am directed to report that the said claim has been approved for $61 with the recommendation that an appropriation be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

Office of James T. Hammond, Secretary of State,
Salt Lake City, Utah, March 14, 1901.

To the Senate:—I am directed to transmit herewith claim No. 3294 of Salt Lake county, for $565.54, for one-half the cost of making maps and plats for the Assessor's office for the years 1897 and 1898, and to report that the said claim has been approved for the above-named sum, with the recommendation that an appropriation be made therefor.

Very respectfully,
J. T. HAMMOND,
Secretary State Board of Examiners.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. R. No. 6, "Providing for the Revision and Proof-Reading of the Journal," respectfully report that they have had the same under consideration, offer a substitute therefor, recommend that the substitute be adopted, and that S. R. No. 6 be rejected.

THOMAS, Chairman.

The report was adopted. S. R. No. 6 was rejected and S. R. No. 7 was substituted therefor, as follows:

S. R. No. 7, by Committee on Appropriations (Substitute for S. R. No. 6), "Resolved, That the President and Secretary of the Senate are hereby authorized and directed to revise and proof-read the journal of the Senate

of the Fourth State Legislature; and to employ such assistance as they may deem necessary. And the sum of $500, or so much thereof as may be necessary is hereby appropriated out of any money in the contingent fund of said Legislature as compensation for work done.

Under a suspension of the rules the resolution was adopted and the amount appropriated.

VOTE RECONSIDERED.

By unanimous consent, the vote whereby H. B. No. 233 was rejected was reconsidered.

H. B. No. 233 was placed upon its final passage and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 3; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Kiesel, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Mr. President.

Voting in the negative: Mr. Lawrence.

Absent and not voting: Messrs. Barnes, Love, Larsen.

Excused from voting: Mr. Whitney.

The title of the bill was made the title of the act.

HOUSE BILLS PASSED.

H. B. No. 188, by Mr. Langton, "An Act to Provide for Filling Vacancies on the Board of Pardons, Caused by the Absence of Any Member or Members Thereof," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 188 was read the third time and passed by the following vote: Ayes, 11; absent and not voting, 7.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Thomas, Whitmore.

Absent and not voting: Messrs. Barnes, Howell, Johnson, Love, Tanner, Whitney, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 242 (substitute for H. B. No. 111), by McFarland, "An Act Making an Appropriation for the Extermination of the San Jose Scale," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 242 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney.

Absent and not voting: Messrs. Barnes, Howell, Love, Mr. President.

The title of the bill was made the title of the act.

H. B. No. 246, "An Act Making Appropriations for General Purposes," was taken up and read the second time.

Roll call being ordered on Mr. Howell's motion to strike out the appropriation of $600 to the State Federation of Women's clubs to aid the traveling library, the appropriation was stricken out by the following vote: Ayes, 9; nays, 7; absent and not voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Larsen, Thomas, Whitmore, Mr. President.

Those voting in the negative were: Messrs. Alder, Kiesel, Lawrence, Love, Murdock, Sherman, Whitney.

Absent and not voting: Messrs. Smoot, Tanner.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 246 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Murdock, Sherman, Smoot, Tanner, Thomas, Mr. President.

Absent and not voting: Messrs. Love, Whitmore, Whitney.

The title of the bill was made the title of the act.

MISCELLANEOUS BUSINESS.

The President was authorized to employ additional assistants for the Engrossing and Enrolling Committee.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, to whom was referred S. B. No. 119, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, Relating to Terms of Office of County Officers," respectfully report that they have had he same under consideration and recommend that the act be passed.

ALLISON, Chairman.

The report was adopted.

By request of Mr. Smoot, S. B. No. 119 was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 119 was read the third time and passed by the following vote: Ayes, 11; nays, 4; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Lawrence, Love, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Those voting in the negative were: Messrs. Alder, Johnson, Larsen, Tanner.

Absent and not voting: Messrs. Howell, Kiesel, Murdock.

The title of the bill was made the title of the act.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature.

S. B. No. 126, "An Act to Amend Section 1249 of the Revised Statutes of Utah, 1898, Regulating the Sale of

Intoxicating Liquors and Preventing Certain Persons From Frequenting Places of Business Where Such Liquors are Sold, and Repealing Section 4246, Revised Statutes of Utah, 1898."

S. C. R. No. 6, "Resolutions of Respect for the Late General Harrison,"

WHITNEY, Chairman.

S. B. No. 126 and S. C. R. No. 6 were each read by title and signed by the President, in open session.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature:

S. B. No. 133, "An Act to Amend Section 2583 of the Revised Statutes of Utah, 1898, Creating a State Board of Equalization, Providing the Manner of its Appointment, Fixing the Terms of Office and Salaries of Its Members, Providing the Manner of Its Organization, Defining Its Duties and Terminating the Term of Office of the Members of the Board of Equalization,"

S. B. No. 76, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Prohibiting Certain Chemicals in Milk or Cream, or the Products Thereof, and Providing a Penalty for a Violation Thereof,"

S. B. No. 74, "An Act to Create a State Board of Labor, Conciliation and Arbitration, for the Investigation and Settlement of Differences Between Employers and Their Employees; to Define the Power and Duties of the Said Board; Fixing Its Members' Compensation, and Repealing Chapter 1, of Title 36, of the Revised Statutes of Utah, 1898,"

S. B. No. 81, "An Act to Amend Section 3948 of the Revised Statutes of Utah, 1898, Relating to the Partial Distribution of the Estates of Decedents,"

S. B. No. 128, "An Act Providing for the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah With the View

of Determining the Amount Thereof and the Liability of the State Therefor and Barring From Payment All Certificates Not Presented Within the Time Prescribed in This Act,"

S. J. M. No. 6, "Relative to the United States Creating a Forest Reserve to Increase the Water Supply of Salt Lake City."

WHITNEY, Chairman.

The report was adopted.

S. B. No. 133, S. B. No. 76, S. B. No. 74, S. B. No. 81, S. B. No. 128 and S. J. M. No. 6 were each read by title and signed by the President, in open session.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed Senate Bill No. 126 and S. C. R. No. 6. The same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 67, by Cutler, and passed the same as amended by the Senate.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 242, by McFarland, and passed the same as amended.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 133, S. B. No. 76, S. B. No. 128, S. B. No. 81, S. B. No. 74, S. J. M. No. 6, and the same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 111, by Larsen, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 111 was referred to the Committee on Engrossed and Enrolled Bills.

SENATE BILLS PASSED.

Unanimous consent was granted for the introduction of S. B. No. 134, by Mr. Barnes, "An Act Requiring Railroad Companies to Fence Their Tracks."

S. B. No. 134 was read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 134 was read the third time and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Johnson, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Howell, Kiesel, Murdock.

The title of the bill was made the title of the act.

S. B. No. 41, by Mr. Murdock, "An Act to Provide for the Initiative and Referendum in Legislation," was read the second time.

By unanimous consent, all rules interfering there-

with were suspended, and S. B. No. 41 was read the third time and passed by the following vote: Ayes, 11; nays, 1; absent and not voting, 4; excused from voting, 2.

Those voting in the affirmative were: Messrs. Barnes, Bennion, Larsen, Lawrence, Love, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Voting in the negative: Mr. Allison.

Absent and not voting: Messrs. Alder, Howell, Kiesel, Murdock.

Excused from voting: Messrs. Johnson, Sherman.

The title of the bill was made the title of the act.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your conference committee appointed to consider S. B. No. 125, Fish and Game, recommend the following:

Sec. 2. We approve of the House amendments.

Sec. 3. We recommend the appropriation for special deputies be made $2000 in lieu of $2,500, same section strike out the words "shall appoint special deputies," and insert the word "may."

Sec. 6. We approve of the House amendments.

Sec. 10. We approve of the House amendments.

Sec. 12. We recommend that the section be allowed to stand as passed by the Senate, prohibiting the marketing of mountain trout.

Sec. 14. We approve of the House amendments.

H. S. LARSEN,
S. H. LOVE,
J. G. M. BARNES,
ALBERT STEVENS,
SAMUEL L. PAGE.

The report was adopted.

SENATE BILLS PASSED.

S. B. No. 125, "An Act to Amend Sections 2, 6, 10, 14, 19, 23 and 30 of the Laws of Utah, 1899, of An Act Entitled, 'An Act for the Protection of Fish, Game and Birds; for the Appointment of State and County Wardens and Prescribing Their Duties; to Provide Penalties for

the Violation of This Act, and to Repeal Title 21 of the Revised Statutes of Utah, 1898, Approved March 9, 1899,' " was read the third time and passed by the following vote: Ayes, 13; nays, 1; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Johnson, Larsen, Lawrence, Love, Sherman, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Voting in the negative: Mr. Smoot.

Absent and not voting: Messrs. Alder, Howell, Kiesel, Murdock.

The title of the bill was made the title of the act.

Unanimous consent was granted for the introduction of S. B. No. 135, by Mr. Love, "An Act to Provide Revenue for the Support of the Government of the State, and of the Several Counties of the State, and District and County Schools for the Fiscal Years 1901 and 1902."

S. B. No. 135 was read the first and second times.

By unanimous consent, all rules interfering therewith were suspended, and S. B. No. 135 was read the third time and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Murdock.

