SENATE JOURNAL.

FIFTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH,

1903.

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SALT LAKE CITY:
THE DESERET NEWS.
1903.

MEMBERS OF THE UTAH STATE SENATE.

1903.

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

Second District, Alonzo G. Barber, Logan, Cache County.

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

Fourth District, David McKay, Huntsville, Weber County Edward M. Allison, Ogden, Weber County.

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

Sixth District, George N. Lawrence, Salt Lake City.; Hoyt Sherman, Salt Lake City; S. H. Love, Salt Lake City; William N. Williams, Salt Lake City; Simon Bamberger, Salt Lake City.

Seventh District, Henry Gardner, Spanish Fork, Utah County; C. E. Loose, Provo, Utah County.

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

Ninth District, C. P. Larsen, Manti, Sanpete County.

Tenth District, Willis Johnson, Circleville, Piute County.

Eleventh District, A. B. Lewis, Frisco, Beaver County.

Twelfth District, Harden Bennion, Vernal, Uintah County.

OFFICERS OF THE UTAH STATE SENATE.

1903.

President, Edward M. Allison, Ogden, Weber County.

Secretary, Adolph W. Jensen, Sanpete County.

Sergeant-at-Arms, Charles E. Layne, Weber County.

Chaplain, Andrew Sproul, Washington County.

Minute Clerk, Carl A. Badger, Salt Lake County.

Docket Clerk, Benjamin Bachman, Utah County.

Engrossing Clerk, F. J. Hendershot, Weber County.

Doorkeeper, William L. Wiglet, Box Elder County.

Watchman, Hans Christopherson, Salt Lake County.

Messengers, Thomas B. Jones, Utah County; George M. Beebe, Piute County.

Committee Clerks, E. W. Tatlock, Salt Lake County; Walter L. Wilding, Salt Lake County; George H. Crosby, Jr., Sevier County.

Mailing Clerk, Miss Priscilla Smith, Salt Lake County.

Stenographer, Miss Carrie Keate, Salt Lake County.

STANDING COMMITTEES.

AGRICULTURE AND IRRIGATION.

McKay, Chairman; Johnson, Larsen (C. P.), Larsen (H. S.), Barnes, Bennion, Murdock.

APPORTIONMENT.

Barber, Chairman; Larsen (H. S.), Loose, Murdock, McKay.

APPROPRIATIONS AND CLAIMS.

Lewis, Chairman; Williams, Love, Larsen (C. P.), Whitmore, Bamberger, Bennion.

BANKS AND BANKING.

Sherman, Chairman; Lewis, Love, Bamberger, Whitmore.

CONTINGENT EXPENSES.

Bennion, Chairman; Gardner, Johnson.

COUNTY AND MUNICIPAL CORPORATIONS.

Larsen (C. P.), Chairman; Loose, McKay, Love, Bamberger, Murdock, Whitmore.

EDUCATION.

Love, Chairman; Johnson, Larsen (C. P.), McKay, Bamberger, Bennion, Barber.

ELECTIONS.

Bamberger, Chairman; Barber, Gardner, Sherman, Lawrence.

ENGROSSED AND ENROLLED BILLS.

Johnson, Chairman; Love, Murdock.

FEDERAL RELATIONS.

Williams, Chairman; Lawrence, Larsen (C. P.), Whitmore, Barber.

FISH AND GAME.

Love, Chairman; McKay, Gardner, Larsen (H. S.), Murdock, Barber, Barnes.

FORESTS AND FORESTRY.

Whitmore, Chairman; Bennion, Barber, Larsen (H. S.), Larsen (C. P.).

HIGHWAYS AND BRIDGES.

Gardner, Chairman; Lewis, McKay.

JUDICIARY.

Lawrence Chairman; Lewis, Love, Johnson, Bennion, Barnes, Murdock.

LABOR.

Loose, Chairman; Sherman, Lawrence, Bamberger, Murdock.

LIVESTOCK.

Barnes, Chairman; Whitmore, Larsen (H. S.).

MANUFACTURES AND COMMERCE.

Love, Chairman; Loose, Lawrence, Bamberger, Gardner.

MILITARY AFFAIRS.

Williams, Chairman; Sherman, Lawrence, Barber, Whitmore.

MINES AND MINERALS.

Lewis, Chairman; Loose, Sherman, Bamberger, Whitmore.

PRIVATE CORPORATIONS AND INSURANCE.

Larsen (H. S.), Chairman; Lewis, Sherman, Whitmore, Barnes.

PUBLIC HEALTH.

Murdock, Chairman; Barnes, Bamberger, Williams, Loose.

PUBLIC INSTITUTIONS.

Loose, Chairman; Gardner, Williams, Larsen (C. P.), Johnson, Bennion, Barnes.

PUBLIC LANDS.

Larsen (H. S.), Chairman; Larsen (C. P.), Williams, McKay, Barnes, Bennion, Barber.

PUBLIC PRINTING.

Lewis, Chairman; Williams, Barber.

RAILROADS.

Sherman, Chairman; Lewis, Loose, Johnson, Lawrence, Bennion, Bamberger.

RULES.

McKay, Chairman; Williams, Barnes.

SALARIES.

Johnson, Chairman; Lawrence, Sherman, Whitmore, Bamberger.

STATE AFFAIRS.

Larsen (C. P.), Chairman; Loose, Whitmore, Bamberger.

WAYS AND MEANS.

Gardner, Chairman; Williams, Larsen (H. S.), Murdock, Barnes.

RULES OF THE SENATE.

FIFTH 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 preceding 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 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 Sergeant-at-Arms 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.
Counties 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.
Livestock, 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 Lands, seven members.
Public Printing, three members.
Public Institutions, seven 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 reconsidera-

tion 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

FIFTH SESSION.

FIRST DAY.

State of Utah, Senate Chamber,
January 12, 1903.

The Fifth session of the Senate of the State of Utah was called to order at 12 o'clock, noon, by Noble Warrum, secretary of the Fourth session, who called the roll, as follows:

SENATORS.

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

Second District, Alonzo G. Barber of Logan.

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

Fourth District, David McKay of Huntsville 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, William N. Williams and Simon Bamberger of Salt Lake City.

Seventh District, Henry Gardner of Spanish Fork and C. E. Loose of Provo.

Eighth District, George C. Whitmore of Nephi.

Ninth District, C. P. Larsen of Manti.

Tenth District, Willis Johnson of Circleville.

Eleventh District, A. B. Lewis of Frisco.

Twelfth District, Harden Bennion of Vernal.

The following new members were then sworn in by Chief Justice Baskin of the Supreme Court:

Alonzo G. Barber, David McKay, William N. Williams, Simon Bamberger, Henry Gardner, C. E. Loose, C. P. Larsen, A. B. Lewis and Harden Bennion.

The Senate then proceeded to elect its President.

Mr. Love nominated Senator Edward M. Allison, Jr.

Mr. Barnes nominated Senator J. R. Murdock.

Roll-call: Allison, 12; Murdock, 6.

Those voting for Mr. Allison were: Larsen (H. S.), McKay, Sherman, Love, Lawrence, Williams, Gardner, Loose, Larsen (C. P.), Johnson, Lewis and Murdock.

For Mr. Murdock: Barber, Barnes, Bamberger, Whitmore, Bennion and Allison.

Mr. Love and Mr. Barnes were appointed to escort the President to the chair.

After thanking the Senate for the honor conferred upon him, President Allison took the oath of office.

Mr. Lawrence offered the following resolution:

S. R. No. 1 by Lawrence.

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

Secretary—Adolph W. Jensen of Sanpete county.

Sergeant-at-Arms—Charles E. Layne of Weber county.

Chaplain—Andrew Sproul of Washington county.

Minute Clerk—Carl A. Badger of Salt Lake county.

Docket Clerk—Benjamin Bachman of Utah county.

Engrossing Clerk—F. J. Hendershot of Weber county.

Doorkeeper—William L. White of Box Elder county.

Watchman—Hans Christopherson of Salt Lake county.

Messengers—Thomas B. Jones of Utah county and George M. Beebe of Piute county.

Committee Clerks—E. W. Tatlock of Salt Lake county, Walter L. Wilding of Salt Lake county, George H. Crosby, Jr., of Sevier county, Utah.

Mailing Clerk—Miss Priscilla Smith of Salt Lake county.

Stenographer—Miss Carrie Keate of Salt Lake county.

The following substitute was offered by Mr. Bennion:

Secretary—Noble Warrum, Salt Lake.

Minute Clerk—F. B. Williams, Davis.

Docket Clerk—Miss Alice White, Beaver.

Engrossing Clerk—George Skidmore, Cache.

Mailing Clerk—William Howard, Emery.

Committee Clerks—Lou C. Johnson, Salt Lake; Geo. F. Felt, Salt Lake.

Sergeant-at-Arms—William Naylor, Salt Lake.

Chaplain—B. S. Young, Salt Lake.

Messengers—Ernest Wright, Salt Lake; V. E. Candland, Juab.

Doorkeeper—Henry Bogan, Salt Lake.

Stenographer—Miss Georgia B. Hartley, Salt Lake.

Watchman—C. J. Gulbranson, Salt Lake.

The substitute was lost and the original resolution carried by a vote of 12 to 6.

Chief Justice Baskin then administered the oath of office to the officers elected.

Mr. Sherman moved that the secretary notify the House that the Senate had perfected its organization.

Mr. Lawrence moved that a committee of three be appointed, to act with a similar committee from the House, to notify the Governor that the Legislature awaits his pleasure. Carried.

President appointed Lawrence, McKay and Bennion as said committee.

Larsen (H. S.) moved that a committee of three on rules be appointed. Carried.

The President appointed Larsen (H. S.), Sherman and Murdock as said committee.

Mr. Williams moved that pending the report of this committee, the rules of the last Senate be used. Carried.

Prayer was offered by Chaplain Andrew Sproul.

Sherman moved that a committee of three on apportionment of seats be appointed. Carried.

President appointed Sherman, Whitmore and Johnson as said committee.

COMMUNICATIONS FROM THE HOUSE.

Salt Lake City,
January 12, 1903.

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—Thomas Hull of Salt Lake.
Chief Clerk—H. L. Cummings of Utah.
Minute Clerk—Seldon I. Clawson of Salt Lake.
Engrossing Clerk—Norman G. Allen of Cache.
Docket Clerk—A. L. Toone of Weber.
Committee Clerks—Cora Snyder of Summit and Phyllis Lynch and Estella Smith of Salt Lake.
Sergeant-at-Arms—Thomas C. Rowberry of Tooele.
Assistant Sergeant-at-Arms—M. A. Ross of Uintah.
Messengers—Alex Kelley of Millard and Carl Holst of Box Elder.
Watchman—Seth Johnson of Kane.
Chaplain—Joseph R. Porter of Morgan.
Doorkeepers—H. H. Voss of Salt Lake and C. A. Peacock of Piute.

Respectfully,
H. L. CUMMINGS,
Chief Clerk.

Salt Lake City,
January 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House of Representatives has this day named as a committee to notify His Excellency, the Governor, of the organization of the House of Representatives, Messrs. A. S. Condon, A. H. Nash and David Stoker.

Respectfully,
H. L. CUMMINGS,
Chief Clerk.

Mr. Lawrence, chairman of the special committee to await on the Governor, then reported that the Governor would meet the Legislature in joint session in the House of Representatives at 2 p. m. tomorrow.

The secretary read the following communication:

To the President and Senate of the State of Utah:

Gentlemen:—The Rocky Mountain Bell Telephone Company presents the usual courtesy of a free telephone for use of your honorable body for the present session, and also free use of its toll lines to members, when called for from the Senate telephone, or from any one of our public stations.

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

Very respectfully,

D. S. MURRAY,
General Manager.

On motion of Mr. Gardner, the courtesy was accepted with thanks.

The Senate adjourned, on motion of Mr. Whitmore, until 1:30 p. m. Tuesday, January 13, 1903.

SECOND DAY.

State of Utah, Senate Chamber,
January 13, 1903.

The Senate met at 1:30 p. m., pursuant to adjournment, President Allison presiding.

Roll-call; quorum present.

Prayer by Chaplain Andrew Sproul.

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

Mr. Sherman, chairman of the special committee on apportionment of seats, reported that the committee had decided that the Republican members would oc-

cupy the first twelve seats, counting from the extreme left; the Democratic members the remaining seats. Report adopted.

Mr. Lawrence moved that the Senate adjourn until 2 o'clock, January 14, 1903, and that the Senate proceed in a body to the House of Representatives to hear the message of the Governor.

The motion was carried and the Senate adjourned at 2 p. m.

JOINT SESSION.

House of Representatives,
January 13, 1903.

The Fifth Legislature of the State of Utah met in joint session at 2 p. m. President Allison of the Senate presided.

Roll-call; quorum present.

Chaplain Joseph R. Porter of the House offered prayer.

Senator Love moved that a committee of two Senators and two Representatives be appointed to wait upon the Governor and inform him that the Joint Assembly is now in session and is ready to receive any message he may desire to communicate.

Senators Love and Bamberger, and Representatives Done and White were appointed as such committee.

At 2:15 the arrival of the Governor was announced.

He was introduced to the Joint Assembly by President Allison, and read his message, as follows:

GOVERNOR'S MESSAGE.

To the Legislature of the State of Utah:

It becomes again my privilege to communicate to you, in compliance with Constitutional requirement, the general condition of the State, with such recommendations as may be deemed expedient. This duty assumes the form of a pleasure, when, as at present, the affairs of

the commonwealth are so satisfactory and substantial as to evoke universal gratitude.