The title of the bill was made the title of the act.

HOUSE BILLS PASSED.

H. B. No. 125, "An Act Amending Section 1 of Chapter 43, Laws of Utah, 1899, Relating to Repairing and Keeping of Present Ownership Maps," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 125 was read the third time and passed by the following vote: Ayes, 12; absent and not voting, 4; excused from voting, 2.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Johnson, Kiesel, Larsen, Lawrence, Love, Sherman, Smoot, Thomas, Mr. President.

Absent and not voting: Messrs. Alder, Howell, Murdock, Tanner.

Excused from voting: Messrs. Whitmore, Whitney.

The title of the bill was made the title of the act.

H. B. No. 216, "An Act Making it Unlawful to Dock the Tail of Any Horse; Fixing the Penalty Therefor, and Evidence Thereof, and Disposition of Fines Collected on Account of Convictions of Persons Guilty of Cruelty to Animals," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 216 was read the third time and passed by the following vote: Ayes, 13; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Barnes, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Bennion, Howell, Tanner, Thomas.

The title of the bill was made the title of the act.

H. B. No. 245, "An Act to Provide for the Payment of Regular and Contingent Expenses of the Fourth Session of the Legislature of the State of Utah," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 245 was read the third time and passed by the following vote: Ayes, 14; absent and not voting, 4.

Those voting in the affirmative were: Messrs. Alder, Barnes, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Bennion, Howell, Tanner.

The title of the bill was made the title of the act.

H. B. No. 190, "An Act Amending Sections 639 and 2553 of the Revised Statutes of the State of Utah, 1898, Relating to County, Precinct, Road, District, Assessor's and Other Maps," was read the second time.

By unanimous consent, all rules interfering there-

with were suspended, and H. B. No. 190 was read the third time and passed by the following vote: Ayes, 12; absent and not voting, 4; excused from voting, 2.

Those voting in the affirmative were: Messrs. Alder, Barnes, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Bennion, Smoot, Tanner.

Excused from voting: Messrs. Sherman, Thomas.

The title of the bill was made the title of the act.

RESOLUTIONS ADOPTED.

H. J. R. No. 4, thanking the Scofield disaster committee for services rendered, was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. J. R. No. 4 was read the third time and passed by the following vote: Ayes, 13; absent and not voting 5.

Those voting in the affirmative were: Messrs. Alder, Barnes, Johnson, Kiesel, Larsen, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Bennion, Howell, Lawrence, Tanner.

Excused from voting: Mr. Smoot.

H. J. R. No. 1, "Authorizing the State Board of Examiners to Procure the Printing of 4000 Additional Copies of the Biennial Report of the State Board of Horticulture," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. J. R. No.1 was read the third time and passed by the following vote: Ayes, 11; nays, 1; absent and not voting, 5; excused from voting, 1.

Those voting in the affirmative were: Messrs. Alder, Barnes, Johnson, Kiesel, Larsen, Love, Murdock, Sherman, Smoot, Thomas, Whitmore, Whitney.

Voting in the negative: Mr. President.

Absent and not voting: Messrs. Allison, Bennion, Howell, Lawrence, Tanner.

Excused from voting: Mr. Smoot.

The title of the resolution was approved.

BILL RECOMMITTED:

H. B. No. 64, "An Act to Regulate the Practice of Dentistry in the State of Utah; to Provide for a Board of Dental Examiners and Prescribing its Powers and Duties; to Provide Penalties, and to Repeal Sections 747 to 759, inclusive, of the Revised Statutes of Utah, 1898," was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 64 was read the third time and recommitted to the Committee on Sifting.

EXECUTIVE COMMUNICATIONS.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 31, entitled, "An Act to Provide for the Acceptance by the State of Utah, from the United States, of Certain Desert Lands, and Providing for the Reclamation, Occupancy and Disposal of the Same."

Senate Bill No. 32, entitled, "An Act Creating the Reservoir Land Grant Fund, and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the purpose of supplying water to State Lands."

Senate Bill No. 89, entitled, "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office."

Senate Bill No. 101, entitled, "An Act to Amend Section 4413 of the Revised Statutes of Utah, 1898, and to Provide for the Punishment of Directors, Officers and Agents of Corporations and Other Persons for Fraud and Misconduct."

Senate Bill No. 42, entitled, "An Act Regulating the Transaction of Insurance Business (Other Than Life) in the State by Foreign Insurance Companies, Requiring the Same to be Done Through Resident Agents, Prescribing Certain Duties of the Secretary of State in Relation Thereto, and Prescribing Certain Penalties for the Violation of the Same."

Senate Bill No. 126, entitled, "An Act to Amend Section 1249 of the Revised Statutes of Utah, 1898, Regulating the Sale of Intoxicating Liquors and Preventing Certain Persons from Frequenting Places of Business Where Such Liquors are Sold, and Repealing Section 4246, Revised Statutes of Utah, 1898."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 7, entitled, "An Act to Tax Gifts, Legacies and Inheritances in Certain Cases, and to Provide for the Collection of the Tax."

Senate Bill No. 69, entitled, "An Act to Amend Section 40 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands, and Defining Certain Duties of the Recorder of Marks and Brands With Respect Thereto."

Senate Bill No. 70, entitled, "An Act to Amend Section 45 of the Revised Statutes of Utah, 1898, Relating to Marks and Brands, and Defining Certain Duties of the Recorder of Marks and Brands With Respet Thereto."

Senate Bill No. 128, entitled, "An Act Providing for the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah, with the View of Determining the Amount Thereof and the Liability of the State Therefor, and Barring from Payment all Certificates not Presented Within the Time Prescribed in This Act."

Senate Bill No. 76, entitled, "An Act to Amend Section 733 of the Revised Statutes of Utah, 1898, Prohibiting Certain Injurious Chemicals in Milk or Cream, or the Products Thereof, and Providing a Penalty for a Violation of this Act."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the

Secretary of State Senate Bill No. 133, entitled, "An Act to Amend Section 2583 of the Revised Statutes of Utah, 1898, Creating a State Board of Equalization, Providing the Manner of Its Appointment, Fixing the Terms of Office and Salaries of Its Members, Providing the Manner of Its Organization, Defining Its Duties and Terminating the Term of Office of the Members of the Board of Equalization now Existing."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State Senate Bill No. 74, entitled, "An Act to Create a State Board of Labor, Conciliation and Arbitration for the Investigation and Settlement of Differences Between Employers and Their Employees; to Define the Power and Duties of the Said Board; Fixing Its Members' Compensation and Repealing Chapter 1 of Title 36 of the Revised Statutes of Utah, 1898."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 75, entitled, "An Act Relating to the Sale of Stocks of Merchandise in Bulk; Providing the Mode of Procedure in Such Sales and Providing a Penalty for any Infractin Thereof."

Senate Bill No. 84, entitled, "An Act to Amend Section 2447 of the Revised Statutes of Utah, 1898, as amended by Chapter 41 of the Laws of Utah, 1899, Defining the Duties of the Dairy and Food Commissioner."

Very respectfully,
HEBER M. WELLS, Governor.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of three to confer with the Senate upon the following items of the appropriation bill: All the State officers' salaries; the National Guard, and the appropriation for the traveling library.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

A conference committee, consisting of Messrs. Tanner, Allison and Bennion, was appointed to meet a like committee from the House and consider H. B. No. 246, the Appropriation Bill.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 119, by Mr. Smoot, and the same is herewith transmitted for your action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, H. B. No. 7, and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 7 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No.

134, by Committee on Railroads (substitute for S. B. No. 26), entitled, "An Act Requiring Railroad Companies to Fence Their Tracks," and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 134 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day amended and passed S. B. No. 116, and the same is herewith transmitted for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Sherman, the Senate concurred in the amendments made by the House to S. B. No. 116.

S. B. No. 116 was placed upon its final passage and passed by the following vote: Ayes, 12; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Barnes, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Alder, Allison, Bennion, Howell, Smoot, Tanner.

The title of the bill was made the title of the act.

S. B. No. 116 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, H. B. No. 235, and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 235 was read by title and signed by the President, in open session.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your conference committee on H. B. No. 246, by Smith, beg leave to report and recommend:

1. That the Senate recede from its amendment on the State officers' salaries.

2. That the appropriation to the National Guard be fixed at $2000.

3. That we agree to the Senate amendment, striking out the appropriation to the Federation of Women's Clubs for traveling libraries.

R. R. TANNER,
Chairman, Senate Committee.
EDWARD H. ANDERSON,
Chairman, House Committee.

Roll call being ordered on the proposition in the conference committee's report recommending that the Senate recede from its amendment reducing the salaries of State officers, the recommendation was adopted by the following vote: Ayes, 10; nays, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Howell, Johnson, Larsen, Lawrence, Love, Sherman, Whitmore, Whitney.

Those voting in the negative were: Messrs. Barnes, Bennion, Kiesel, Murdock, Smoot, Tanner, Thomas, Mr. President.

Roll call being ordered on the adoption the portion of the conference committee's report recommending that the appropriation to the National Guard be fixed at $2000, the proposition carried by the following vote: Ayes, 10; nays, 8.

Those voting in the affirmative were: Messrs. Alder, Allison, Bennion, Howell, Johnson, Larsen, Lawrence, Love, Sherman, Tanner.

Those voting in the negative were: Messrs. Barnes, Kiesel, Murdock, Smoot, Thomas, Whitmore, Whitney, Mr. President.

The report was then adopted in full.

H. B. No. 246 was placed upon its final passage and passed by the following vote: Ayes, 15; absent and not voting, 3.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Murdock, Sherman, Smoot, Tanner, Thomas, Whitney, Mr. President.

Absent and not voting: Messrs. Lawrence, Love, Whitmore.

The title of the bill was made the title of the act.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, in accordance with the report of the conference committee, H. B. No. 246, by Smith, and return the same for the action of your honorable body.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, H. B. No. 227 and H. B. No. 118, and the same are herewith transmitted to you for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 227 and H. B. No. 118 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 125, by Love, "An Act for the Protection of Fish and Game," and is herewith returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Love, the Senate concurred in the amendments made by the House to S. B. No. 125.

S. B. No. 125 was placed upon its final passage and passed by the following vote: Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Messrs. Allison, Barnes, Bennion, Howell, Johnson, Kiesel, Larsen, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Mr. Alder.

The title of the bill was made the title of the act.

S. B. No. 125 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, H. B. No. 150, and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 150 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in the presence of the House, H. B. No. 242 and H. B. No. 245.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 242 and H. B. No. 245 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 41, by Mr. Murdock, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, House Bills Nos. 237, 228, 27, 188, 230, 172, 166, 177, 154, 12, 169, 23, 125, 233, and 67, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 237, H. B. No. 228, H. B. No. 27, H. B. No. 188, H. B. No. 230, H. B. No. 172, H. B. No. 166, H. B. No. 177, H. B. No. 154, H. B. No. 12, H. B. No. 169, H. B. No. 23, H. B. No. 125, H. B. No. 233, H. B. No. 67 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day signed, in open session, H. B. No. 216 and H. B. No. 114, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 216 and H. B. No. 114 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 135, by Mr. Love, entitled, "An Act to Provide Revenue for the Support of the Government of the State, and of the Several Counties of the State, and District and County Schools for the Fiscal Years Nineteen Hundred and One and Nineteen Hundred and Two," and the same is herewith transmitted for your consideration.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

S. B. No. 135 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day, in open session, signed House Bill No. 129, and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 129 was read by title and signed by the President, in open session.

EXECUTIVE COMMUNICATIONS.

State of Utah, Executive Office.
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State Senate Bill No. 94, entitled, "An Act to Prohibit and Punish Fraudulent Voting at Primaries, and Also to Punish Tellers and Other Officers Who Make False Returns, and to Punish Persons Who Vote at More Than One Primary."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the following named appointments, and invite your advice and consent thereto:

To be members of the State Board of Equalization: Robert C. Lund of Washington County for the term of two years. John J. Thomas of Salt Lake County for the term of two years. Thomas D. Dee of Weber County for the term of four years. Swen O. Nielsen of Sanpete County for the term of four years.

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the follow-

ing named appointments, and invite your advice and consent thereto:

To be members of the State Board of Labor, Conciliation and Abritration: J. S. Daveler of Salt Lake County for the term of one year. E. A. Wall of Salt Lake County for the term of three years. John Nicholson of Salt Lake County for the term of five years, and to be chairman of the board.

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the following named appointments, and invite your advice and consent thereto:

To be trustees of the Agricultural College of Utah: Mrs. Emily S. Richards of Salt Lake County for the term of four years. Lorenzo Hanson of Cache County for the term of four years. Mrs. J. E. Bagley of Weber County for the term of four years. Seth Langton of Cache County to fill the remainder of the unexpired term of Joseph Morrell, resigned, whose term expires March 2, 1903. John A. McAllister of Cache County to fill the remainder of the unexpired term of M. W. Merrill, resigned, whose term expires March 2, 1903.

Very respectfully,
HEBER M. WELLS, Governor.

EXECUTIVE SESSION.

The Senate went into executive session.

When the doors were opened, it was announced that the Senate had advised and consented to the following appointments, made by His Excellency, Governor Heber M. Wells:

To be members of the State Board of Equalization:

Robert C. Lund of Washington County for the term of two years.

John J. Thomas of Salt Lake County for the term of two years.

Thomas D. Dee of Weber County for the term of four years.

Swen O. Nielsen of Sanpete County for the term of four years.

To be members of the State Board of Labor, Conciliation and Arbitration:

J. S. Daveler of Salt Lake County for the term of one year.

E. A. Wall of Salt Lake County for the term of three years.

John Nicholson of Salt Lake County for the term of five years, and to be chairman of the board.

To be Trustees of the Agricultural College of Utah:

Mrs. Emily S. Richards of Salt Lake County for the term of four years.

Lorenzo Hanson of Cache County for the term of four years.

Mrs. J. E. Bagley of Weber County for the term of four years.

Seth Langton of Cache County, to fill the remainder of the unexpired term of Joseph Morrell, resigned, whose term expires March 2, 1903.

John A. McAllister of Cache County, to fill the remainder of the unexpired term of M. W. Merrill, resigned, whose term expires March 2, 1903.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committtee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature:

S. B. No. 121, "An Act Providing for a Coal Mine Inspector; Defining His Duties, Fixing His Salary and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of Property Connected Therewith, and Repealing Chapter 2, Title 42 of the Revised Statutes of Utah, 1898,"

S. B. No. 99, "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on the Same, Providing Penalties for Violation of Its Provisions and Repealing Sec-

tions 2537, 2538, 2539, 2541 and 2542 of the Revised Statutes of Utah, 1898, and Repealing Chapter 44 of the Session Laws of 1899."

S. B. No. 111, "An Act to Amend Section 15 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sale of Estrays."

WHITNEY, Chairman.

S. B. No. 121, S. B. No. 99 and S. B. No. 111 were each read by title and signed by the President, in open session.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred the following bills, respectfully report that they have carefully engrossed and enrolled the same, and herewith present the acts to you for your signature:

S. B. No. 116, "An Act Prohibiting the Use of the Devise Known as the 'Slot Machine' in This State, and Prescribing a Penalty for the Violation of This Act."

S. B. No. 132, "An Act Amending Sections 2605, 2562, 2610 and 2620 of the Revised Statutes of Utah, 1898, in Relation to Collection of Taxes From Car Companies."

S. B. No. 134, "An Act Requiring Railroad Companies to Fence Their Tracks."

WHITNEY, Chairman.

S. B. No. 116, S. B. No. 132 and S. B. No. 134 were each read by title and signed by the President, in open session.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker has this day, in open session, signed House Bills Nos. 190, 86, 131, 156, 152, 133, 105, 155, 153, 174, 116, 123, 26 and 175 and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 190, H. B. No. 86, H. B. No. 131, H. B. No. 156, H. B. No. 152, H. B. No. 133, H. B. No. 105, H. B. No. 155, H. B. No. 153, H. B. No. 174, H. B. No. 116, H. B. No. 123, H. B. No. 26 and H. B. No. 175 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, Senate Bills Nos. 116, 134 and 132, and the same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 121, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 111 and S. B. No. 99, and the same are herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Federal Relations, to whom was referred H. J. M. No. 3, "In Relation to the Opening of the Uintah Indian Reservation for Settlement," respectfully report that they have had the same under consideration and recommend that the memorial be passed.

ALDER, Chairman.

H. J. M. No. 3 was adopted by the following vote: Ayes, 12; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Alder, Barnes, Larsen, Lawrence, Love, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Allison, Bennion, Howell, Johnson, Kiesel, Murdock.

REPORTS OF SELECT COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, to whom was referred H. B. No. 180, "An Act to Amend Section 1794 of the Revised Statutes of Utah, 1898, Relating to the County Board of Examiners and the Manner of Their Appointment," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

WHITNEY, Chairman.

H. B. No. 180 was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 180 was read the third time and passed by the following vote: Ayes, 13; absent and not voting, 5.

Those voting in the affirmative were: Messrs. Alder, Allison, Barnes, Larsen, Lawrence, Love, Murdock, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Bennion, Howell, Johnson, Kiesel, Sherman.

The title of the bill was made the title of the act.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Sifting, appointed to consider all measures now before the Senate, respectfully report that they have had the following bill under consideration and recommend that it be passed:

H. B. No. 241, "An Act to Provide for Fire Protection in All of the Mines of the State of Utah, and Defining the Same."

ALLISON, Chairman.

The report was adopted and H. B. No. 241 was read the second time.

By unanimous consent, all rules interfering therewith were suspended, and H. B. No. 241 was read the third time and passed by the following vote: Ayes, 12; absent and not voting, 6.

Those voting in the affirmative were: Messrs. Alder, Allison, Lawrence, Love, Murdock, Sherman, Smoot, Tanner, Thomas, Whitmore, Whitney, Mr. President.

Absent and not voting: Messrs. Barnes, Bennion, Howell, Johnson, Kiesel, Larsen.

The title of the bill was made the title of the act.

Committee Room, March 14, 1901.