The opening of the eighth year of our existence under statehood finds us happy, peaceful and prosperous. The past two years have been truly generous in their bestowal of good gifts upon our people. Our agricultural and live stock interests have flourished; our manufactures and commerce have extended into new and fertile fields; our mines have yielded freely of their rock-bound treasure. No legitimate industry has languished Success has smiled upon our enterprises, and health has abided in our homes. Labor has been in steady demand, and with glad contentment has received remunerative hire. Captial—most timid of suitors—has thrown away its fears and boldly courted success in schemes of imposing magnitude. Consumer and producer have been alike partakers of the general welfare. All influences and all the elements seem to have united in causing our advent into the new century to be joyful and serene. I sincerely congratulate you, therefore, on assembling under circumstances at once so satisfying as to the past and present and so propitious for the future.

For such general legislation as naturally comes before the people's representatives at each succeeding session, you will need no other recommendation than such as may be incidentally offered by way of reminder in other portions of this message, and in the various reports which will be laid before you. I am not aware of the need of any great number of new laws. It has been aptly said that while prosperity may be destroyed by mischievous enactments, it can never itself be created by law alone. The strength of a state exists not in the multitude and complexity of its statutes. It is their clearness, consistency, and justice—in a word their harmonious perfection—which gives stability to the social system. Such crudities and errors as experience may have shown to exist in our present laws should, with care and calmness, be corrected without delay. Much further than this, however, we may well hesitate to go, save where at wisdom's promptings the enactment of new and wholesome legislation will promote the general welfare as well as give to individual capacity the fullest scope, for upon this latter, after all, depends the pros-

perity of the whole. In these labors you may rely, not only upon my most cordial aid, but also upon my endeavor in giving to the laws honest and intelligent administration.

ASSASSINATION AND ANARCHISM.

It comes but seldom to a people to experience such a depth of sorrow as that into which this nation was plunged when the news was flashed abroad from Buffalo on the 6th of September, less than a year and a half ago, that the lovable and beloved chief magistrate, William McKinley, had fallen under the red hand of the assassin. The third of our presidents to be the wearer of a martyr's crown; this pure and lofty gentleman seemed least of all to deserve his cruel fate. No wild passions still survived as a consequence of the stormy billows of fratricidal war. No anger born of political feud seethed in the maniac's distorted brain. A freshly cemented union of great commonwealths, whose patriotism and sacrifice had lately brought them into the bonds of closest brotherhood, a mighty Republic enjoying the supremest prosperity the world had ever seen, with the fair prospect of profoundly greater achievements in the future; a festal occasion of grateful joy for what had been and what was still to be accomplished; a statesman twice honored with the expressed confidence of his fellow citizens for the most exalted of earthly offices; a man whose purity of life and beneficence of purpose alike lifted him above even the breath of slander or reproach—these the circumstances, and this the victim, of the foul crime which that fateful autumn morning shocked the civilized world. Whether as the gallant youthful soldier of the war for the Union or as the prudent and conscientious lawmaker or as the sagacious and far-seeing chief executive, or as the devoted husband and the gentle Christian who truly loved God and his fellow-men—in whatsoever light we may regard him his character was equally admirable, his example and influence equally benign. His life and work won for him unqualified respect and reverence wherever the record of his career was read; while to be personally beloved more as a brother than a friend he needed but to be known.

We are now no longer stirred by the hot anger and revenge which filled the national mind immediately after the dreadful deed which resulted in his untimely taking-off. The murderer has gone to his account, the law has been vindicated. And yet there possibly remains a duty upon us which should not be postponed. If the divine mandate be ample that he who sheds man's blood, by man shall his blood be shed—then every requirement in this case has been satisfied. Indeed, no penalty can further go. But peoples and nations sometimes scotch evils instead of exterminating them. The wickedness of anarchism, as shown in some of its exponents and results, is hideous and damning. Freedom of speech and of the press is a sacred safeguard, a bulwark of our institutions which none would be so senseless as to assail. Yet there is a plain broad life between liberty and license, which legislators and judges should be competent to define. The one means all good, the other may mean untold harm. I am of the opinion that unbridled exhortation to lawlessness and conspiracy is clearly outside the luminous boundary which encircles the right of free speech, and therefore should be the subject of quick and effective restraint. Not less impressed am I with the view that so atrocious a crime as conspiring to kill or attempting to kill the President or any official in the line of Presidential succession should subject the guilty to condign punishment. It is the intent which constitutes the essence of the crime; and there is poor logic and weak justice in liberating after a brief confinement a criminal who, seeking the life of another and especially of the President only fails in taking it because opportunity or accident comes in the way. I shall therefore be pleased to co-operate with you in strengthening our code in any direction in which—not in bitterness or indignation, but with calmness and wisdom, and as one of the lessons of this great calamity, you may see fit to propose amendment.

PROTECTION TO MINERS.

Two years ago it was my painful duty to report one of the most appalling coal mine disasters in the history

of the world—the Scofield horror which occurred May 1, 1900; and to recommend, as a precaution against the recurrence of such calamity, measures for the most rigorous inspection of coal mines, coupled with the severest penalties for the violation of the law. The recommendation was adopted, and our statute books now contain provisions calculated to reduce to a minimum the possibility of such a catastrophe in the future. While there have been fourteen fatal accidents in and about our coal mines since that time—an exceedingly small percentage considering the number of men employed—the biennial term has not passed without a sickening mine horror, approaching in magnitude the Carbon County disaster. I refer to the dreadful explosion in the Daly-West mine, Summit county, which occurred on the 15th of July, 1902, through which thirty-four lives were lost directly, besides four others through the heroism which prompted attempts at rescue. Though not required by law to do so, the State Coal Mine Inspector visited the scene of the catastrophe at my request, and submitted a report which will be found appended to his annual report for 1902. To this I invite your special attention. He found that the disaster was the result of the explosion of a magazine on the 1,200-foot level of the mine, in which were stored between four and five tons of powder, about a thousand pounds of which, according to his estimate, exploded, leaving the rest to burn, causing a tremendous heat and the generation of a vast quantity of gas which was instantly fatal to all human life within its deadly range. His recommendation that underground magazines in mines be prohibited will scarcely find opposition with this shocking incident fresh in mind. I give it my unqualified endorsement, and emphatically urge, in connection with the same subject, that you give early consideration to all other phases of the matter of protection to men employed in the precarious occupation of mining. We owe to humanity the duty of safeguarding by every possible legislative means the lives of those engaged in this leading industry of our state. There should be ample provision for competent and thorough inspection by the proper official not only of coal mines, but of all kinds of underground workings where the health and safety of men are involved, and we shall

be lacking in the fulfillment of our responsibility if we fail to prevent, by every precaution in our power, the recurrence of these bereavements to our community in these shocks to our civilization.

ELECTION OF SENATOR.

The vacancy which will occur in Utah's representation in the upper house of Congress on the 4th of March next brings before you, as one of your first and most important duties, the choosing of one of your fellow citizens for the high office of United States Senator. The traditional quality and caliber of the men composing this greatest of all deliberative bodies in the world, as every American is proud to believe it, suggests the thought that no state can afford to be, in that august company, unworthily represented. I am sure you realize the grave responsibility which therefore rests upon you, and have no doubt your selection will be acceptable to your constituents and creditable to the State. I venture the hope that in the fulfillment of this duty there will be no unnecessary waste of time, to the delay and the expense of the regular and important work of the session.

At this point, I am constrained to reaffirm the views expressed in my message two years ago as to the desirability of electing United States Senators as we now elect United States Representatives, by direct vote of the people. It ought not to be possible for a legislative deadlock or the obstinacy or machinations of candidates and their supporters, to deprive any State of its constitutional representation in this branch of the National Congress. Yet such deprivation has occurred in several recent instances, our own State being one of the sufferers, and the fact emphasizes a defect in the present plan, which calls for speedy correction. The people may be depended upon to prevent any such anomaly, if the power to elect by direct vote were placed in their hands. Moreover, questionable and improper methods to elect one candidate or defeat other candidates, would lose their efficacy under the system proposed. From every consideration, and with a sincere conviction which the lapse of time serves but to strengthen, I advocate the

adoption of measures and the cultivation of a sentiment looking to this essential change. Of course it will involve an amendment to the Constitution which all agree should not be lightly tampered with. But the need for the change is as palpable, and the demand for it is growing with such rapidity, that it is easy to foretell the removal of all obstacles at no distant day, and the introduction of the method in all respects conformable to the spirit and genius of American institutions.

FINANCIAL.

It is difficult to summarize, or to review with much brevity, a report of such vital interest and significance as that of the State Auditor, which embodies a statement of conditions and a series of recommendations that will require your most careful study and consideration. I shall, therefore, attempt only a passing allusion to some of the principal features of the subject, commending to you the document in its entirety, with the single observation that the views expressed and the amendments suggested are supported by the teachings of experience and are found necessary in simplifying and perfecting the work of this department of government.

We are all to be congratulated upon the excellent financial condition of the State. The assessed valuation of property for purposes of taxation has undergone the extraordinary increase of over eighteen millions of dollars since 1899, largely due to improved business conditions generally, and to industrial growth and activity. This is exceedingly gratifying, as indicative of stability and progress. But with the increase in wealth and population comes also an increased demand upon our resources, especially in meeting the requirements of the various State institutions, eight of which, for instance, in their estimates of needed funds for the ensuing two years, exceed by over three hundred thousand dollars the sum of their requests two years ago. The total probable revenue from all sources, and including the balance in the treasury will come nearly $150,000 short of meeting the estimates for the years 1903-4, which important fact presents to you the plain alternative of either in-

creasing the revenue or reducing the estimates. As to the latter, it should be understood that wherever in this message I express approval of estimates for, or directly recommend, appropriations, I have been guided by what seemed to me the merit of the case more than by the ascertained ability of the treasury to meet the requirement. To your wisdom, with all the facts before you, must be left the task of determining in which particular instances the apparently necessary reduction can with the least injury be borne. We are not without the prospect, however, of an increase in available revenue. The tax upon inheritances, legacies, etc., may have possibilities in this respect, though it is still being contested in the courts. The enormous increase in the fees paid into the treasury by the Secretary of State offers promise of still further increase. This important element of revenue comes mainly from the tax upon incorporations, the law providing for which—taken in connection with the recognized friendly attitude of our general statutes—appears to operate without other than entirely satisfactory results. But a direction from which I think sure relief to the general fund should be expected is the immediate amendment of the present law requiring the State to pay half the total cost of the expense and collection of all taxes. The injustice of this provision cannot be too strongly urged upon your notice. It seems to me wholly beyond argument or dispute as a business proposition that the State does its full part when it pays that share of the total expense which is proportioned to its share of the total collection. The case is forcefully presented to the auditor in the illustration as to Salt Lake County, where the State paid in 1901 nearly ten thousand dollars as its half of the expenses of assessment and collection, whereas its proper share, if proportioned to the amount it received, was less than five thousand—the total levy being 32.2 mills, out of which the State and State School tax combined was only 8 mills. Other cases might be cited where the State share of the total levy is even less than one-fourth; yet it is compelled to pay one-half the expense, no matter what its portion in the amount realized. This is an injustice for which I trust you will hasten to provide a remedy. In addition to the unfairness of the system, it has been

found to permit of operations which are questionable, if not indeed criminal. Recent disclosures as to the placing of fictitious names upon a county's payroll, whereby the expenses of tax collection were made to appear larger so that the State's half could be utilized in making the county's half less grievous, are fresh in the public mind. Whatever changes in legislation are necessary to enable the counties to employ capable and sufficient help in making assessments and collections I will cheerfully join you in securing. But under no circumstances should we continue a system which is attended by the evils I have briefly attempted to point out.

IRRIGATION.

It is a pleasure to invite your attention to so exhaustive and admirable a report as that which has been filed in my office by the State Engineer for the years 1901-2. It deals in the most complete and intelligent manner with a subject of paramount importance in our state—that of irrigation. In its recommendations it suggests that which I am compelled to admit; namely, that the reputation which our people enjoy as pioneers in the use of water for irrigation is not at present equalled by the adequacy and consistency of our laws upon the subject. Yet your predecessors have acted with a caution and prudence which should not hastily be criticised; for they were aware of the intricacies of the subject, the divergence of views among our irrigators as to the need and scope of proposed legislation, and the natural jealousies and fears in the minds of those whose existence depended upon the maintenance of acquired rights which ill-considered statutes might jeopardize. These difficulties will still confront you, though happily lessened in a considerable degree, for experience ought to have, and surely has, taught us something about law-making on this most vital matter. I trust that at this session you may be fully impressed with the importance of the subject, and that at a date early enough to insure the most careful consideration, you will undertake the preparation of needful addition to and amendment of existing laws, in line with the suggestions contained in the report referred to. This duty

becomes the more imperative because of recent Congressional action calculated to aid in the construction of reservoirs and to promote generally the reclamation of the arid lands. The firm and friendly attitude of the President on this great question was supported in a most gratifying manner by the National Legislature, the result being that possibilities for the future of the dry regions are immediately opened up before us to an extent hardly dreamed of before. We cannot too soon place our State in a position to realize the benefits of these laws.