Mr. President:—Your Special Committee, appointed to consider all measures now pending before the Senate, respectfully report that after due and careful consideration we recommend that the following bills be not passed:

H. B. No. 41, "An Act to Amend Section 410 of the Revised Statutes of Utah, 1898, Relating to Certificates of Authority to Agents of Insurance Companies,"

H. B. No. 50, "An Act Fixing the Compensation of Attorneys Appointed by the Court for Defending Pauper Criminals, and Providing for Their Payment,"

H. B. No. 62, "An Act to Amend Sections 2174, 2175 and 2190 of the Revised Statutes of Utah, 1898, Providing for the Commitment of Persons to and Discharge From the State Insane Asylum,"

H. B. No. 64, "An Act to Regulate the Practice of Dentistry in the State of Utah, to Provide for a Board of Dental Examiners and Prescribe its Powers and Duties, to Provide Penalties, and to Repeal Sections 747 to 759 Inclusive of the Revisd Statutes of Utah of 1898."

H. B. No. 72, "An Act to Provide the Method for the Changing of County Lines Pursuant to Article 11, Section 3 of the Constitution, and to Provide for Transcribing the County Records Made Necessary by Such Change,"

H. B. No. 84, "An Act to Amend Section 2689 of the Revised Statutes of Utah, 1898, Relating to City and Town Taxes,"

H. B. No. 87, "An Act to Repeal Sections 283, 284, 285 and 286 of the Revised Statutes of Utah, 1898, Relating to Board of Public Works,"

H. B. No. 92, "An Act to Amend Section 2559 of the Revised Statutes of Utah, 1898, as Amended by Section 1 of Chapter 68 of the Session Laws of the State of Utah, 1899, Providing for Statement by Corporations for Assessment Purposes, and for the Equalization of Taxes,"

H. B. No 95, "An Act to Amend Section 2560 of the Revised Statutes of Utah, 1898, as Amended by Section 1, Chapter 68, Third Regular Session Laws of 1899, State of Utah, Relating to the State Board of Equalization, Assessments and Apportionment,"

H. B. No. 98, "An Act to Amend Sections 527, 528 and 529 of the Revised Statutes of Utah, 1898, Providing for Purchase of Books, Blanks, Stationery and Contracts for County Printing,"

H. B. No. 102, "An Act Amending Section 1818 of the Revised Statutes of Utah, 1898, Fixing the Powers and Duties of Trustees,"

H. B. No. 103, "An Act to Provide Contingent Expenses of County Superintendents of District Schools, and for the Payment of Their Salaries,"

H. B. No. 135, "An Act to Amend Section 2062 of the Revised Statutes of the State of Utah, 1898, Relating to Deputies or Assistants of County Officers,"

H. B. No. 145, "An Act to Amend Section 265 of the Revised Statutes of Utah, 1898, Concerning the Equalization of Special Assessment of Cities,"

H. B. No. 168, "An Act to Amend Section 1386 of the Revised Statutes of Utah, 1898, Relating to Recording Liens,"

H. B. No. 176, "An Act Amending Section 2597 of the Revised Statutes of Utah, 1898, Fixing the Lien of Taxes Assessed Upon Real Property and Improvements Thereon,"

H. B. No. 186, "An Act to Amend Sections 6 and 7, Chapter 14, Laws of Utah, 1899, Relating to Filing Affidavit of Work Done, and Organization of Mining Districts,"

H. B. No. 187, "An Act to Provide That Personal Knowledge of the Facts in the Case Shall Not Disqualify a Member of the Board of Pardons From Sitting Thereon,"

H. B. No. 195, "An Act to Amend Section 3847 of the Revised Statutes of Utah, 1898, Providing for the Sup-

port of Families of Decedents, and for the Summary Administration of the Estates of Decedents in Certain Cases,"

H. B. No. 202, "An Act to Amend Section 4173 of the Revised Statutes of Utah, 1898, Defining the Offenses of Kidnaping and Abduction, and Prescribing the Punishment Therefor,"

H. B. No. 208, "An Act to Amend Sections 2113 and 2114 of the Revised Statutes of Utah, 1898, Relating to the School for the Deaf and Dumb; and Providing for a Superintendent and Principal of the School, and Defining Their Powers and Duties,"

H. B. No. 210, "An Act Fixing the Limit of the Rate of Taxation in Cities of the First Class,"

H. B. No. 211, "An Act to Exempt From Taxation the Property of Municipal Corporations Held Under Contract,"

H. B. No. 212, "An Act Permitting the Waiver of the Undertaking on Appeal From City, Municipal and Justices' Courts to the District Court in Civil Actions,"

H. B. No. 231, "An Act Providing for the Printing and Distribution of Certain Laws of the State of Utah,"

H. J. M. No. 5, "Proposing an Amendment to Section 3 of the Constitution of the State of Utah, Relating to Revenue and Taxation,"

S. B. No. 37, "An Act Defining Adulterations of Food and Drugs, and to Prevent the Adulteration of Certain Foods and Drugs, and Regulating the Sale of Them,"

S. B. No. 43, "An Act Providing for a State Veterinarian, and Defining His Duties,"

S. B. No. 45, "An Act Authorizing the Creating of a Domestic Science Department in the University of Utah, and Making an Appropriation Therefor,"

S. B. No. 48, "An Act for the Relief of the Occupants of Townsite Lands in Certain Cases,"

S. B. No. 58, "An Act to Amend Section 4168 of the Revised Statutes of Utah, 1898, Relating to Justifiable Homicide,"

S. B. No. 60, "An Act to Amend Sections 1722 and 1726 of the Revised Statutes of Utah, 1898, Relating to Penalties, Acting Without Registration, Adulterated Drugs, Etc,"

S. B. No. 61, "An Act Creating Liability for Damages

Done by the Destruction of Property Caused by Fire Communicated From Locomotive Engines,"

S. B. No. 80, "An Act Making Railroad Corporations in This State Liable for Damages Sustained by an Agent or Servant Thereof, by Reason of the Negligence of Any Other Agent or Servant Thereof, and Declaring Invalid Any Contract, Rule or Regulation Which Attempts to Restrict, Impair or Diminish Such Liability,"

S. B. No. 82, "An Act Providing for the Appointment and Duties of a Board of Fire Commissioners in Cities of 12,000 and More Inhabitants, and to Place the Fire Department of Said Cities Upon a Non-Partisan Basis,"

S. B. No. 93, "An Act Appropriating for the Payment of Outstanding Juror and Witness Certificates for the Period From 1874 to 1895; and Providing for the Manner of Payment Thereof,"

S. B. No. 102, "An Act to Amend Section 1936 of the Revised Statutes of Utah, 1898, Relating to Tax, Estimate, Levy, Rate and Collection Limit,"

S. B. No. 108, "An Act to Amend Section 2446 of the Revised Statutes of Utah, 1898, Relating to the Office of Dairy and Food Commissioner,"

S. B. No. 109, "An Act Creating a State Board of Agriculture; Defining Its Organization and Duties and Making an Appropriation Therefor; Amending Sections 1176 and 1178 of the Revised Statutes of Utah, 1898, as Amended in Chapter 47, Laws of Utah, 1899, and Sections 2044, 2047 and 2049 of the Revised Statutes of Utah, 1898; Defining the Word 'Board' in Section 1173 and 1177 of the Revised Statutes of Utah, 1898, and Repealing Sections 1168, 1169, 1170, 1171, 1172, 1179, 1180, 1181, 1182, 2043, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128 and 2129 of the Revised Statutes of Utah, 1898,"

S. B. No. 123, "An Act Making County Sheriffs Live Stock Inspectors and Defining Their Duties, and Regulating the Inspection and Shipment of Live Stock."

ALLISON, Chairman.

The report was adopted and the several bills mentioned therein were rejected.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 127, "An Act Defining the Duties of the State Engineer, Providing for the Creation of Water Districts and for the Appointment of a Water Commissioner for Each District; Providing for the Proper Measurement and Division of Water; Providing for the Reclamation of Stored Water; and Repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 127 was read by title and signed by the President, in open session.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 135, "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools for the Fiscal Years Nineteen Hundred and One and Nineteen Hundred and Two," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 135 was read by title and signed by the President, in open session.

Committee Room, March 14, 1901.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 125, "An Act to Amend Sections 2, 3, 6, 10, 12, 14, 19 and 23, of the Laws of Utah, 1899, of An Act, Entitled, 'An Act for the Protection of Fish and Game and Birds; for Appointment of State and County Wardens and Prescribing Their Duties; to Provide Penalties for the Violation of This Act, and to Repeal Title 21, of the Revised Statutes of

Utah, 1898,' Approved March 9, 1899," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

WHITNEY, Chairman.

S. B. No. 125 was read by its title and signed by the President, in open session.

Committee Room, March 14, 1900.

Mr. President:—Your Committee on Contingent Expenses, having had under consideration the following accounts, respectfully report that they have carefully examined the same, found all to be correct, and recommend that they be paid and returned to the Secretary for filing. The aggregate amount is $23.40.

LOVE, Chairman.

The report was adopted and the amount was appropriated.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed S. B. No. 127. The same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the Senate amendments to H. B. No. 180, by Mr. Kelly, and the same has been passed by the House.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed H. J. R. No. 4 and H. B. No. 241, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. J. R. No. 4 and H. B. No. 241 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed H. B. No. 108, H. B. No. 115, H. J. R. No. 1, H. B. No. 180, and H. J. M. No. 3, and the same are herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 108, H. B. No. 115, H. B. No. 180, H. J. R. No. 1 and H. J. M. No. 3 were each read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed House Bill No. 188, in open session, and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 188 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day

signed, in open session, S. B. No. 135, and the same is herewith returned.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, signed H. B. No. 246, and the same is herewith transmitted for your signature.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

H. B. No. 246 was read by title and signed by the President, in open session.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a committee, consisting of Messrs. Anderson, Langton and Smith, to confer with the Senate as to the hour of adjournment.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

On motion of Mr. Lawrence, a committee, consisting of Messrs. Lawrence, Tanner and Kiesel, was appointed to meet a like committee from the House and confer as to the time of adjournment.

REPORTS OF SELECT COMMITTEES.

Mr. Lawrence of the special committee appointed to confer with a committee from the House as to the time of adjournment, reported that the Governor desired a few hours more time to consider measures before him.

The report was adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, S. B. No. 125, and the same is returned for your further action.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved House Bills Nos. 131, 156, 166, 175, 105, 108, 125 and 169, and House Joint Resolution No. 1, and the same have been filed in office of Secretary of State.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, the Governor, has approved and filed with the Secretary of State, H. B. Nos. 12, 114, 118, 129, 154, 172, 227, 242, 245 and 23.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honorable body that His Excellency, the Governor, has approved and filed in the office of the Secretary of State the following measures: H. B. No. 188, H. B. No. 190, H. J. M. No. 3, H. J. R. No. 4, H. B. No. 228 and H. B. No. 233.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

House of Representatives,
Salt Lake City, Utah, March 14, 1901.

Mr. President:—I am directed to inform your honor-

able body that the House has cleared its tables and is now ready to adjourn and awaits your pleasure.

Respectfully,
M. M. STEELE, JR., Chief Clerk.

The Senate unanimously gave consent for the House to adjourn and the House was so notified.

EXECUTIVE COMMUNICATIONS.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have this day approved and filed in the office of the Secretary of State the following measures:

Senate Bill No. 116, entitled, "An Act Prohibiting the Use of the Device Known as the 'Slot Machine' in This State, and Prescribing a Penalty for the Violation of This Act."

Senate Bill No. 134, entitled, "An Act Requiring Railroad Companies to Fence Their Tracks."

Senate Bill No. 111, entitled, "An Act to Amend Section 15 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sales of Estrays."

Senate Bill No. 121, entitled, "An Act Providing for the Appointment of a Coal Mine Inspector, Defining His Duties, Fixing His Salary, and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of Property Connected Therewith, and Repealing Chapter 2, Title 42 of the Revised Statutes of Utah, 1898."

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the following named appointments and invite your advice and consent thereto:

To be members of the State Board of Dental Examiners:

W. H. Bucher of Salt Lake County for the term of four years.

Harry W. Davis of Salt Lake County for the term of four years.

George E. Ellerbeck of Salt Lake County for the term ending April 5, 1904.

A. S. Chapman of Salt Lake County for the term ending April 5, 1904.

Very respectfully,
HEBER M. WELLS, Governor.

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to make the following named appointments and invite your advice and consent thereto:

To be Brigadier General of the National Guard of Utah:

Jno. Q. Cannon of Salt Lake County.

To be officers upon the staff of the Commander-in-Chief of the National Guard of Utah:

Charles S. Burton of Salt Lake County, Adjutant General, with the rank of Brigadier General.

Nephi W. Clayton of Salt Lake County, Quartermaster General, with the rank of Colonel.

William J. Shealy of Weber County, Commissary General, with the rank of Colonel.

S. H. Pinkerton of Salt Lake County, Surgeon General, with the rank of Colonel.

Benner X. Smith of Salt Lake County, Judge Advocate General, with the rank of Colonel.

Morris L. Ritchie of Salt Lake County, Inspector General, with the rank of Colonel.

George A. Seaman of Millard County, General Inspector of Target Practice, with the rank of Colonel.

Edward S. Ferry of Salt Lake County, Aide de Camp, with the rank of Lieutenant Colonel.

John D. Spencer of Salt Lake County, Aide de Camp, with the rank of Lieutenant Colonel.

Very respectfully,
HEBER M. WELLS, Governor.

EXECUTIVE SESSION.

The Senate went into executive session.

When the doors were opened, it was announced that the Senate had given its advice and consent to the fol-

lowing appointments, made by His Excellency, Governor Heber M. Wells:

To be members of the State Board of Dental Examiners:

W. H. Bucher of Salt Lake County, for the term of four years.

Harry W. Davis of Salt Lake County, for the term of four years.

George E. Ellerbeck of Salt Lake County, for the term ending April 5, 1904.

A. S. Chapman of Salt Lake County, for the term ending April 5, 1904.

To be State Food and Dairy Commissioner:

Moroni Heiner of Morgan County.

To be State Coal Mine Inspector:

Gomer Thomas of Summit County, for the term of four years.

To be Brigadier-General of the National Guard of Utah:

John Q. Cannon of Salt Lake County.

To be officers upon the staff of the Commander-in Chief of the National Guard of Utah:

Charles S. Burton of Salt Lake County, Adjutant-General, with the rank of Brigadier General.

Nephi W. Clayton of Salt Lake County, Quartermaster General, with the rank of Colonel.

William J. Shealy of Weber County, Commissary General, with the rank of Colonel.

S. H. Pinkerton of Salt Lake County, Surgeon General, with the rank of Colonel.

Benner X. Smith of Salt Lake County, Judge Advocate General, with the rank of Colonel.

Morris L. Ritchie of Salt Lake County, Inspector General, with the rank of Colonel.

George A. Seaman of Millard County, General Inspector of Target Practice. with the rank of Colonel.

Edward S. Ferry of Salt Lake County, Aide-de-Camp, with the rank of Lieutenant-Colonel.

John D. Spencer of Salt Lake County, Aide-de-Camp, with the rank of Lieutenant-Colonel.

To be members of the State Board of Land Commissioners:

Byron Groo of Salt Lake County.
Herschel Bullen of Cache County.
Thomas D. Reese of Sanpete County.
James A. Melville of Millard County.

To be a member of the State Board of Horticulture, Second Horticultural district:

A. H. Bower of Utah County.

RESOLUTIONS ADOPTED.

S. R. No. 8 was presented by Mr. Thomas as follows:

Resolved, That the officers and employees of the Senate of the Fourth State Legislature be paid the amounts set opposite their respective names for extra services performed during the session, the money therefor to be paid out of the contingent fund of the said Legislature:

Noble Warrum, Secretary	$16.00
Henry H. Blood, Minute Clerk	16.00
Alice White, Docket Clerk	16.00
C. D. W. Fullmer, Engrossing Clerk	16.00
Martin Lindsay, Stenographer	16.00
George F. Felt, Committee Clerk	16.00
William Howard, Committee Clerk	16.00
Joseph Phillips, Sergeant-at-arms	16.00
Justus Witherell, Doorkeeper	16.00
C. J. Gulbransen, Watchman	16.00
Bert Smoot, Messenger	16.00
M. A. Wright, Messenger	16.00

Under a suspension of the rules, S. R. No. 8 was unanimously adopted and the several amounts were appropriated.

Mr. Allison presented the following (S. R. No. 9), which was unanimously adopted, under a suspension of the rules:

Resolved, That we, the members of this Senate, individually and collectively, express to the representatives of the daily press of Salt Lake City our sincere

thanks for, and appreciation of, the impartial, faithful and accurate reports of the proceedings of this body.

The following resolution was presented by Mr. Evans, and, under a suspension of the rules, was unanimously adopted:

Resolved, That the thanks of the members of the Senate are hereby extended to the Rocky Mountain Bell Telephone Company for the free use of its line during the Fourth session of the Legislature.

The following resolution was presented, the rules were suspended, and the resolution was unanimously adopted:

Resolved, That the Senators and employees hereby extend to the Chief Janitor of this building, Peter Johnson, our thanks and appreciation for the efficient and courteous services rendered the Senate during the session.

On motion of Mr. Howell, a committee, consisting of Messrs. Howell and Whitmore, was appointed to wait upon the Governor and inform him that the Senate has completed its business and awaits his further pleasure.

On the return of the committee the following communication from the Governor was received:

State of Utah, Executive Office,
Salt Lake City, March 14, 1901.

To the Senate:—I have the honor to inform you that I have no further communication to make to you at this session. Permit me to extend to you my congratulations upon the earnestness and wisdom that have characterized your labors, your unexampled investigation into the condition and needs of State institutions, and the wholesome nature of the laws enacted.

I thank you in behalf of the people of the State, and wish you Godspeed to your homes, and that health and

prosperity may attend you in your future lives. I have the honor to be,

Your obedient servant,
HEBER M. WELLS, Governor.

Minutes of the fifty-ninth and sixtieth days' sessions were approved.

On motion of Mr. Lawrence, the Senate adjourned.

CERTIFICATION.

We, Abel John Evans, President, and Noble Warrum, Secretary, of the Senate, do hereby certify that the within is a full, true and correct record of the proceedings of the Senate of the Fourth regular session of the Legislature of the State of Utah, held at Salt Lake City, Utah, commencing on the 14th day of January, 1901, and ending on the 14th day of March, 1901.