As the birthplace of American irrigation, and its most prosperous home, Utah should be one of the first to extend cordial recognition to the general government for its proffer of aid, and make itself at once ready to utilize to the fullest extent the opportunities now afforded. Of first importance is probably the definition of existing water rights, at present only imperfectly provided for. Any controversies of this nature must be settled before the advantages of the national laws may be realized. This one item is appropriately designated as the primary need of present day irrigation. "The settlement of all conflicts" has been represented in a recent convention in this city as a condition precedent to any action of the government under the recent Congressional acts in aid of irrigation extension. A plan for the accomplishment of these two purposes—the one dependent upon the other—will be worthy of your best effort. The labors of disinterested committees and citizens, such as are now in progress in this city and other parts of the state, will be productive of great good in accomplishing an adjustment of water rights and an amalgamation of water interests in the districts involved. I suggest that if by any provision of law the endeavors of such persons can be encouraged, to the end that the merging of water rights and interests may be hastened and legalized, such provision should be promptly forthcoming; and in furtherance of the same idea I recommend an appropriation of $5,000 for the ensuing two years, to be used under the direction of some person or board already holding official position, or by commissioners to be appointed for the purpose, in meeting the necessary expense of continued work of this

character. In these matters a subject is presented which I conceive is in all respects worthy of your solicitude and wisdom. It need hardly be said that my cooperation in the enactment of wholesome and necessary measures will be cheerfully accorded.

EDUCATION.

Of all the sources of State pride, there is none so great and so indisputable as the educational facilities offered the children of this State. From the kindergarten to the common schools, up through this to the high school and thence to the University, a complete system of public instruction is provided, and all of it free to every child of the State. It is true that in some parts of the State there are no high schools, but these are gradually increasing in number as well as in efficiency, there being no fewer than nineteen within the state, located at the following places: Salt Lake City, Ogden, Park City, Brigham City, Draper, Sandy, Payson, Springville, American Fork, Lehi, Nephi, Eureka, Fillmore, Richfield, Moroni, St. George, Kanab and Moab. Certainly the enthusiasm of our people over our splendid educational advantages is amply justified by the following statistics:

Increase in attendance in public and private schools during the seven years since statehood, 6,496. Increase in expenditure for schools per annum, $558,510. Increase in valuation of school property, $1,833,308. If anything further is needed in support of the fact that our educational standard is well high advanced it is furnished by Government Commissioner of Education Harris, who gives in his report for 1900 the amount per capita expended for school purposes in the various states. The lowest was North Carolina, where 51 cents per capita was spent; the highest was Nevada, where $5.30 per capita was spent. In Utah during that year $4.03 per capita was spent, and in the succeeding years in Utah, viz., in 1901, $4.87 per capita and in 1902, $5.20 per capita. While these conditions are comparatively most favorable to Utah from the standpoint of the educator, the question to be considered by you is whether from the standpoint of the taxpayer they are not more

favorable than the state can afford and whether or not our educational advancement is not more rapid than our revenues justify. The report of the State Superintendent of Public Instruction is replete with information concerning our educational status, and his suggestions for further educational progress are the result of experience and wisdom and should be weighed by you as the expressions of one who has only the interests of the school children at heart. I specially direct your attention to his recommendation that the school districts in each county be consolidated into one district, to be under the control of a board of education, consisting of from three to seven members. I agree with him that if this consolidation can be effected, it will do much to simplify, strengthen and economize our present school system.

His recommendation that the University of Utah and the Agricultural College be supported from a fixed levy out of the state tax instead of from legislative appropriation is based upon the idea that these institutions would thus be placed upon a firm and more certain basis so that their respective boards of control would know exactly what plans might be made and carried into successful operation. Inasmuch as each session of the Legislature would necessarily have to fix the levy for these purposes and could fix it at one mill or half a mill or any other rate it might deem adequate for the ensuing biennial term I am at a loss to see how the revenues for support of these institutions would be rendered any more secure or certain by the change than they are at present.

The question of a school for the feeble minded, also recommended by the superintendent, while unmistakably a step in the interest of humanity and one which older and richer states have deemed necessary to provide for, nevertheless opens the door to a new and perhaps a large expenditure, which it is your duty to keep closed as tightly as possible. If, however, after careful examination of our financial expectancies for the ensuing two years you shall deem it wisdom to make a beginning in this direction, I suggest that instead of attempting to establish a new state school, the trustees of the school for the deaf and dumb and the blind should

be authorized to include the feeble minded in their school, so that the expense of training these unfortunates, of whom there are estimated to be about fifty within the state, could be reduced to the minimum.

The reasons advanced by the superintendent for providing free text books to the common schools are sound and convincing. The only objection is the expense. Our state is young yet, and as has been shown we are expending in education a greater proportion of our revenues per capita than a majority of the states of the Union. Let us learn to creep before we run, especially if our running runs us into debt. The recommendation of the superintendent in regard to duplication of work in the two institutions of higher learning in the state meets my hearty approval, as I am sure it will that of all the taxpayers. I reproduce this paragraph in full and direct your special attention thereto.

"By the Enabling Act for the admission of Utah into the Union of States, a School of Mines was to be established in connection with the University of Utah. One hundred thousand acres of land were appropriated by the general government towards the support of this school. In accordance with the provisions of the Enabling Act, two years ago the State Legislature passed a law establishing the State School of Mines as a part of the State University. Already the University was giving courses in electrical and mining engineering—courses which properly belong to a school of mines. Investigation shows that to maintain another department of electrical and mining engineering as we hope will, and as should, exist in the State School of Mines the next two years, about $94,000 would be required for equipments, and several thousands of dollars a year for salaries and operating expenses. One school has ample capacity, and will have for years, to instruct all engineering students in Utah. To parallel engineering work, other than that part of it which may be necessary in an agricultural course, has, in my opinion, a tendency to weaken the efforts of both schools, and a tendency to result in a less degree of value and excellence than would otherwise be obtained.

PUBLIC HEALTH.

That department of the state government which is charged with the duty of guarding the public health cannot be regarded as of slight importance, especially when this responsibility carries with it the knowledge that a large proportion of deadly diseases are strictly preventable. The conditions furnished by nature for the health of our people are in many respects unexcelled. We have purity and dryness of atmosphere, abundance of sunshine, excellence of water, easy facilities for drainage, freedom from destructive storms and floods, absence of malarial and other poisonous influences, in short all the requisites recognized by sanitary science. In every well regulated state another essential factor is contributed—wise enactment and intelligent enforcement of proper sanitary laws. While the general health of our community is good, there is no doubt that many lives are unnecessarily sacrificed by non-observance of such precautions as science has found to be efficacious—and to this extent we are not so far advanced as we should be, though the fault is perhaps due more to laxity of enforcement than to lack of legislation. Whatever will tend to stimulate city authorities in providing pure water and good drainage, and school authorities in co-operating with local boards of health in every way possible, should be encouraged. In the matter of actual legislation, little would seem to be needed. I am disposed to approve, however, of such amendments to existing law as will provide for annual reports by city and county boards of health to the state board; for the remuneration of county health officers; and for the constant employment of at least one medical inspector, whose function it shall be to assist local boards in the performance of their duties and see to the securing of accurate vital statistics. The board's estimate of the necessary amount to supply its wants for the biennial term is but $8,200, and I most cordially recommend the appropriation.

STATE LANDS.

There has occurred no change in the membership

of the State Board of Land Commissioners since the close of your last previous session. In the near future, perhaps at the next biennial session of the Legislature, it may be advisable to change the land law so as to reduce the number of commissioners, but in my judgment the work before the board is sufficient to make it imperative that the membership should not be lessened at this time. New surveys of the public domain are being regularly made, each township thus surveyed adding four sections to the school lands of the state to be appraised and made available for lease or sale. There is a large area, aggregating approximately two hundred thousand acres of land to be selected by the board in lieu of school lands alienated or disposed of by the general government prior to the admission of Utah into the Union, or withdrawn from the school grant by reason of the fact that they were known to be mineral lands at the time of the passage of the Enabling Act. The selection and appraisal of these lands will require time and necessarily involve the visiting by the commissioners of every part of the state.

The law has been administered intelligently and faithfully, the interests of the state and the good of the citizens being constantly in mind. The area of land selected within the past two years in satisfaction of the several grants by Congress has not equaled that of some previous biennial periods, owing chiefly, if not entirely, to the withdrawal from private entry and state selection by the Honorable Secretary of the Interior of vast tracts with the view of the creation of forest reserves. From the outset it has been the policy of the land board to follow, generally, the course adopted and pursued by the general government in the administration of its land laws, namely; the encouragement of the citizens in the selection and entry of the land of their choice. It has been found that this policy gives better satisfaction, the individual being thus enabled to purchase the tract that he wants, and the state avoiding the expense of keeping men in the field searching for what they may regard as eligible and valuable lands, but which may prove otherwise and fail to find buyers after they have been selected, patented and charged to the state in satisfaction of the several grants. By leaving it with the citizens to

designate the land they want to purchase, as the government does in the matter of disposing of the public domain, the state escapes a heavy expense, and practically all the lands selected are sold before they are chosen by the state and charged against the grants.

Many applications to purchase within the limits of the proposed forest reserves have been presented, but the tracts being withdrawn from entry, the applications were necessarily denied, to the annoyance and disappointment of citizens and to the injury of the state by the delay thus occasioned in filling the grants. Nevertheless something over 76 per cent of all the grants have been satisfied, so far as the selection of the land is concerned, and these selections have either been approved, or are in the regular course of approval by the Department of the Interior. None of the land, except that embraced in relinquishments of entries under the government laws, which our statutes require to be sold at $1.25 per acre, has been sold for less than $1.50 per acre, the minimum price fixed by the Land Board.

While it is true that during the half century of settlement of Utah prior to statehood, practically all of the better and more valuable lands were entered under the national land laws, there is no longer a doubt that the several grants can be filled and satisfied without resorting to the selection of lands of less value than the minimum price noted. There may occur some delay, but that annoyance will be compensated by the better opportunity that time will give for the people to obtain the lands they want.

It is gratifying to be able to advise you that the General Land Office at Washington, during the years 1901-2 proceeded with a higher degree of promptness in acting upon and approving the state's selections, thus enabling the state to issue certificates of sale and patents to citizens who, generally, are not disposed to improve lands extensively before title can be seen to be in line of certain perfection.

The other lands selected and not yet approved by the Secretary of the Interior are disposed of under agreements to purchase when the government approval of the selection shall be given, a deposit or provisional

payment of 25 cents per acre having been made by the intending buyers.

The State Board of Land Commissioners, acting under authority of law, has held auction sales of land in seventeen counties since your last meeting, and while with two or three exceptions the offerings were not attended by large returns, the private sales which followed the public offerings were numerous, citizens buying the land at its appraised valuation. In most instances the purchases at auction have been at the appraised value. These public sales will be continued from time to time as the land can be appraised and there is demand by citizens for the opportunity to buy.

In past years the Commissioner of the General Land Office kindly and courteously permitted me to designate lands for survey at the cost of government, and to the extent of the appropriation and allowance for this state not expended by the Surveyor General in the regular course of business in his office. Last year my request for surveys was denied, but it is believed that I will be permitted, in the near future, to designate lands for survey, as in the past. In all these cases I have acted in accordance with requests by the State Board of Land Commissioners, whose recommendations have been based almost exclusively upon requests by citizens, the aim being primarily to procure the survey of such lands as may be wisely and profitably selected by the state, the main object, of course, being the accommodation of the largest possible number of citizens who desire to purchase public lands.

You will be pleased to learn that all of the land funds under the control of the State Board of Land Commissioners are invested in farm mortgages and in such public bonds as the board is authorized to buy. The past year found the country generally with an unusually large surplus of money seeking investment, and rates of interest necessarily declined, thus forcing the board to purchase bonds bearing a lower rate of interest than those previously bought, or to pay a premium for bonds bearing a higher rate of interest. It was deemed wise to keep the money invested, even if the returns were less than formerly. Care has been taken to provide for farm loans. In no instance where the security was consid-

ered sufficient has an application for a farm loan been denied, these in every case being given the preference, as required by law. While in a very few instances the borrowers have not been prompt in the payment of interest, it has not been found necessary to foreclose any farm mortgage. It is thought that the property mortgaged to the state is ample security for the loans.

The total investments of the several land grant funds principal on December 31, 1902, aggregated $718,188.50, as follows: Agricultural College, $33,578.25; Deaf and Dumb School, $14,870.83; Insane Asylum, $20,906.96; Institution for the Blind, $8,686.20; Miner's Hospital, $9,014.10; Normal School, $13,778.45; Public Buildings, $10,289.60; Reservoirs, $82,377.01; Reform School, $22,522.45; School, $290,615.99; School of Mines, $25,484.25; University, $186,365.01. The rates of interest on the investments range from 3.75 to 7 per cent per annum.

In my last previous message to the Legislature I referred to the old University buildings and grounds, which had been placed under the control of the State Board of Land Commissioners for disposal by the act of February 24, 1899, and also to the efforts by the board to dispose of the same. The property was offered at both public and private sale, but without success until early in the year 1902, when negotiations were entered into with the Board of Education of Salt Lake City, the outcome being an agreement to sell the premises. The terms and conditions are these; the State Board of Land Commissioners and the Board of Education of Salt Lake City having executed an agreement in accordance therewith; the price is $100,000, of which sum the state allowed $12,500 as a credit on account of improvements and repairs which had been made by the Board of Education. The latter paid down $37,500, and the remainder of the purchase price, $50,000, is to be paid on or before July 1, 1904, without interest. The Board of Education, in addition to the above, paid the delinquent insurance premiums on the buildings, amounting to about $750, and for which the Legislature had made no provision. Upon the payment of $37,500 on February 4, 1902, an agreement was executed by the State Board of Land Commissioners and the Board of Education, and the

premises were surrendered to the latter, having since been occupied by the Salt Lake City High School. The money was deposited with the State Treasurer to the credit of the University Fund, principal, and applied to the cancellation of notes for the amount, given by the Board of Regents of the University by authority of the act of February 24, 1899. While the sale price is not high, in the light of the cost of the buildings, the sale must be deemed advantageous and satisfactory, the property not being of a salable character except for the purpose to which it has been devoted.