A. J. EVANS,
President.

NOBLE WARRUM,
Secretary.

INDEX OF SENATE BILLS.

Number	SUBJECT OR TITLE.	Introduced	Referred	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
1	Contingent Expenses of Legislature	8		54			8	8			50		54	54	60	60
2	Creating Senatorial and Representative Districts	8	54	85					85							
3	Burial of Veteran Soldiers	8	54	79		80	83	83			90	91	96	102	130	130
								91			105					
4	To Amend Section 433, 435, 442, Revised Statutes	51	55	56	58											
5	To Amend Section 1249, Title 12, Revised Statutes	55	55	82		84	90		366							
			90	366												
6	To Amend Sections 14, 15, Chap. 45, Laws, 1899	57	57	241		267	267	267			374		433	434		
7	To Tax Gifts, Legacies, Inheritances, etc	57	57	186		202	202	210			305		329	329	347	478
								305								
8	To Amend Section 511, Revised Statutes	57	57	82	237	84	90	90								
9	Formation of Railroad Corporations	57	57	81		83	84	84			89		93	94		
10	Establishing Irrigation and Drainage Districts	61	61	259					259							
11	To Amend Section 5017, Revised Statutes	61	61	75		77	77	77			93		95	102		194
						129	129	129			104		176	176		
											168					
											184					
12	To Adopt Metric System	61	61	227					227							
13	Compensation of District Attorneys	61	61	200		202	210	220		232		245				
14	To Amend Section 2273, Revised Statutes	61	61	272					272							
15	To Amend Sections 1884, 1885, Revised Statutes	65	65	96		107	107	107			220		208	208		
16	Measurement and Division of Water, State Engineer	65	65	381	382				382							
17	Protection of Fish, Game and Birds	73	74	75	296				327							

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Number	SUBJECT OR TITLE.	Introduced	Referred	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
18	To Amend Section 469, Revised Statutes	74	74	144		146	154	154					234	255	282	383
19	To Amend Section 380, Revised Statutes	75	75	96		112	114	114			175		199	208	212	
20	To Amend Section 5076, Revised Statutes	75	75	86		100	100	100			131 142		135	136	147	147
21	To Amend Sections 5109, 5110, Revised Statutes	76	76	86		100	100	100			131 142		136	136	147	147
22	To Amend Section 4989, Revised Statutes	76	76	86		106	106	106			131 142		136	136	148	148
23	To Amend Section 4720, Revised Statutes	76	76	87		106	106	106			131 142		140	140	148	148
24	To Amend Section 5068, Revised Statutes	76	76	87		107	107	107			132 142		137	137	148	148
25	To Amend Section 4909, Revised Statutes	76	76	87		107	107	107			132 142		137	137	148	148
26	Live Stock Killed or Injured by R. R. Companies	76	76	314					335							
27	Damages by Fires from Locomotives	76	76	160	160				160							
28	To Amend Section 1815, Revised Statutes	76	76	97		125	125	125			320 376		364	365	376	384
29	Creating Office of State Boiler Inspector	76	76	280					280							
30	To License Dogs	80	80	315					329							
31	Providing for Acceptance of Certain Public Lands	83	83	181		188	210	210			354		420	421		478
32	Creating Reservoir Land Grant Fund	83	83	102 182		125	232	232 391			391	391	461	462	463	478

Number.	SUBJECT OR TITLE.	Introduced.	Referred.	Reported.	Substitute Reported.	Second Reading.	Third Reading.	Passed.	Lost.	Reconsidered.	Received from House.	Further Action.	Enrolled.	Signed by President.	Further Action.	Final Action.
33	To Aid in Providing Text Books	83	83	91		100	111	111			348					
34	To Amend Sections 1, 2, 8, 9, Chap. 44, Laws 1899	88	88	218	218				218							
35	Defining Transient Stock	99	99	218	218				218							
36	To Amend Section 213, Revised Statutes	99	99	145		171	232	232			288					
			145	164												
37	Adulterations of Food and Drugs	99	99						495							
38	Approval of Bonds of Certain State Officers	106	106	141		141	146	146			352	352	386	386	392	451
								352								
39	To Amend Sections 460 and 471, Revised Statutes	106	106	311					311							
40	To Amend Section 3953, Revised Statutes	111	111			456	456	456								
41	To Provide for Initiative and Referendum	111	111	415		473	474	474			485					
42	Regulating Insurance Business	111	111	259		294	358	358			390	390	461	462	463	478
			300	314												
43	Providing for a State Veterinarian	114	114						495							
44	Commission to Provide for Buffalo Exposition	128	128	316					335							
45	Creating Domestic Science Department at University	128	128	330		268	358		495			358				
			268	277												
46	To Amend Section 2051, Revised Statutes	128	128	141					216							
			141	216												
47	To Relinquish Unsurveyed School Lands	128	128	181		189	189	189			303		311	312	330	383
48	To Relieve Occupants of Townsite Lands	138	138						495							
49	To Amend Section 4611, Revised Statutes	138	138	229	254											

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Number.	SUBJECT OR TITLE.	Introduced.	Referred.	Reported.	Substitute Reported.	Second Reading.	Third Reading.	Passed.	Lost.	Reconsidered.	Received from House.	Further Action	Enrolled	Signed by President	Further Action.	Final Action.
50	Per Diem and Mileage of Jurors, Justices Courts	145	146	152					159							
51	To Amend Section 2609, Revised Statutes	146	146	228					268							
52	To Amend Section 2685, Revised Statutes	53	153	228		292	292		297							
			292	297												
53	To Refund Taxes Unlawfully Collected	153	153	228		292	300	300			347					
			292	297												
54	Liability for Unlawful Collection of Taxes	153	153	227		293	301	301			347					
			293	297												
55	Regulating Fire Insurance	153	153	397					397							
56	Pleading and Proving Corporate Existence	153	153	218		360	360	360			389	390	421	421		451
57	To Amend Section 3064, Revised Statutes	153	153	214					214							
58	To Amend Section 4168, Revised Statutes	154	154	216		360			495							
59	To Amend Section 1, Chapter 64, Laws of 1899	154	154	180					181							
60	To Amend Sections 1722 and 1726, Revised Statutes	154	154	339		361			495							
61	Damages Done by Locomotives, Substitute for 27	160	160	316		188	233	340	495	363						
			233	338												
			329													
62	To Amend Section 2050, Revised Statutes	169	169	214					214							
63	To Amend Section 55, Revised Statutes	169	170	206	355	211			355							
			211													
64	Bureau of Immigration, Labor and Statistics.	170	170	226		267										
65	Kohl Meisen	170	170	227		254	254	254			321		364	365	376	384

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Number.	SUBJECT OR TITLE.	Introduced.	Referred.	Reported.	Substitute Reported.	Second Reading.	Third Reading.	Passed.	Lost.	Reconsidered.	Received from House.	Further Action.	Enrolled.	Signed by President.	Further Action.	Final Action.
66	To Amend Chap. 64, Laws of 1899	170	170	180	160				181							
67	To Amend Section 1867, Revised Statutes	170	170	200		202	210	219			287		298	298	323	452
68	To Amend Section 1865, Revised Statutes	170	170	200		202	210	220			323		364	365	376	452
69	To Amend Section 40, Revised Statutes	170	170	182		189	189	189			375		434	434		478
70	To Amend Section 45, Revised Statutes	170	170	182		188	188	188			373		433	433		478
								373								
71	Filing Decisions by Supreme and District Judges	171	171	207		211			211							
72	To Amend Section 2051, Revised Statutes	171	171	218	356	294	299	299	356	346	325					
73	Substitute for S. B. 59, S. B. 66, H. B. 91	182				182	183	183			303		364	365	376	384
								301			323					
74	To Create a State Board of Labor, Conciliation and Arbitration	183	184	216		293	299	299			387	387	471	472	473	480
75	Sale of Stocks of Merchandise in Bulk	184	184	227		267	291	307	295	307	375		434	435		480
76	To Amend Section 733, Revised Statutes	184	184	270		359	427	427			465		471	472	473	478
77	To Amend Section 3678, Revised Statutes	184	184	206		211	251	251			354	411	434	434		
								408			408	432				
78	To Amend Section 3849, Revised Statutes	184	184	215					215							
79	To Repeal Section 613, Revised Statutes	184	184	207					207							
80	Liability of Railroad Companies for Damages	187	187						496							
81	To Amend Sections 3948-3949, Revised Statutes	187	187	217		361	361	361			393		471	472	473	
								394								
82	To Provide Boards of Fire Commissioners	187	187						496							
83	To Amend Section 668, Revised Statutes	187	187	229		293			293							

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Number.	SUBJECT OR TITLE.	Introduced.	Referred.	Reported.	Substitute Reported.	Second Reading.	Third Reading.	Passed.	Lost.	Reconsidered.	Received from House.	Further Action.	Enrolled.	Signed by President.	Further Action	Final Action.
84	To Amend Section 2447, Revised Statutes	201	201	271		360	360	360			410		433	434		480
85	To Amend Section 2061, Revised Statutes	201	201	217		360	360	360			387	387	421	421		451
86	To Repeal Section 2097 and Amend Section 2098, Revised Statutes	201	201	269					269							
87	To Amend Sections 2911 and 2912, Revised Statutes	201	201	217		294	298	298			354		386	386	392	451
88	To Amend Section 613, Revised Statutes, Substitute for S. B. 79	207	207	207		252	252		278							
			252	278												
89	To Amend Section 965, Revised Statutes	208	208	229		293	300	300			353	353	402	402	462	478
								353								
90	To Amend Section 666, Revised Statutes	208	208	216		253	253	253			342	342	364	365	376	383
								342								
91	To Amend Section 2066, Revised Statutes	209	209	215					215							
92	To Amend Section 3343, Revised Statutes	209	209	215					215							
93	Payment of Juror and Witness Certificates	209	209					496								
94	To Prohibit and Punish Fraudulent Voting at Primaries	209	209	228		291	291	291			374		433	434		487
								374								
95	To Amend Section 213, Revised Statutes	209	209	279					279							
96	To Amend Section 544, Revised Statutes	209	209	278					278							
97	To Amend Section 545, Revised Statutes	209	209	278		335	367	367			390	390	461	462	463	
			335	366												
98	To Organize a Municipal Court in Cities of the Second Class	209	210	280		317	317	318			341	342	364	365	376	
99	Defining and Classifying Transient Stock	219	219	219		267	267	326			391	391	489	490		
								416								

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Number	SUBJECT OR TITLE.	Introduced	Referred	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
100	To Codify Corporation Laws	224	224	226		233	233	244			261		253	255		
101	To Amend Section 4413, Revised Statutes	225	225	259		293	293	293			353		386	386	392	478
102	To Amend Section 1936, Revised Statutes	237	237						496							
103	To Amend Section 214, Revised Statutes	237	237	277					277							
104	To Compile and Publish Digest of Decisions	237	238	277					277							
105	To Amend Section 2583, Revised Statutes	238	238	261		294	300		312							
			239	312												
106	Taxation of Franchises	238	238	312					312							
107	To Amend Section 26, Chapter 64, Laws of 1899	238	238	270		359	359	359			411					
108	To Amend Section 2446, Revised Statutes	238	238	276		358			496							
			239													
109	Creating State Board of Agriculture	238	238						496							
110	To Amend Sections 951-2, 962, 527-30 Revised Statutes	238	239	365		428	429	429			450					
111	To Amend Section 15, Chapter 1, Title 2, Revised Statutes	246	246	270		359	359	359			473		489	490	502	502
112	To Amend Section 273, Revised Statutes	247	247	338	338				338							
113	To Amend Section 4611, Revised Statutes, Substitute for 49	254				254	273	274			345	355	355	365	376	429
								325								
114	To Amend Section 206, Revised Statutes, Substitute for H. B. 140	260	292	311		361	361	404			407		434	434	462	
115	To Repeal Section 2278, Revised Statutes	291		291		291	291	291			411					
116	Prohibiting Slot Machines	290	290	398		428	428	428			482		490	490	502	502
								482								
117	Prohibiting the Wearing of Certain Medals	290	290	317		317	317	317			376		421	421		451

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Number	SUBJECT OR TITLE.	Introduced	Referred	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
118	Protection of Fish, Game and Birds, Substitute for 17	296	296	326	362	327	351		399							
119	To Amend Section 545, Revised Statutes	298	298			470	470	470			481					
120	Railroad Companies to Fence Tracks	335	335	335		427	427	427			451					
121	Coal and Hydro Carbon Mines, Substitute for H. B. 44	330	330			406	406	406			433		489	490	502	502
122	To Amend Section 273, Revised Statutes	338	338	338			396	396	396		410		434	434		
123	Making County Sheriffs Live Stock Inspectors	355	355						496							
124	Appropriation Bill	357	357	357		420	420									
125	Protection of Fish, Game and Birds	362	362	399		399	399	474			455	485	497	498		
126	Regulating Sale of Intoxicating Liquors	366	366	366		366	405	405			430		470	470	472	478
								430								
127	State Engineer—Water Districts	382	382	382		382	405	405			463	463	497	497		
128	Outstanding Witness and Juror Certificates	403				428	428	428			450		471	472	473	473
129	Trustees D. A. and M. Society	404	404						418							
130	Trustees Agricultural College	404	404						418							
131	To Amend Sections 2082, 2110, 2127 and 2134 R. S.	418	418	419		419	419		419	429		429				
132	Collection of Taxes from Car Companies	440	440	440		440	440	440			464		490	490		
133	Creating State Board of Equalization	439	439	439		439	439	439			463		471	472	473	479
134	Requiring Railway Companies to Fence Their Tracks	473				473	473	473			481		490	490	502	502
135	Revenue Bill	475				475	475	475			486		497	497		

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Number.	SUBJECT.	Received from House.	Referred.	Reported.	Substitute Reported.	Further Action	Second Reading.	Third Reading.	Passed.	Rejected or Lost.	Reconsidered.	Further Action.	Signed by President.
1	To Amend Section 1774, Revised Statutes	150	150	230			419	420	420			431	462
2	Fixing Salaries of Justices of the Supreme Court	105	113	214						214			
5	To Amend Section 3590, Revised Statutes	134	134	185						185			
6	To Amend Section 433, Revised Statutes.	56					58	58	58				60
7	Fixing Salaries of Certain State Officers	112	112	260			291	377	378		407		421
									407				
12	Investment of Sinking Funds.	284	284	413			446	447	447				486
13	To Amend Section 812, Revised Statutes	98	98	152			155	155	155				166
14	To Amend Section 800, Revised Statutes	111	112	152			155			395		402	
			155	256									
15	To Amend Section 816, Revised Statutes.	112	112	256						395		402	
18	To Prevent Compulsory Vaccination.	88	156				94	94	94			159	104
												165	
												171	
												173	
23	To Amend Section 2278, Revised Statutes	89	108	272	290	393	459	459	459	290		403	486
												404	
24	To Amend Section 2273, Revised Statutes	93	93				301	302	302				370
26	To Amend Section 1312, Revised Statutes	204	204	219			440	441	441			464	491
27	Safety Apparatus in Mines with Vertical Shaft.	169	169	256			441	441	441				486
29	To Amend Section 3245, Revised Statutes	235	236	258			302	302	310			370	370
30	Powers and Duties of District Attorneys.	251	251	259			327	327	327				369

INDEX OF HOUSE BILLS IN THE SENATE.—CONTINUED.

Number.	SUBJECT.	Received from House.	Referred.	Reported.	Substitute Reported.	Further Action.	Second Reading.	Third Reading.	Passed.	Rejected or Lost.	Reconsidered.	Further Action.	Signed by President.
32	To Establish a State School of Mines.	167	168	230			301	301	301				369
34	To Amend Section 691, Revised Statutes	204	205	206						206			
35	Company Boarding Houses.	212	212	255			380	380	380			403	403
38	To Amend Section 3304, Revised Statutes	133	134	179			189	190	190			212	247
39	To Amend Section 3588, Revised Statutes	134	134	140			141	142	142			194	208
41	Certificates of Authority to Agents of Insurance Companies	176	176	271						493			
			271	317									
42	To Amend Sections 2932-2933, Revised Statutes	150	150	179			190	190	190				234
43	To Amend Sections 1137 and 1744, Revised Statutes.	92	93	103			125	125	125				166
44	Coal and Hydro Carbon Mines and Mining Inspector.	284	285	329	329					329			
46	Relating to the D A. & M. Society	248	248	257			351	351	351			403	403
47	To Amend Section 3325, Revised Statutes	139	139	151			155	155	155				166
50	Compensation of Attorneys Defending Pauper Criminals.	261	261							493			
51	Measurement and Division of Water. State Engineer.	323	323	381	382					382			
53	To Amend Sections 4606-4692-4693-4731-4771, Revised Statutes	132	132	152			156	189	211			221	247
			156	179									
54	To Amend Section 5031, Revised Statues.	131	131	151			154	155	155				166
55	Duties of County Attorneys	192	192	199			203	327	327				403
61	Compelling Street Railway Companies to Protect Employees.	263	263	313			395	396	396				409

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Number.	SUBJECT.	Received from House.	Referred.	Reported.	Substitute Reported	Further Action.	Second Reading.	Third Reading.	Passed.	Rejected or Lost.	Reconsidered.	Further Action.	Signed by President.
62	To Amend Sections 2174, 2175 and 2190 Revised Statutes	250	250	272						493			
63	To Amend Section 2051 Revised Statutes	250	251	296	356	346				299			
										356			
64	To Regulate the Practice of Dentistry	407	408				478	478		493			
65	To Amend Section 1780 Revised Statutes	174	174	187			203	213	213			221	234
67	Bounties for Wild Animals	249	249	271			460	460	460			472	486
69	To Amend Section 3735 Revised Statutes	149	149	186			202	202	202			212	234
70	To Amend Section 3736 Revised Statutes	149	149	179			190	190	190			212	234
71	To Amend Section 3737 Revised Statutes	151	151	180			190	190	190				234
72	Method of Changing County Lines	373	373							493			
76	Approval of Official Bonds of State Officers	235	235	242						242			
77	To Amend Section 999 Revised Statutes	150	151	180						180			
79	Bureau of Statistics	262	262	269			328	327	363	358	363	377	403
			270	279									
			328	338									
83	To Amend Section 3284 Revised Statutes	175	175	199						200			
84	To Amend Section 2689 Revised Statutes	247	247	413						493			
86	To Amend Section 890 Revised Statutes	249	249	257			445	446	446			490	491
87	To Repeal Sections 283, 284, 285, 286 Revised Statutes	262	262							493			
91	To Amend Section 42, Chapter 64, Laws of 1899	169	169							181			
92	To Amend Section 2559 Revised Statutes	305	305							493			
94	To Amend Section 514 Revised Statutes	193	194	270			328	328	328			347	371