Two years ago I had the honor to direct your attention to the withdrawal by the Secretary of the Interior of certain lands, ostensibly as a forest reserve, but in reality for the conservation of the water supply and for the protection of the watershed of Salt Lake City. The withdrawal extended from Township 2 North to Township 14 South, and from Range 2 West to Range 6 East. The Legislature memoralized the Secretary of the Interior and requested that the contemplated reservation be reduced to the actual requirements, and not be made so extravagant as to be ludicrous when considered in connection with the purposes to be subserved. The secretary acted promptly on your request and cut down the boundary of the reserve to reasonable limits.

Since then, however, several withdrawals, vast in extent, have been made, until the so-called forest reserves, permanent and in contemplation, embrace something over 4,000,000 acres of land, and extend in an almost unbroken line from the northern boundary of the state, along the Wasatch range of mountains, to within a few miles of the southern limits of Utah. I cannot think the withdrawals are in the interest of the state, nor that they are desired by the citizens generally. On the contrary, I believe they will prove permanently injurious, as they are already temporarily so. They are certainly exceedingly annoying to all save a limited number of people. I assume that all good citizens are interested in and sincerely desirous of conserving and protecting the waters of the state, and especially so as to the water supply for our towns and cities. I also realize the importance of protecting the timber, sparse as it is, in our mountains, fully understanding

how essential the timber and undergrowth are to the preservation of waters until such time in the season as they shall be most needed. But I cannot think that it is wise, or that it will prove beneficial in a public and general sense, to withdraw from entry and settlement the vast tracts of territory, many of which are barren of timber, and their withdrawal can in no sense conserve the water supply. Furthermore the policy and course pursued by the government in the control and management of the alleged forest reserves have not been such as to encourage the belief that real good will result from the removal of these lands from the operation of the public land laws. Indeed, the general apprehension is that great hardship and great evil will result unless the reserves shall be reduced in extent to the actual needs, and the control of the reservations shall be such as will actually protect the timber and the water. I will be pleased to co-operate with you in any properly directed effort looking to the averting of what I believe to be a great wrong which is threatening the state by reason of these extravagant and arbitrary withdrawals of public land from their legitimate and proper use by citizens.

At the fourth regular session of the Legislature the sum of $10,000 was appropriated and placed at the disposal of the State Board of Land Commissioners for experiments in sinking artesian wells. The commissioners have visited and examined various sections of the state, with the view to the wise expenditure of the money, the object being to sink a well at a place giving reasonable promise of success in the search for artesian water, and also at a point where the water, if found, will be valuable for irrigation. The investigation resulted in the fixing upon a site for an experimental well at a point about five miles southwest of the town of Holden, in Millard county. The board called to its assistance in the selection Dr. James E. Talmage, professor of geology in the University of Utah, who visited the locality, and after an examination of the region as to its geological formation, advised the board that there is reasonable hope of success. There is an extensive area of excellent land in that neighborhood, which can be brought under cultivation provided artesian water can be obtained at moderate cost, and upon the outcome of

the experiment will depend the settlement and reclamation of a vast tract of land. The board has entered into a contract with an experienced well borer, who has the latest improved boring machinery, to drive a well to the depth of not less than 1,500 feet, provided a sufficient flow shall not be obtained at a less depth; and if water in satisfactory quantity shall not be found at a depth of 1,500 feet, greater depth will be sought.

The report of the Secretary of the State Board of Land Commissioners for the years 1901-2, showing in detail the operations of the board for these years, and the status of the several land grants and the funds arising from them will be presented for your consideration.

The estimates of the board for the ensuing two years, aggregating $39,800, are essential to the proper conduct of the land business of the state and should be provided for.

UNIVERSITY OF UTAH.

The University of Utah has made greater progress the last two years than during any other biennial period in its history. The board of regents reports that the attendance is much greater and that a better feeling for the university and a greater confidence in it are manifested by the people generally; also that there is greater recognition extended to its graduates by other universities and by the public and business men than heretofore; that among the factors that have contributed to this advancement have been the School of Mines, increased facilities with which to do the work offered, and better acquaintance with the university made by the people through extension work and public lectures by members of the faculty. The School of Mines building, appropriation for which was made at your last session, has been constructed and is now occupied. The Physical Science building was partly destroyed by fire about a year ago, but happily the building and contents were insured and have been restored, although not wholly, out of the insurance money, so that they are now equally as good as before the fire. A deficit of $7,126.14 authorized by the State Board of Examiners, has been incurred to restore said building and contents, which will require

appropriation. The needs of this institution for the next two years are estimated by the board of regents to be:

For general maintenance	$133,780
Deducting estimated interest on University land fund	25,640
	$108,140
Supplies for Arts and Science School	10,810
Appliances for Mining & Electrical Engineering courses	9,830
Supplies for State Normal School	1,200
Urgent additional needs for Mining School, including erection of Metallurgical building and appliances	66,859
Domestic Science department	5,975
Kindergarten	5,200
For improving grounds	2,500
Branch Normal at Cedar City, including one new building and equipment	54,000
Total	$264,514

It is noted that these estimates of the board of regents are greatly reduced from the estimates made by the President of the University, yet together with the deficit they are $88,440 more than the amount appropriated for the past two years. I submit to you that in considering these appropriations you will bear in mind that you are providing support for three distinct schools, the School of Arts and Sciences, the School of Mines, and the State Normal School, including the Branch Normal at Cedar City, which in reality may be considered another, making four. It is apparent that the board of regents has been extremely conservative in making these estimates and it is to be hoped the revenues of the biennial term will be sufficient to admit of no serious curtailment of the appropriations asked.

THE AGRICULTURAL COLLEGE.

During the past two years splendid progress has been made in the character and grade of work done at the Agricultural College, as well as in the attendance and general interest among the people. Additional buildings and equipment have been provided, the faculty increased and strengthened, the standard of instruction raised and thorough organization of the several departments effected. The board of trustees reports that by the exercise of rigid economy the college will be able to complete the school year without a deficit on account of maintenance, but that the institution would have suffered to a very great extent had it not been for the relief afforded by the State Board of Examiners in authorizing a deficit of $5,000 with which to furnish the new front of the main building and to provide furniture therefor. It is represented that the deficit was the result of increased cost of all kinds of building material and wages, unforeseen when the appropriation was made. Estimates for the ensuing term are made as follows:

General maintenance	$ 65,300
Equipment	28,675
Buildings and improvements	44,500
Deficit	5,000
	$143,475

It is noted that in the estimate for buildings and improvements an armory and gymnasium building is included, to cost $30,000, and inasmuch as the athletic interests of the college are already reasonably well cared for, perhaps this item may be subject to attack. But in your consideration of all its estimated needs let it be remembered that the college occupies a position which entitles it to be fostered and provided for with the same generous impulse that has characterized your predecessors, and that has made of it the greatest institution of learning devoted to agriculture and the mechanic arts to be found in the West.

STATE INDUSTRIAL SCHOOL.

The trustees of the State Industrial School report greater and better results in reformation and manual training of the inmates than ever before, due to the increased facilities and the generosity of the last session. In addition to the scholastic education which the inmates acquire, the boys are trained in blacksmithing, carpentering and shoemaking, and the girls in needle work, sewing, fancy work and knitting with the use of knitting machines. Some of the inmates have become very proficient in their work and fully capable of following the trade acquired at the school. With the assurance that manual training as a reforming agency is no longer an experiment, the trustees insist upon further equipment for perfecting this important branch of the institution. They also urge that another cottage for girls be erected and the present one be devoted to hospital uses. At the close of the previous biennial period there were 29 inmates. At present there are 68, and 143 on parole, subject to the control of the institution and at any time liable to be returned upon violation of the terms of parole. It is contended by the trustees that the people generally, and the judges of the district courts particularly, do not appreciate the real object of the school, and that the benefits intended in its establishment will never be reached until it is understood that the school is not a mere temporary place of detention for youthful criminals and wrongdoers, but that it is an industrial school supported by the state with a view to reclaiming the wayward youth before they are too far tainted with crime, and thus not only save to the state the expenses of future criminal trials and detention, but also secure from the future labors of such youth that support which every reclaimed citizen as a token of gratitude would naturally give the state.

I am in thorough accord with the trustees in the contention, and I hope you will appreciate the importance of making generous provision for the reformation of the criminal and incorrigible youth of the state. The estimates of the trustees of the needs of the institution for the ensuing term are as follows:

General maintenance	$36,000
Less estimated amount from state land fund	6,000
	$30,000
Manual training	6,000
Extension of sewer system and pipe line to Ogden waterworks system	22,500
Cottage for female inmates	15,000
Total	$53,500

SCHOOL FOR THE DEAF AND DUMB AND THE BLIND.

By an error in the appropriation bill passed at the last session, the appropriation for general maintenance of the School for the Deaf and Dumb and the Blind was made to read for the years 1901 and 1902 instead of for the school years beginning July 1, 1901, and ending June 30, 1903. It follows, therefore, that while the appropriation for the first six months of 1901 was duplicated, no funds for the ensuing six months are provided. A brief act, making the unexpended portion of the appropriation, namely, $13,468.43, applicable for maintenance during the half year ending June 30, 1903, should be passed at once. The school is in splendid condition. The buildings have been kept in good repair and the grounds, both farming and ornamental, are in good shape, and a very fine greenhouse has been erected. The reading and reference books in the library have been increased by the addition of 705 volumes; the classes in carpentry, printing, shoemaking, housework, sewing, cooking, dressmaking, barbering and blacksmithing have made excellent progress; music, cane-seating, basket making, hammock making and fancy weaving are successfully taught the blind pupils, and classes in domestic science and horticulture have been introduced for the deaf pupils. The school has increased in attendance to 85 deaf and 18 blind, a total of 103 pupils—the largest number in the history of the school. The board of

trustees recommends the erection of a separate school building for the blind, and also a heating plant and shop building with machinery and electrical power for the school. The needs of the school for the biennial period beginning July 1, 1903, are set forth as follows:

Maintenance	$54,000
Repairs and improvements	1,500
Books and apparatus	500
Separate school building for the blind	12,000
Shop building	5,000
Heating plant	5,000
Total	$78,000

As the main eleemosynary institution of the state, this school should receive every proper encouragement and its wants be amply supplied, yet it is possible the foregoing estimates, especially for maintenance, may be to some extent reduced.

THE STATE INSANE ASYLUM.

After paying all the expenses of the State Insane Asylum applicable for 1902, there will be an unused and undrawn balance of the appropriations made two years ago of about $23,000. This is an extremely gratifying showing and one which other state boards would do well to follow. It shows that the board of insane asylum commissioners has earnestly striven to subserve the interests of the state in preference to using the money simply because it was appropriated. The average daily cost for care and treatment of each patient for the biennial period was 32 7-10 cents, a small increase over the preceding two years due to the advanced price of commodities. Two detached wards or cottages, for which the sum of $18,000 was appropriated at the last session, have been erected and have been in use for more than a year. At the end of the last biennial period there were 314 patients in the asylum; now there are 350, an increase of 36 patients in two years. At the close of 1904 it is estimated there will be 390, and the

buildings as they now are will not properly accommodate to exceed 325 patients. The condition calls for speedy relief.

It is urged by the board that the present law governing the asylum has become antiquated, is not applicable to present conditions and should be supplanted by one adapted to modern requirements. The name "insane asylum" should be changed to "Mental Hospital"; the commitment form should be revised and the examining physicians required to follow a regular order of classification and to properly fill the blank; the term insane should not be allowed to include idiocy, imbecility, or simple feebleness of mind, and epileptics without mania should not be sent, nor retained; the physically helpless and patients in a dying condition should not be committed; a board of alienists should be created and a detention or receiving station should be established for the reception of emergency or doubtful cases, pending examination, investigation and testing.

Following are the estimated financial needs for the ensuing two years:

General maintenance	$ 93,000
Improvements and repairs	5,000
New buildings	70,000
Removal of engineering plant, purchase of two new boilers, two dynamos, etc	15,000
Completion of the two detached wards now in use	4,000
Completion of ventilation of main building	3,000
New oven for bakery	2,000
Detention hospital	10,000
Total	$202,000

Believing these estimates to have been corefully made, and that your investigation will fail to discover any opportunity for curtailment therein, except at a distinct loss in the present efficiency of the hospital, and further believing it to be one of the paramount duties of the state to care for the indigent insane, I recommend these appropriations.

STATE PRISON.

The addition to the administration building and other improvements to the state prison, provided for at the last session, have been nearly all completed and have added much to the convenience and appearance of the place. The manufacturing department has made all the clothing and shoes worn by prisoners, and in addition have made and sold a variety of such goods as cotton socks, brushes, saddle cinches and clothing for the insane asylum patients, at a total profit of $5,136.62. There has been a decrease in number of convicts during the two years of 28, which is partially accounted for by the large number, 20, liberated on writs of habeas corpus under a decision of the Supreme Court. In consequence of the decrease in the prison population and higher prices paid for wages and supplies, the net per capita cost of maintenance has risen from 42 cents in 1899 to 56 cents in 1902. The general health of the prisoners has been good, and there have been no escapes. Appropriations are asked as follows:

Maintenance	$58,000
Gratuities to discharged convicts	2,250
Insurance	150
Additions and repairs	5,565
	$65,965

These estimates are carefully drawn and are as accurate as possible. The amounts should be supplied.

THE NATIONAL GUARD.