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95	To Amend Section 2560, Revised Statutes	284	284							494			
98	Purchase of Books, Blanks, Stationery and Contracts for County Printing	388	388							494			
99	Place of Trial of Actions	176	176	199			203	203	203			212	234
100	To Amend Section 2690, Revised Statutes	248	249	279						279			
102	To Amend Section 1818, Revised Statutes	287	287	312						494			
103	Contingent Expense of County Superintendent of Schools	324	324	414						494			
105	To Amend Section 1795, Revised Statutes	288	289	357			444	444	444			490	491
108	Uniform Examination of Teachers	324	325	357			442	442	442			499	499
114	To Amend Section 1830, Revised Statutes	168	169	230			442	442	442			464	486
115	Manner of Annexing County	222	223	257			448	448	448			499	499
116	To Amend Section 467, Revised Statutes	224	224	257			449	449	449			490	491
118	To Amend Sections 315-316, Revised Statutes	193	193	266			443	443	443			484	484
121	Sale of Estray Animals	408	409										
122	Sale of Liquors within Ten Miles of Indian Reservation	237	237	243			436	436	436			462	462
123	To Amend Section 2546, Revised Statutes	262	262	313			461	461	461			490	491
124	To Amend Sections 2562, 2610, 2620, Revised Statutes	306	307	440						440			
125	Present Ownership Map	345	346				475	475	475			486	486
129	Incorporation of Churches and Religious Societies	223	223	418			446	446	446			462	487
131	To Amend Section 155, Revised Statutes	286	286	339			458	458	458			490	491
133	Brands and Property Marks	389	389	417			460	460	460			490	491
135	To Amend Section 2062, Revised Statutes	283	283							494			
140	Authorizing City Councils to Grant Union Depot Franchises	192	192	260	260					260			

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142	To Amend Section 431 Revised Statutes	191	191	231						231			
145	To Amend Section 265 Revised Statutes	264	264							494			
147	Granting Depot Sites to Railroad Corporations	191	191	219			381	381	381			392	409
			292	356									
150	To Amend Sections 2043, 2044 and 2049 Revised Statutes	251	251	276			442	442	442			464	485
152	Judgments for Taxes Unlawfully Collected	341	341	414			444	444	444			490	491
153	Tax to Refund Taxes Unlawfully Collected	343	343	413			445	445	445			490	491
154	Judgments for Taxes Unlawfully Collected	344	344				445	445	445			486	486
155	To Amend Section 4033 Revised Statutes	248	248	258			448	448	448			490	491
156	To Amend Section 1, Chapter 54, Laws of 1899	234	235	242			448	448	448			490	491
157	City Courts in Cities of the First Class	223	223	239		328	336	336	336			403	403
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			315										
158	Relating to Justices of the Peace	221	221	241		328	336	336	336			369	369
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159	To Amend Section 544, Revised Statutes	221	222	241		328	366	367	367			377	403
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160	To Amend Section 1, Chapter 24, Laws of 1899.	222	222	240		328	367	367	367			377	403
			235	367									
163	Penalties Acting Without Registration—Adulterated Drugs	432	432				466	466		466			
166	To Amend Section 1, Chapter 20, Laws of 1899.	264	264	313			465	465	465				486

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167	To Amend Section 1936, Revised Statutes	264	264	336			379	380	380			390	403
			351	357									
				365									
168	To Amend Section 1386, Revised Statutes	249	250	258						494			
169	To Amend Section 2238, Revised Statutes	283	283	417			441	441	441				486
171	Defining Military Courts and Their Jurisdiction	344	345	366			380	380	380			392	462
172	To Amend Section 2620, Revised Statutes	250	250	255			443	443	443				486
174	Posting Notices in Proceedings under Probate Code	236	236	242			447	447	447			490	491
175	To Amend Section 2575, Revised Statutes	236	237	240			459	459	459			490	491
176	To Amend Section 2597, Revised Statutes	263	263	314						494			
177	Validating Certain Instruments of Writing	304	304	400			446	446	446				486
180	To Amend Section 887, Revised Statutes	236	236	240						240			
180	To Amend Section 1794, Revised Statutes	286	286	315			492	492	492			498	499
181	License Tax on Money Loaned	372	372	412						412			
186	To Amend Sections 6 and 7, Chapter 14, Laws of 1899	263	263	337						494			
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187	Relating to Disqualification of Members of Board of Pardons	321	321							494			
188	Filling Vacancies on Board of Pardons	322	322				468	468	468			486	486
190	To Amend Sections 639 and 2553, Revised Statutes	346	346				476	476	476			490	491
191	Authorizing the Purchase of Voting Machines	342	342	414						414			
195	To Amend Section 3847, Revised Statutes	322	322							494			
197	To Amend Sections 2110, 2134, Revised Statutes	330	331							418			

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204	Road Brands on Cattle and Horses	343	343	398						412			
208	To Amend Sections 2113, 2114, Revised Statutes	287	287	315						495			
210	Rate of Taxation in Cities of the First Class	303	303							495			
211	Exemption from Taxation, Municipal Corporations	289	290			393				495			
212	Waiver of the Undertaking on Appeal	344	344	413						495			
213	Costs on Appeal from Justices' Courts.	346	346				466	466		466			
216	Docking the Tail of any Horse Unlawful	341	341	414			476	476	476			486	486
223	To Amend Section 1336, Revised Statutes	289	289	297			345	345	345	298	345	345	403
225	To Amend Section 2583, Revised Statutes	306	306		439	328	379	379		439			
			379										
227	Marking of Explosives	371	372	417			458	458	458			484	484
228	Defining an Infernal Machine	371	371	415			459	460	460			486	486
230	To Amend Section 2627, Revised Statutes	306	306	314			447	447	447				486
231	Printing and Distribution of Certain Laws	324	324	338						495			
232	The D. A. and M. Society to Dispose of Certain Property	288	288	339			352	352	363				403
233	Appropriation for Purchasing Poison	372	373	415			444	444	468	444	468	468	486
235	Appropriation for Highways and Bridges	302	302	398			436	436	437			482	482
237	Mileage of District Judges and District Attorneys.	356	376	376			376	396	458			464	486
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241	Fire Protection in Mines	388	389				492	492	492				499
242	Extermination of San Jose Scale	387	387				469	469	469			472	485
245	Regular and Contingent Expenses of Legislature	431	431				476	476	476			485	485
246	General Appropriations.	456					469	469	469			483	500

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Number.	SUBJECT.	Introduced.	Referred.	Reported	Recommitted.	Second Reading.	Third Reading.	Passed.	Lost.	Received from House.	Signed.	Substitute.	Received from House.	Further Action.
1	Reclamation of Arid Lands	62				62	62	62		104	135		139	147
2	Memorializing Congress to adopt Metric System	80				80	80	80		105	110		131	134
3	Requesting Secretary of Interior to Reduce Forest Reserve	139	139	181	385	198			397			397		
4	Memorializing Congress on Suffrage Question	213	213	243				244		302	330		347	384
5	Soldier's Home at Salt Lake City	319	319						337					
6	Substitute for S. J..M. No. 3	397	397	397				398		410	472		473	

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Number	SUBJECT.	Introduced.	Referred	Reported	Second Reading	Third Reading	Passed	Returned from House	Further Action	Signed.
1	Requesting Senators and Representatives in Congress to Support the Purchase of Certain Property at Yorktown, Va.	79	80	85	108	108	108	392	393	421
2	Limit to the Introduction of Bills	110			130	130	130			
3	Thanks to Oregon Short Line Railroad Co	137			137	137	168 137 167			
4	Expressing Appreciation for Idaho Hospitality.	138			138	138	138 166			
5	Thanks for Favors Received on Boise Excursion	145			145	145	145			
6	Death of Ex-President Benjamin Harrison	401	401	401	401	401	401	472	471	471

SENATE JOINT RESOLUTIONS.

Number.	SUBJECT.	Introduced.	Second Reading.	Third Reading.	Passed.
1	Requesting Congress to Call a Convention to Amend Constitution of U. S.	99	129	129	129

HOUSE JOINT RESOLUTIONS.

Number.	SUBJECT.	Received.	Referred.	Reported.	Second Reading.	Third Reading.	Passed.	Signed.	Rejected.
1	To Print 4000 Copies of Horticultural Report	192	205	241	477	477	477	499	
4	Thanking Scofield Disaster Committee.	224			477	477	477	499	
5	Proposing Amendment to Section 3, Article 13, Constitution	285	285						495

HOUSE JOINT MEMORIALS

Number.	SUBJECT.	Received.	Referred.	Reported.	Second Reading.	Third Reading.	Passed.	Signed.	Rejected.
3	Uintah Indian Reservation	289					492	499	
4	National Soldiers Home at Salt Lake City	343	344	340			340	403	

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