Among the powers enumerated by the Constitution of the United States as belonging to the Congress was that of providing "for organizing, arming and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." In

like spirit, and with very similar language, the Constitution of our own state declares that "the Legislature shall provide by law for the organization, equipment and discipline of the militia, which shall conform as nearly as practicable to the regulations for the government of the armies of the United States." This provision your predecessors have complied with so far as seemed to them consistent with the resources at their command; and the organized militia of the state, while still considerably short of the numerical srength authorized by our laws, is all the better provided for through the annual appropriation of clothing and ordnance from the general government; and through such funds for maintenance and support as previous Legislatures have felt to grant. A widespread and significant awakening is to be noted, however, as to the importance of the National Guard of the country, and its claim upon the consideration of the people. Generally speaking, we do not look upon an extensive regular military establishment as favorable to the spirit of American institutions. The menace of militarism has always been recognized by our statesmen, and these dangers have been potent in determining the scope and motive of all legislation upon military affairs. But recent experience has verified the wisdom of the fathers in providing for trained and equipped support outside of the regular army; and at the present time a number of bills, supported by the national administration and by popular sentiment, are hastening toward favorable consideration by Congress, looking to the increased efficiency of the National Guard, and providing for extensive appropriations for its support. As is pointed out in the biennial report of the Adjutant General, our state can only avail itself of the honors and benefits contemplated in these measures by keeping its organized militia upon a substantial footing and in a prosperous condition. I regard as both indispensable and economical the erection of an armory in this city as the headquarters of the National Guard of the State; also an arsenal at some convenient point near by, in which surplus ammunition, explosives, etc., may be stored. Provision should be made for the expenses of annual encampments, which being undeniably beneficial and necessary, besides being man-

datory under our statutes, ought not to require the incurring of a deficiency, as was the case last year. I approved, though with reluctance, the course that was taken in the instance referred to, no other plan being possible unless the direct letter of the law was violated and the Guard itself made the sufferer through failure to profit by the actual experience which it is only able to receive in these camps of instruction. In inviting your attention to the report of the Adjutant General, I feel to pronounce his estimates conservative, his recommendations sound, and both deserving of careful review and consideration.

HORTICULTURE.

The State Board of Horticulture has continued during the past two years the work of promulgating knowledge concerning new and tested methods of orchard disinfection, and the results of its work are plainly observable in the increase in quantity and quality of Utah fruit put upon the market. The work of county inspection of fruit trees has, however, been seriously retarded by a decision of the Supreme Court of the State declaring unconstitutional the law-giving power to the board to nominate and supervise the county inspectors, and as a consequence no efficient inspection has been done outside Salt Lake County during 1902. I join in the opinion expressed by the board that greater good would accrue to the fruit interests of the state were provision made for competent inspection in each county under the direction of a board composed of trained orchardists, and I unite with it in the hope that the present law may be amended so as to accomplish this end without violating any of the provisions of the Constitution. The work of eradicating that most pernicious of all insects, the San Jose scale, which more than two years ago showed itself in two of the most important counties of the state, viz: Weber and Utah counties, and for which a special appropriation of $2,000 was made by your predecessors, has been proceeded with vigorously and with most satisfactory results. In view of the clear demonstration of effectual means for the destruction of the scale, the board recommends that no further special appropriation be

made for combatting that insect. The experiment farm in Washington County is reported to be in a flourishing condition, vindicating the wisdom of its creation. The further suggestions of the board are timely and progressive and should be heeded by the law-making power if we expect to keep abreast of the enterprising states to the north and east of us. I approve the following estimates for the next two years:

For maintenance of experiment farm in southern Utah	$15,000
For salary of three members of the board	1,200
For salary of secretary of the board	800
For traveling and contingent expenses	2,400
Total	$19,400

STATE FAIRS.

Under the auspices of the Deseret Agricultural and Manufacturing Society a state fair has been held in each of the two past years, the first one at the old exposition grounds, commonly called the Tenth Ward Square, in Salt Lake City, and the last one at the Agricultural Park. Both were creditable exhibitions of the industries of the state, though the 1902 fair was much more successful financially than the other. The directors of the society regard the increased attendance and interest in the fair due to the change of location to Agricultural Park, where greater accommodations for the stock show were had, and the inauguration of horse racing as a feature of the fair. The paid admissions to the fair of 1902 were 37,997, an increase over 1901 of 15,493, from which was realized $8,497.95, an increase over 1901 of $3,841.55.

The wisdom of the Legislature in authorizing the sale of the old grounds and applying the proceeds towards the erection of buildings and general improvement of Agricultural Park is thereby abundantly demonstrated. The directors are to be commended for their ability and economy in making this change, erecting new buildings and holding so successful a fair with the funds

at their disposal and having a balance in their treasury of $1,447.73.

I earnestly hope you will make proper provision for the further improvement of Agricultural Park. It is the site originally selected for fair grounds and has many advantages which readily commend themselves. The great essential is a mile track, which would prove of vast advantage to the society, both at fair time and as a permanent resource, and I recommend that additional land be purchased, if necessary, for the establishment of a good mile track.

I approve the following estimates for the next two years:

For operating expenses, awards and premiums	$15,000
New buildings and improvement of grounds	30,000
Total	$45,000

FISH AND GAME.

With such facilities as have been at his command, the State Fish and Game Commissioner has achieved most satisfactory results, especially in the protection and propagation of fish. The wisdom of your predecessors in providing for a fish hatchery has been abundantly demonstrated, for in this establishment a total of 4,722,000 trout fry has been produced during the past two years, and distributed in the waters of twenty-two out of the twenty-seven counties of the state. The hope is not an extravagant one that with such additions to existing facilities as your judgment may provide, all our streams may experience to the fullest extent this gratifying replenishment, and that our people may in the near future find a return of those conditions which prevailed before the despoiler accomplished his nefarious work with giant powder and other murderous means.

Unfortunately we have no similar institution promising the restoration of the game which once luxuriated in our mountains and valleys. But there is certainty that with wholesome laws and vigorous administration such a condition may be approached. Increased population and the inevitable encroachment consequent upon

more extensive occupancy of the land, explain in part the decimation of both fish and game. But experience shows that in other states, wise legislation and intelligent enforcement looking to the education of the people as to the need of fish and game protection, have led to a steady increase in these denizens of forest and stream; and in a state so sparsely inhabited as ours, there is no reason why such an increase should not in a short time amount to actual abundance.

I commend to your favor all the recommendations of the commissioner, those including the enlargement of the hatchery, the establishment of sub-hatching stations at Fish and Panguitch lakes, the prohibition of the sale of trout as well as of all kinds of game animals and game birds, and the provision for fish and game exhibits at state fairs as public object lessons.

LOUISIANA PURCHASE EXPOSITION.

To us of the west there is unusual significance and interest in the proposed exposition to be held in St. Louis next year, commemorating the acquisition of the Louisiana territory in 1803—that mighty empire which, bounded on the east by the Mississippi, stretches away from the Gulf of Mexico northwesterly to the British possessions and the Pacific coast. As befitting an event so national in its character, Congress has made liberal appropriations of money, besides providing for a government building and exhibit, and for an official invitation, by the President, to all foreign countries to participate in the occasion. The state of Missouri has voted a million dollars for the purpose, besides ten millions which the city of St. Louis is pledged to furnish; and twenty-one other states have made preliminary appropriations, including $250,000 by Illinois, $125,000 by Iowa, $100,000 by New York, etc., to secure to themselves fitting representation at this great gathering of all civilized peoples. Everything promises its monumental success. The leading nations of Europe, as well as the most important, and even some of the most remote of Asia, have accepted the invitation extended, and have already appointed their commissioners. Canada, Mexico and the Central and South American republics

have signified their intention to take part. Representatives of these various countries are already selecting their sites and making preparations for their buildings and their displays. While special place has been reserved for the states carved out of the Louisiana purchase, and ample and appropriate room for all the others who desire it, I am notified that only until the 1st of May, 1903, will the allotted space for Utah, which is described as one of the most eligible of all, be reserved, after which date the room unclaimed will be given to individual exhibitors and to other states and countries dsiring more than has already been assigned them. If our state is to be represented, as I think we will agree it should be, the time is limited in which to signify the desire and set about consummation. The dedicatory services will be held April 30 next, commemorating the signing of the treaty by which Napoleon transferred the vast domain to the American Republic; while the gates of the perfected exposition proper are to open May 1, 1904. I cannot too strongly urge that we seize this magnificent opportunity to represent our mines, our manufactures, our products of field and garden, our varied resources, industries and interests, together with the methods of thrift and enterprise which already have made us famous. Besides the exhibit which as a commonwealth and as such corporations and individuals we ought to make, there should be, upon the spot assigned to us, a creditable state building, where Utah people can congregate and make appointments to meet each other and friends from other states; where visitors can find a pleasant resting place; where historical relics may be placed, and other characteristic exhibits displayed which would not find a suitable place in the general buildings. To secure such participation as would be worthy of our state, considerable means will be needed, but I believe it will be a profitable expenditure, and I therefore commend the matter to your most favorable consideration.

LEWIS AND CLARK CENTENNIAL.

Your immediate predecessors provided by concur-

rent resolution for the appointment of a commission to represent the State of Utah in all matters connected with the proposed Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, to be held in Portland, Ore., during 1905, the special duty of this commission being to make recommendations to the present Legislature as to what appropriation, if any, should be made in order that Utah might be creditably represented. The commission was immediately appointed, and it has pursued with diligence the investigation of the subjects entrusted to it. Its report will be submitted to you; and in endorsing its recommendations including an appropriation of $10,000, I will call attention to the fortuitous fact that a large part, if not all, of the state exhibit which may be made at the Louisiana Purchase Exposition in St. Louis in 1904, can be utilized without much cost for transportation, storage and re-arrangement, in this event at Portland. It seems to be a happy opportunity for the providing of an extensive and worthy participation, at a minimum of expense, and I trust you will see the advantage of embracing it.

STATE BOARD OF EQUALIZATION.

The State Board of Equalization reports a splendid advance in valuation for the biennial term. For the year 1901 the assessment was $112,603,655, an increase over the preceding year of $6,974,814; and for the year 1902 an assessment of $118,047,216, an increase over the preceding year of $5,443,561, making a total increase for the two years of $12,418,175.

The board is by law constituted the assessor of railroads, mining, telephone and telegraph companies, etc., and the total of property specifically assessed by it for the year 1901 was $18,203,890, an increase over the preceding year of $2,266,804; the total of property assessed by it in 1902 was $22,103,402, an increase over the preceding year of $3,899,512, making a total increase for the two years on property specifically assessed by it of $6,166,316, or nearly one-half of the toal increase in assessment. The board reports also that indications point to a gratifying increase for the year 1903. These increases represent a vast amount of work on the part of

the board and a persistence and firmness which amply vindicate the efficiency of the board as a power for good to the state revenues.

At the last session a provision of law made it the duty of the board to visit each year, either as a whole or by committee, each county in the state. To comply with this requirement, which has proven of great advantage to the assessed valuation, the expenses of the board have been necessarily increased and an additional allowance therefor for expenses is asked of $300 per annum. The board also recommends that more stringent legislation be enacted for compelling county commissioners to have maps prepared for use of assessors; that specific penalties be imposed for failure by county auditors to make their reports upon the date required by law; that the secretary of the state land board be required to furnish assessors each year the total amount paid up to the time of making the report, upon each piece or parcel of land sold by the state, with name of purchaser, and that a law be passed defining coke as one of the products from which coal mining companies receive net proceeds.

These suggestions are all the result of the best thought and experience of the board and should receive prompt incorporation into the statutes, and the greatly improved conditions already existing in the state in assessment matters be materially strengthened thereby.

STATISTICS.

The commissioner of statistics reports that there have been many discouragements in the work of his bureau, but that on the whole the result is gratifying. A beginning has been made in the important work in which our state has hitherto been so remiss, of collecting and publishing industrial statistics; prejudices have been overcome and the seeming offensive inquisitiveness of the bureau is being understood as a necessary requirement for the general welfare. The commissioner's suggestions to the effect that county assessors be required to collect only agricultural statistics, and that all other statistics be collected by the bureau itself, is a suggestion born of the experience of two years' in-

effectual attempts to get accurate information under the present law, and should find favor with you. I recommend an appropriation of $5,000 for the general purposes of the law and $3,000 for the salary of the commissioner for the two years.

LIVESTOCK COMMISSION.

I am reluctant to recommend the multiplication of offices or the creation of new ones, except to meet the most urgent and apparent necessity. A condition of this kind, however, clearly seems to exist now, in our lack of all provision for an official or board of officials having in hand the enforcement of the laws and the adoption of regulations relating to contagious and infectious diseases of animals. Utah is singularly lax and behind hand in this important matter, and the result is not only that shipments of livestock from this state are the objects of immediate suspicion, which gives our stock interests and the state itself a bad name, but that our shippers are put to great annoyance and pecuniary loss through the delays of inspection, quarantine, etc., upon reaching or while in transit to their destination.

Testimony is before me from prominent wool-growers as to the alarming prevalence of scab among our flocks, causing the annual loss of thousands of dollars through the decrease and deterioration of the wool clip. They insist that strong legislative measures be taken to secure better results than existing enactments have been able to accomplish, and to afford such sheep owners as are disposed to take proper and thorough precautions, and yet who are frequently made innocent sufferers, that encouragement and protection which would come from compelling all owners to comply with the law. The evidence and the suggestions referred to I commend to your early notice, adding the recommendation that there be created without further delay a state board of livestock commissioners, whose secretary shall be a qualified veterinarian and whose compensation shall be such as to justify the bestowal of his entire time upon the performance of his duties. I am convinced that the expense of this commission will be saved to our livestock owners many times over every year; and such

regulations and inspections as would be made by an energetic and competent board would soon restore to a condition of health and credit our sheep, cattle, horses, swine and even poultry, besides manifesting our desire and ability to keep abreast with the intelligent progress of the age. In this same connection I suggest that the state may receive great benefits if our laws are amended so as to invest the bureau of animal industry of the United States with the right of inspection, quarantine and condemnation of animals, with power to call upon sheriffs, constables, peace officers, etc.—in a word, to confer upon the officials of this national bureau the same power to enforce the laws of the state as the state inspectors would have. These officials are men of wide experience and of the best training and skill, and the service which they render in the various states as government employes is, of course, without expense to those states. With these powers given to them, and with a state board of commissioners who would vigorously co-operate with them in the enforcement of the rules, regulations and provisions prepared by the Secretary of Agriculture under the laws of Congress, in so far as the same are applicable to local conditions, a rapid improvement would be at once apparent in these great interests of our people. Such legislation as is necessary to effect these purposes, including a provision making it a misdemeanor to maintain animals knowing them to be diseased, I shall be most happy in assisting you to enact.

PURE FOOD LAWS.

The work of the State Food and Dairy Commissioner has been highly creditable. Against serious obstacles he has succeeded in improving the food and dairy products of the state, and has only failed where from lack of funds or proper legislation, or both, his efforts proved unavailing. His discoveries in regard to the adulterations and impurities in almost every article of food we consume are little less than sensational, and his disclosures of the poor estimate in which Utah is held by the United States Department of Agriculture with respect to the enforcement of her food and dairy laws,

owing to insufficient appropriation therefor, should awaken us to vigorous efforts to improve present unsatisfactory conditions.

It is apparent that very appreciable benefits to the people hitherto lost may be obtained at a nominal expense through the acceptance of the various suggestions of the commissioner, and his recommendations that a new law be enacted which will place us upon an improved footing, that the salary of the commissioner be increased to $1,200 per annum, with adequate allowance for the expenses of his office, and the creation of the office of state chemist, with a salary of $1,000 per annum, are all so modest as to commend themselves to your favor without much controversy.

LEGAL DEPARTMENT.

The attorney general, in his able and interesting report, has made various recommendations for the cure of defects which he has discovered in the practical operation of the laws, and to those I invite your attention, though unable for lack of time to commend upon them specifically. It is gratifying to note that the business of his office is up to date, notwithstanding an unusually large volume of business has been transacted during the biennial term.

THE JUDICIAL SALARIES.

The rapid growth of the state in population, wealth and material resources is not without its bearing upon the question of judicial salaries. At the time the compensation of the Justices of the Supreme Court and the Judges of the District Court was fixed at the present figures, the community was experiencing great financial depression. Rigid economy in public affairs, as well as in the walks of private life, was of necessity the policy to be pursued. Where the people themselves were compelled to be saving and self-denying, they felt that their public servants should be willing to accommodate themselves to similar circumstances. But while conditions have changed vastly for the better with the people, the salaries of these officials have remained the same. The

time is opportune, in my opinion, for the consideration of this matter, with a view to such increase as shall be adequate to the dignity of the position, the responsibility which the incumbents must bear, and the high order of talent and integrity which should ever be sought for in our judiciary, and which we ought to be thankful to secure by the payment of proper and respectable salaries.

THE ART INSTITUTE.

The excellent work begun in 1899 by the Utah Art Institute has continued during the past two years, and has caused this state to lead at least the intermountain West in art matters, and to obtain a position recognized throughout the country as one of prominence in art circles. More important than this, however, is the refining influence of this organization amongst the people of the state, who are enabled, through its exhibitions, its lectures and other activities, to become familiar with current art thought and are stimulated to take part in our art development. It is well in line with the tendency of the whole country that drawing and art become more distinct features of education in the public schools; but Utah was the first to create an art institute as a state organization, and the fact has been widely commented upon and always to our credit. Important exhibitions were given in Provo last year and in Salt Lake City the year previous, showing marked advance in merit over those of previous years. School exhibitions of drawings have also become the custom. The institute has continued its lecture work and is now getting into better position than ever to make this feature prominent and effective. The state now owns, in the Alice Art Collection, enough fine paintings to form a permanent art gallery, besides other treasures in design, art photography, architectural drawings, etc., that are fully equal in value to the amount heretofore received in the way of state aid. These are being added to by donation and otherwise, and the Institute is now looking for a place where they can be kept constantly before the public. In the meantime they are hanging upon the walls of the

Governor's office, and subject to your inspection whenever you visit the executive. The usual appropriation of $1,000 per annum to be expended by the Institute as defined by the statute creating it, should be continued for the ensuing two years.

MEDICAL EXAMINATIONS.

The State Board of Medical Examiners recommend an amendment to the law relating to the practice of medicine, enabling the board to issue certificates to physicians presenting certificates from the boards of other states whose laws permit the acceptance of Utah's certificates without examination. While for the general protection of the people I am in favor of maintaining the highest possible standard of efficiency in the licensed medical practitioners of the state, it is possible that this reciprocal arrangement with the State Boards of Medical Examiners of other states will not result in any lowering of our present standard, and if such is found to be the case, I shall be pleased to approve the amendment suggested.

STATE LAW LIBRARY.

It is gratifying that our state law library is assuming most creditable proportions. The total number of volumes in the library December 31, 1900, was 9,213, and there have been added during the two years 808 volumes, making a present total of 10,021 volumes. It has been found necessary to install some new steel shelving which will not only economize space, but afford protection against fire, and accordingly a contract has been let therefor, which will consume the appropriation now in the hands of the board. In order to maintain the standard of the library and keep pace with the progress of the past it will be necessary to appropriate not less than four thousand dollars for the purchase of books and maintenance of the library, and I recommend that this amount be appropriated.

WORK OF GEOLOGICAL SURVEY.

The value of the scientific and engineering work of the United States Geological Survey will be conceded without argument, and such work should be assisted and encouraged by every legitimate means. I am informed by the Secretary of the Interior, however, that the employes of that department are frequently hindered and annoyed in the prosecution of their field surveys by the refusal of individuals to permit them to enter upon their property. In a number of states acts have been passed authorizing persons employed under authority of the United States in the work of the Geological Survey to enter upon the lands within the boundaries of those states in pursuance of the duty required of such persons. Believing that the interests of our state are greatly benefited by the work of this important department, I recommend the enactment of a law of similar tenor, with the usual limitation that the law shall not be construed as authorizing any improper or unnecessary interference with private rights.

CEDING JURISDICTION TO THE UNITED STATES.

An obviously necessary piece of legislation, which I trust you will be able to deal with at this time, is an act ceding to the United States jurisdiction over lands or territory in this state acquired for sites for public buildings. The well known objection of the general Government to erecting buildings, even when authorized and provided for by act of Congress, upon sites where full jurisdiction has not been thus ceded, is recognized as entirely proper, although it frequently results in delays which are disappointing, if not injurious. The purpose of such an act as I suggest would provide against this embarrassment for all time, and avoid the necessity of a special act for each particular case. I accordingly recommend the enactment of a general provision on the subject, with such reservations as to the execution of state process, both civil and criminal, as your wisdom may dictate.

EXPERIMENTAL FARMS.

A practical suggestion comes to me from the director of the Agricultural Experiment Station, at Lo-

gan, in reference to the establishment and maintenance, by the state, of a number of experimental farms for the purpose of demonstrating the best use to which the present unused or dry lands of the state may be put. Past experience in the reclamation and productiveness of lands long regarded as useless confirms the belief that the further agricultural possibilities of thousands of acres are scarcely dreamed of by the majority of our people. Just what these possibilities are would be, of course, a matter of ascertainment by trial and experiment. Whether the sage brush and the sun flower can be supplanted by drought-resisting forage plants that will yield at least one good crop a year, and whether in the economy of things the dry lands may be made to yield our wheat supply of the future, leaving the costly irrigated lands for more profitable crops—these are questions which the establishment and operation of small experimental farms in different sections would soon answer. These farms need not be large, perhaps covering not more than forty acres each. The land could no doubt be obtained without cost to the state. The expense of breaking the land, fencing, building sheds, and planting the first crop is estimated at not exceeding $7,500.00 for five forty-acre farms. The cost of carrying on experiments thereon might be $5,000 more per year. The work of demonstration could doubtless be finished in five years. The annual expense, after the first year, for labor, superintendence, record keeping, preparing results for publication, printing, apparatus and incidenalts, should not exceed $5,000. For the first five years, therefore, the cost would not be more than $27,500, while the resulting benefit to Utah agriculture would in all probability be so great as to make the investment a splendidly profitable one. The subject is practical and interesting, and I present it as eminently worthy your consideration.

DUPLICATION OF BOUNTIES ON WILD ANIMALS.

Section 2039 of the Revised Statutes empowers the respective boards of county commissioners to provide by ordinance for the payment of rewards for the destruction of certain wild animals; and Section 2042 pro-

vides that the state shall be liable for one-half the bounties so paid out. During the closing hours of the last session an act reached me, providing for the destruction of coyotes, wolves, lynx, wild-cats, bears and mountain lions. The Legislature having adjorned before this measure could receive my consideration, and there being no opportunity, therefore, to have it amended, I hesitated to approve it, because it included the identical animals on which the counties were already authorized to pay bounties. half of which sums were required to come out of the state treasury. With the knowledge, however, that in some counties the board of commissioners had failed to provide ordinances looking to the destruction of the animals named, I concluded to approve the act (it now appears as Chapter 137 of the Laws of 1901), meanwhile requesting the Secretary of State to send a circular letter to each county board, advising that any existing ordinance upon the subject be modified by omitting the particular animals enumerated in the later measure. I now recommend that, in order to avoid the possibility of duplication of bounties in the future, Section 2039, Revised Statutes, and Chapter 137, Session Laws of 1901, be considered together, and that the former be so amended as to exclude the animals specially mentioned in the latter.

You will be interested in the reminder that in addition to the provisions above referred to, your immediate predecessors made an appropriation of $5,000, or so much thereof as might be necessary, for the purchase and distribution, by the Governor, of poison to be used in the destruction of ground squirrels, gophers and prairie dogs. The act providing for this appropriation is not continuous, and may not, therefore, need further consideration. You will share with me, however, the harassing suspicion that besides furnishing the poison with which to kill these pestiferous rodents, the state has perhaps been paying half the bounty on their scalps. We will agree, I take it, upon the general supposition that where the gopher comes to his end by means of state poison, the least he can do is to bequeath to the state, without further expense, his ears and tail.

RAILROADS.

Any attitude that might be truthfully construed as one of hostility to railroads is manifestly to be avoided at this time of costly betterment and extension of these highways in our state, to say nothing of the certain assurance of new roads connecting us in the near future with the east and the west. To the credit of our commonwealth it must be said that at no time have these great agencies in the development of commerce received other than friendly treatment from our people and their lawmakers. The benefits of this course have been mutual; and this record and reputation I feel it would be most unwise to impair by any present attempt at legislation interfering with their progress or prosperity. At the same time I cannot omit to remind you that a mandatory provision of our constitution is still uncomplied with. Section 15 of Article 12 provides that the Legislature shall pass laws establishing maximum rates of transportation, for the correction of abuses and the prevention of discrimination, etc., and shall enforce these laws by adequate penalties. This matter has been called to the attention of your predecessors, and is now repeated, in the belief that while your duty in the premises is plain and should not longer be neglected, it should, nevertheless, be approached in that spirit of conservatism and exact justice which has been characteristic of all our railroad legislation of the past.

BANKING.

The law of this state now provides that the office of any officer of a corporate bank, who borrows money in violation of the provisions of the banking law, shall thereupon become vacant, but provides no method for putting the provision into effect. The secretary of state, in his report, recommends that the office of the cashier loaning the funds of the bank to an officer in violation of the provisions of law, be also declared vacant, and that the secretary of state be authorized to declare such offices vacant and to convene the directors of the bank in special meeting for the purpose of filling such vacancies.

He also recommends that the act defining the duties of the state bank examiner be amended to make it the duty of the bank examiner to examine all corporate banks and building and loan associations, domestic or foreign, doing business within the state.

Also that the corporation law be amended to require all domestic and foreign corporations doing business within the state to file annual reports in his office showing the condition of such corporations.

Each of these recommendations meets with my approval, and I direct your attention to the reasons stated in the secretary's report for such recommendations.

CURFEW LAW.

Some years ago there was organized in the East what is known as the Boys' and Girls' National Curfew Association, with a view of ascertaining the origin and growth of crime among the youth of the country, and of studying the best and most effective methods for the suppression of such crime. A series of laws was drawn up and submitted for the consideration of State Legislatures; and at a recent meeting of the executive board of the association most flattering results were reported from the states where the proposed laws had been enacted and enforced. Among the proposed laws are two which are worthy of thought. One is to prevent the imprisoning of youth with old and hardened criminals in jails, station houses and reformatories; the other is what may be called the curfew law, for regulating the presence of youths on the streets of cities and towns after late hours of night. Impressed with the menace to the morals of our youth which exists in the temptations, pitfalls and associations they are liable to encounter if permitted to be on the streets at large and unattended in the late hours of the night, I submit, with approval, the subject for your consideration.

OUTLAWRY.

The appropriation of $5,000 made by your predecessors to be expended by the Governor in his discretion

to assist in the extermination of outlawry has only been drawn upon during the two years to the amount of $564.50, vouchers for which are on file with the auditor. It is believed there continues to be gratifying improvement in respect for law and order in the frontier counties, and that the fund provided has been beneficial in acting as a deterent to desperadoes and in keeping many of them outside our boundaries. Believing, however, that there should be no relaxation in the measure of our vigilance to enforce a decent respect for law and order throughout the entire state, I recommend a continuation of this emergency fund.

PARDONS, PAROLES AND COMMUTATIONS.

The report of the Board of Pardons, giving in detail the acts of clemency exercised by it during the two years, will be laid before you. There have been 37 pardons, 2 commutations of sentence and 12 paroles. The act of March 14, 1901, providing that in case of absence of members of the board, vacancies shall be filled by calling in district judges or the secretary of state before hearing any case, has not proven advantageous and should, in my judgment, be repealed.

THANKS TO MEMBERS OF STATE BOARDS.

Before the Legislature shall be again convened in regular session, the people of Utah will have made a new choice of officials whom they desire to invest with the responsibilities of state service. The present occasion, though perhaps in one sense premature, is, nevertheless, not inopportune for the expression of personal thanks, and for the suggestion that similar sentiments are becoming in you, to those of our fellow citizens who, without compensation, and sometimes to the inconvenience of private interests, have served the commonwealth with zealous intelligence and worthy public spirit, on various state boards and in other capacities. I count myself peculiarly fortunate in having made selections where this was my privilege and duty of men and women whose fitness and patriotism have lent dignity to the positions they were appointed to fill. In tendering

to them my gratitude for great assistance and consideration to myself, I feel also to remind you that the state has been the recipient of the benefit of their wide experience and their high disinterestedness; and we can appropriately join in an appreciative recognition of their freely-given and most valuable services.

CONCLUSION.

In conclusion I may say that while I have in the foregoing hinted at some of the matters which occur to me as deserving of your thought, you who come directly from the homes and associations of those who elected you are in the best position to understand their needs and desires. As representing the various localities making up our commonwealth, you are about to assume duties which I know you will seek to perform in no other spirit than with the motive of promoting the welfare of your constituents and of the state. If we shall be able to labor in harmony and calmness with the measure of intelligence which we possess, the work of the session will be well done. You will join me in the hope that we may prove ourselves in every way worthy the confidence of the sturdy, steadfast, honest people whose servants we are, and that our labor may be no less creditable to ourselves than acceptable to our fellow citizens and beneficial to posterity.

Senator Lawrence moved that the Governor be tendered a vote of thanks, his message spread upon the minutes of the Joint Session, and that two thousand copies and the accompanying documents in pamphlet form be printed for the use of the members and for distribution. Carried.

Upon motion of Senator Love, the Joint Session dissolved at 3:45 p. m.

THIRD DAY.

State of Utah, Senate Chamber,
January 14, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMITTEE REPORT.

Mr. President:—We, your committee, to whom was referred the matter of rules for the guidance of the deliberations of this body, beg leave to report that we have considered the matter, and we recommend that the rules of the last Senate be adopted without change, and that where they do not apply or are insufficient, that "Roberts' Rules of Order" be the work to decide any points that may arise.

Respectfully submitted,
H. S. LARSEN, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 1, by Larsen (H. S.), (by request), "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Near Public Work and Grading Camps of Railroads," was read the first time by its title and laid upon the table, to be referred to the appropriate committee, when appointed.

S. B. No. 2, by Mr. Johnson, "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah."

On motion of Mr. Johnson, 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.

Ayes, 18; noes, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

The following bills were then read the first time by their titles and laid upon the table, to be referred to the appropriate committees, when appointed:

S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners."

S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-Taxable While Title is in State. Improvements.'"

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards."

S. B. No. 6, by Mr. McKay (by request), "An Act to Enable Incorporated Cities and Towns to Supply Said Cities and Towns and Inhabitants Thereof with Pure and Wholesome Water, and for the Purchase or Condemnation of Water Systems, Plants, Property and Franchises for the Use of Cities and Towns."

On motion of Mr. Bennion the Senate adjourned at 2:30 p. m.

FOURTH DAY.

State of Utah, Senate Chamber,
January 15, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Jan. 14, 1903.

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. 2, "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah," and respectfully return the same for further consideration.

Respectfully,

H. L. CUMMINGS,
Chief Clerk.

House of Representatives,
Salt Lake City, Jan. 14, 1903.

Mr. President:

I am directed to inform your honorable body that the House has this day passed H. B. No. 1, by Mr. Austin, relating to the "Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah," which we hereby inclose,

Respectfully,

H. L. CUMMINGS,
Chief Clerk.

H. B. No. 1 was laid upon the table, to be referred to the appropriate committee, when appointed.

S. B. No. 2, by Mr. Johnson, was read by its title, signed by the President in open session, and transmitted to the House for the action of the Speaker.

MISCELLANEOUS.

On request of Mr. Bennion, Mr. Murdock was excused for the day.

On motion of Mr. Johnson Senate adjourned.

FIFTH DAY.

State of Utah, Senate Chamber,
January 16, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Mr. Gardner was excused for the day.

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

COMMUNICATION FROM HOUSE.

Mr. President:—I am directed to inform your honorable body that the House has this day instructed me to return herewith Senate Bill No. 2, by Mr. Johnson, entitled, "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah," duly signed by Mr. Speaker of the House in open session.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Act was transmitted to the Governor.

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

Agriculture and Irrigation.—McKay, chairman; Johnson, Larsen (C. P.), Larsen (H. S.), Barnes, Bennion, Murdock.

Apportionment.—Barber, chairman; Larsen (H. S.), Loose, Murdock, McKay.

Appropriations and Claims.—Lewis, chairman; Williams, Love, Larsen (C. P.), Whitmore, Bamberger, Bennion.

Banks and Banking.—Sherman, chairman; Lewis, Love, Bamberger, Whitmore.

Contingent Expenses.—Bennion, chairman; Gardner Johnson.

County and Municipal Corporations.—Larsen (C. P.), chairman; Loose, McKay, Love, Bamberger, Murdock, Whitmore.

Education.—Love, chairman; Johnson, Larsen (C. P.), McKay, Bamberger, Bennion, Barber.

Elections.—Bamberger, chairman; Barber, Gardner, Sherman, Lawrence.

Engrossed and Enrolled Bills.—Johnson, chairman; Love, Murdock.

Federal Relations.—Williams, chairman; Lawrence, Larsen (C. P.), Whitmore, Barber.

Fish and Game.—Love, chairman; McKay, Gardner, Larsen (H. S.), Murdock, Barber, Barnes.

Forests and Forestry.—Whitmore, chairman; Bennion, Barber, Larsen (H. S.), Larsen (C. P.)

Highways and Bridges.—Gardner, chairman; Lewis, McKay.

Judiciary.—Lawrence, chairman; Lewis, Love, Johnson, Bennion, Barnes, Murdock.

Labor.—Loose, chairman; Sherman, Lawrence, Bamberger, Murdock.

Livestock.—Barnes, chairman; Whitmore, Larsen (H. S.)

Manufactures and Commerce.—Love, chairman; Loose, Lawrence, Bamberger, Gardner.

Military Affairs.—Williams, chairman; Sherman, Lawrence, Barber, Whitmore.

Mines and Minerals.—Lewis, chairman; Loose, Sherman, Bamberger, Whitmore.

Private Corporations and Insurance.—Larsen, (H. S.), chairman; Lewis, Sherman, Whitmore, Barnes.

Public Health.—Murdock, chairman; Barnes, Bamberger, Williams, Loose.

Public Institutions.—Loose, chairman; Gardner, Williams, Larsen, (C. P.), Johnson, Bennion, Barnes.

Public Lands.—Larsen (H. S.), chairman; Larsen (C. P.), Williams, McKay, Barnes, Bennion, Barber.

Public Printing.—Lewis, chairman; Williams, Barber.

Railroads.—Sherman, chairman; Lewis, Loose, Johnson, Lawrence, Bennion, Bamberger.

Rules.—McKay, chairman; Williams, Barnes.

Salaries.—Johnson, chairman; Lawrence, Sherman, Whitmore, Bamberger.

State Affairs.—Larsen, (C. P.), chairman; Loose, Williams, Bennion, Barber.

Ways and Means.—Gardner, chairman; Williams, Larsen, (H. S.), Murdock, Barnes.

The following bills were then taken from the table and referred to the committees indicated:

S. B. No. 1, by Larsen (S. H.), (by request), "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Near Public Work and Grading Camps of Railroads," to Committee on Railroads.

S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners," to Committee on Public Lands.

S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-Taxable While Title is in State. Improvements.'" to Committee on Public Lands.

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards," to Committee on County and Municipal Corporations.

S. B. No. 6, by Mr. McKay (by request), "An Act to Enable Incorporated Cities and Towns to Supply Said Cities and Towns and Inhabitants Thereof with Pure and Wholesome Water, and for the Purchase or Condemnation of Water Systems, Plants, Property and Franchises for the Use of Cities and Towns," to Committee on County and Municipal Corporations.

PRESENTATION OF RESOLUTIONS.

S. C. R. No. 1, by Mr. Johnson,

"Be it resolved by the Senate and House of Representatives of the Legislature of Utah;

"That Whereas, it is necessary for the expedition of the business of the Legislature that the position of Messenger to the Governor be created.

Now, therefore, the said position is created for such times as this Legislature shall be in session, and the Executive is hereby empowered to appoint any suitable person to such position," was read the first time, and on motion of Mr. Johnson, the rules were suspended, the resolution read the second and third times, and passed with the olflowing vote:

Ayes, 17; noes, 0.

Absent and not voting, Mr. Gardner.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen, (C. P.), Larsen, (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

The resolution was transmitted to the House.

INTRODUCTION OF BILLS.

S. B. No. 7, by Larsen (H. S.), "An Act Creating Senatorial and Representative Districts in this State 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 the first time and referred to the Committee on Apportionment.

S. B. No. 8, by Mr. Lewis (by request), "An Act to Provide for the Amount of Powder or High Explosives That May Be Stored in a Mine at Any One Time," was read the first time and referred to the Committee on Mines and Minerals.

S. B. No. 9, by Mr. Lewis, "An Act Making an Appropriation for an Additional Building and Equipment to the Branch State Normal School at Cedar City, Utah," was read the first time and referred to the Committee on Appropriations and Claims.

S. B. No. 10, by Mr. Larsen, (C. P.), "An Act Amending Section 2039, Chapter 1, Title 59, of the Revised Statutes of Utah, 1898," was read the first time and referred to Committee on Judiciary.

S. B. No. 11, by Mr. Whitmore, "An Act to Prohibit the Payment of Mileage to Members of the Legislature and State Officials for Distance Traveled for Which Officials Use Passes or Other Transportation," was read the first time and referred to the Committee on Judiciary.

Mr. Larsen (H. S.), moved that when the Senate adjourn it be until Monday, Jan. 19, 1903.

On motion of Mr. Williams Senate adjourned.

EIGHTH DAY.

State of Utah, Senate Chamber,
January 19, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifth day's session were read and approved.

INTRODUCTION OF BILLS.

S. B. No. 12, by Mr. Larsen (C. P.), "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof," was read the first time and referred to Committee on Agriculture and Irrigation.

S. B. No. 13, by Love, (by request), "An Act to Provide for the Enlargement of the State Fish Hatchery, to Equip and Maintain the Same, and to Make an Appropriation Therefor," was read the first time and referred to the Committee on Fish and Game.

S. B. No. 14, by Barnes, "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 Violation of This Act," was read the first time and referred to Committee on Livestock.

HOUSE BILL.

H. B. No. 1, by Mr. Austin, "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah," was taken from the table and referred to Committee on Contingent Expenses.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Jan. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed under suspension of the rules, S. C. R. No. 1, authorizing the Governor to appoint a messenger for his use during this session of the Legislature.

The same is herewith transmitted for your signature.

Respectfully,
H. L. CUMMINGS,
Chief Clerk.

S. C. R. No. 1 was referred to Committee on Engrossed and Enrolled Bills.

REPORT STANDING COMMITTEES.

Judiciary Committee Room
January 19, 1903,

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 10, "An Act Amending Section 2039, Chapter 59, of the Revised Statutes of Utah, 1898," respectfully report that they have had same under consideration, and recommend that the act be passed.

GEO. N. LAWRENCE,
Chairman.

Report adopted.

On motion of Mr. Lawrence Senate adjourned.

NINTH DAY.

State of Utah, Senate Chamber,
January 20, 1903.

The senate met at 2 p. m., pursuant to adjournment, President Allison presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the eighth day's session were read and approved.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City,
January 16, 1903.

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. 2, entitled:

"An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah."

Very respectfully,
HEBER M. WELLS, Governor.

Filed for reference.

COMMUNICATION FROM SECRETARY OF STATE.

To the Senate:

I enclose herewith a certified copy of a Joint Resolution passed by the General Assembly of the State of Tennessee, in relation to an amendment to the Constitution which will provide for the election of United States Senators by popular vote. This resolution was received March 5th, 1902, from the Secretary of State

of Tennessee, with a request that the same be transmitted to your Honorable Body.

Very respectfully,

J. T. HAMMOND,
Secretary of State.

Referred with accompanying documents to Committee on Federal Relations.

To the Senate:

I enclose herewith a copy of a Concurrent Resolution (uncertified), passed by the Legislature of the State of Nebraska upon the subject of proposing an amendment to the Constitution of the United States, which will provide for the election of United States Senators by direct vote of the people. This resolution was received from the Secretary of State of Nebraska in February, 1902, with a request that the same be forwarded to your Honorable Body.

Very respectfully,

J. T. HAMMOND,
Secretary of State.

Referred with accompanying documents to Committee on Federal Relations.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City,
January 19, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, H. J. Resolution No. 4, designating the second Tuesday after the meeting and organization of the State Legislature, viz.: January 20, 1903, on which day each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from this State.

The same is herewith transmitted for consideration by your Honorable Body,

Respectfully,

H. L. CUMMINGS,
Chief Clerk.

By unanimous consent the communication was ordered to lie upon the table.

REPORTS OF STANDING COMMITTEES.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Concurrent Resolution No. 1, creating the office of messenger to the Governor, by Mr. Johnson, hereby report that the same has been correctly engrossed and is now ready for your signature. JOHNSON, Chairman.

S. C. R. No. 1 was read by its title, signed by the President in open session, and transmitted to the House for the action of the Speaker.

Mr. President:—We, your Committee on Public Lands, to whom was referred Senate Bill No. 4, by Mr. Whitmore, entitled, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898," entitled, "Land Non-taxable While Title is in State. Improvements,"

Beg leave to report that we have examined the same, and that we recommend that the bill be now passed. H. S. LARSEN, Chairman.

Report adopted.

Mr. President:—We, your Committee on Public Lands, to whom was referred Senate Bill No. 3, by Mr. Whitmore, entitled, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners," beg leave to report that we have amended the same on the eighth line by adding after the word "deeds," the words "or receipt for final payment," and we recommend that the bill as amended be passed.

H. S. LARSEN, Chairman.

Report adopted.

Mr. President:—We, your Committee on Contingent Expenses, to whom was referred House Bill No. 1, beg leave to report that we have considered the same, and that we recommend that the same do not pass, as the same matter is covered by Senate Bill No. 2, by Mr. Johnson. BENNION, Chairman.

Report adopted.

S. J. R. No. 2, by Mr. Johnson:

"Whereas, The Louisiana Purchase Exposition will be held at St. Louis, Mo., in 1904, in commemoration of the purchase of the Louisiana Territory, an event in the history of the United States which has helped to make this country the leading nation of the world;

"Therefore, be it resolved, That the sum of $50,000 (fifty thousand dollars) is hereby appropriated for the purpose of having the industry and the natural resources of Utah creditably represented at the said Exposition, which will be an international affair; be it further

"Resolved, That the Governor of this State is hereby empowered to appoint a commission consisting of three persons to carry into effect the purposes of this resolution."

Under the rules the resolution went to the table.

INTRODUCTION OF BILLS.

S. B. No. 15, by Mr. Johnson, "An Act Fixing the Salaries of Justices of the Supreme Court and Providing the Payment Thereof," was read the first time and referred to the Committee on Salaries.

BALLOT FOR UNITED STATES SENATOR.

On motion of Mr. Lawrence, the Senate then proceeded to ballot for United States Senator.

The roll being called, the vote stood:

For Mr. Reed Smoot, 10 votes.

For Mr. Joseph L. Rawlins, 6 votes.

For Mr. Heber M. Wells, 2 votes.

Those voting for Mr. Reed Smoot were:

Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Williams, Mr. President.

Those voting for Mr. Joseph L. Rawlins were:

Bamberger, Barber, Barnes, Bennion, Murdock, Whitmore.

Those voting for Mr. Heber M. Wells were: Lawrence, Sherman.

READING BILLS SECOND TIME.

S. B. No. 10, by Mr. Larsen (C. P.), "An Act Amending Section 2039, Chapter 1, Title 59, of the Revised Statutes of Utah, 1898," was read the second time.

Mr. Johnson moved that the rules be suspended and that when the Senate adjourn, it be until 11:30 a. m., January 21, 1903. Carried.

On motion of Mr. Whitmore, Senate adjourned.

TENTH DAY.

State of Utah, Senate Chamber,
January 21, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the ninth day were read, corrected and approved.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City,
January 20, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day, in open session, duly signed S. C. R. No. 1, authorizing His Excellency the Governor to employ a messenger during the present session of the Legislature, and the same is herewith transmitted for your further action.

Respectfully,

H. L. CUMMINGS,
Chief Clerk.

REPORT OF STANDING COMMITTEES.

Mr. President:—We, your committee on contingent expenses, beg leave to report that we have expended funds as follows:

For postage stamps	$60 00
For pen knives	22 50
For incidentals	2 50
Total	$85 00

BENNION, Chairman.

Report adopted and filed.

PRESENTATION OF RESOLUTIONS.

S. J. M. No. 1, by Mr. Barnes, "Memorializing Congress to Compel the Southern Pacific Railroad Company to Place Suitable Draw-Bridges Along its Proposed Line Across the Great Salt Lake."

Under the rules the memorial went to the table.

On motion of Mr. Love, the Senate took a recess for the purpose of meeting the House in joint session, in compliance with the law relating to the election of United States Senators.

JOINT SESSION.

House of Representatives,
January 21, 1903.

At 12 o'clock, noon, the Senate and House of Representatives of the Fifth session of the Legislature of the State of Utah met in joint assembly, President Allison presiding.

Roll-call; quorum present.

Prayer by the Chaplain of the Senate.

The journals of the Senate and House of Representatives of the ninth day, relating to the election of a

United States Senator, were read, and it appearing therefrom that Mr. Reed Smoot had received a majority of all votes in both houses for United States Senator, he was declared elected.

Representative Nash moved that a committee of two Senators and two Representatives be appointed to wait upon the Governor and the Chief Justice of the Supreme Court, and that they, together, present Mr. Reed Smoot to the joint assembly.

Carried.

Senators Love and Loose and Representatives Nash and Done were appointed as such committee.

Upon the arrival of Mr. Smoot, accompanied by the committee of notification, the President of the Senate presented him with the following certificate of election:

State of Utah,
Legislative Department,
Salt Lake City,
January 21, 1903.

Be it known, and this is to certify, that at twelve o'clock meridian of the 21st day of January, A. D., 1903, it being the day following that on which proceedings took place by which Reed Smoot of Provo City, Utah, was named by each house for Senator in the Congress of the United States from the State of Utah, as provided by the laws of Congress, the members of the Senate and House of Representatives met at Salt Lake City, the capital of said State, a quorum of each house being present, and thereupon the journal of each of said houses was produced and was read, and it appearing from an inspection of said journals that the said Reed Smoot had on the 20th day of January, 1903, received a majority of all the votes in each house for Senator as aforesaid, he was then and there declared duly elected Senator in the Congress of the United States from the State of Utah for the term of six years from March 4, A. D., 1903.

In witness whereof the President of the Senate, the presiding officer of the said joint assembly, and the Secretary of the Senate, the clerk thereof, and the Speaker of the House and the Chief Clerk of the House have

hereunto set their hands this 21st day of January, A. D., 1903, at Salt Lake City, the capital, in the presence of said joint assembly.

E. M. ALLISON, JR.,
President of the Senate.
THOMAS HULL,
Speaker of the House.
A. W. JENSEN,
Secretary of the Senate.
H. L. CUMMINGS,
Chief Clerk of the House.

Mr. Smoot then addressed the joint assembly.

Governor Wells and Judge Baskin were introduced and addressed the joint assembly.

On motion of Senator Bennion, the joint assembly, at 12:40 p. m., dissolved.

SENATE SESSION.

At 12:50 p. m. the Senate resumed session.

INTRODUCTION OF BILLS.

S. B. No. 16, by Mr. Barnes, "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. 17, by Mr. Love, "An Act to Codify and Revise Certain Laws of the State Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or that Are Impure, Unwholesome, Adulterated or Misbranded; to Provide Penalties for the Violation of Any Provision of This Act, and to Repeal Sections 2446 to 2450, Both Inclusive, Sections 729 to 746, Both Inclusive, Sections 4283 to 4290, Both Inclusive, and Chapters 34 and 48, Laws of

Utah, 1899," was read the first time and referred to Committee on Manufactures and Commerce.

S. B. No. 18, by Mr. Lewis, "An Act Making an Appropriation to the Experimental Farm in Washington County, Utah," was read the first time and referred to the Committee on Appropriations and Claims.

S. B. No. 19, by Mr. Sherman, "An Act to Prevent and Punish the Desecration of the Flag of the United States," was read the first time and referred to the Committee on Military Affairs.

S. B. No. 20, by Mr. Whitmore, "An Act to Repeal Chapter 56, Laws of Utah, 1899, Entitled, 'An Act Creating the Office of District Attorney and Defining the Duties and Powers Thereof, Fixing Their Salaries, and to Amend Sections 2061, 633, 2449, 4692, 4693, of the Revised Statutes of Utah, 1898,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 21, by Mr. Whitmore, "An Act to Repeal Chapter 6, Laws of Utah, 1901, Entitled, '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,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 22, by Mr. Whitmore, "An Act to Repeal Chapter 7, Laws of Utah, 1901, 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,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 23, by Mr. Whitmore, "An Act to Repeal Chapter 69, Laws of Utah, 1901, Entitled, 'An Act Defining the Powers and Duties of District Attorneys, and Providing for Clerks in Certain Judicial Districts,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 24, by Mr. Whitmore, "An Act to Repeal Chapter 8, Laws of Utah, 1901, Entitled, 'An Act to Amend Section 4989 of the Revised Statutes of Utah, 1898, Relating to Notice of Application for Bail,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 25, by Mr. Whitmore, "An Act to Repeal Chapter 9, Laws of Utah, 1901, 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,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 26, by Mr. Whitmore, "An Act to Repeal Chapter 10, Laws of Utah, 1901, Entitled, 'An Act to Amend Section 4909 of the Revised Statutes of Utah, 1898, Relating to the Application for Bench Warrant by the District Attorney and the Issuance Thereof by the Clerk of the Court,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 27, by Mr. Whitmore, "An Act to Repeal Chapter 13, Laws of Utah, 1901, Entitled, 'An Act to Amend Section 5031 of the Revised Statutes of Utah, 1898, Relating to the Conditional Examination of Witnesses,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 28, by Mr. Whitmore, "An Act to Repeal Chapter 12, Laws of Utah, 1901, 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,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 29, by Mr. Whitmore, "An Act to Repeal Chapter 28, Laws of Utah, 1901, Entitled, 'An Act to Amend Sections 4606, 4692, 4693, 4731, and 4771, of the Revised Statutes of Utah, 1898, and Defining an Information, Defining Certain Duties of District Attorneys, Prescribing the Form of an Information or Indictment, and Designating the Grounds Upon Which an Information Must be Set Aside,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 30, by Mr. Whitmore, "An Act to Repeal Chapter 42, Laws of Utah, 1901, Entitled, 'An Act to Amend Section 633 and to Repeal Section 4879 of the Revised Statutes of Utah, 1898, Defining the Duties of County Attorneys,'" was read the first time and referred to the Committee on Judiciary.

COMMUNICATION FROM GOVERNOR.

State of Utah,
Executive Office,
Salt Lake City,
January 20, 1903.

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:

1901.

June 1st, Abraham F. Doremus, of Salt Lake City, to be State Engineer; appointed under authority of an act of the Legislature approved March 25th, 1901.

June 1st, John Sharp, of Salt Lake City, to be State Fish and Game Commissioner, to fill a vacancy occasioned by the expiration of his previous term of office.

June 1st, Charles DeMoisy, of Provo, to be Commissioner of the Bureau of Statistics; appointed under authority of an act of the Legislature approved March 14th, 1901.

June 1st, Walter J. Beatie, of Salt Lake City, to be State Bank Examiner, to fill the vacancy occasioned by the resignation of Robert R. Anderson.

1902.

April 3rd, W. W. Cook, of Frisco, to be a member of the State Board of Pharmacy, to fill a vacancy occasioned by the resignation of G. A. Fennemore.

April 12th, William Allison, of Ogden, to be a member of the State Board of Education, to fill a vacancy occasioned by the resignation of Frank B. Cooper.

May 20th, Anthon H. Lund, of Salt Lake City, to be a regent of the University of Utah, to fill a vacancy occasioned by the resignation of Thomas R. Cutler.

June 3rd, Mrs. Edna W. Sloan, of Salt Lake City, to be a member of the governing board of the Utah Art Institute, to fill a vacancy occasioned by the resignation of Mrs. Elizabeth C. McCune.

1903.

Jan. 3rd, John F. Chidester, of Panguitch, to be Judge of the Sixth Judicial District, to fill a vacancy occasioned by the resignation of Hon. William M. McCarty.

Jan. 3rd, Joseph H. Erickson, of Richfield, to be District Attorney of the Sixth Judicial District, to fill a vacancy occasioned by the resignation of John F. Chidester.

To supervise the expenditure of State moneys appropriated by an act of the Legislature for improvement of highways and bridges, approved March 26th, 1901:

1901.

Oct. 7th, Peter McKinnon, Rich County.
Oct. 29th, Freeborn D. Gifford, Washington County.
Oct. 29th, O. D. Allen, Uintah County.
Nov. 12th, E. H. Sparks, Juab County.
Nov. 16th, Daniel Heiner, Morgan County.
Nov. 22nd, William G. Wilson, Weber County.
Nov. 22nd, John H. Pace, Carbon County.
Nov. 22nd, L. P. Johnson, Box Elder County.
Nov. 22nd, Joseph T. Mabey, Davis County.
Nov. 22nd, James A. Lau, Beaver County.
Nov. 22nd, George R. Hill, Utah County.
Nov. 25th, John F. Brown, Kane County.
Nov. 25th, J. C. Knowles, Cache County.
Nov. 26th, Fred L. Clegg, Wasatch County.
Nov. 26th, John B. Gordon, Tooele County.
Dec. 2nd, Gilbert R. Beebe, Piute County.

Dec. 2nd, David Dunsire, Garfield County.
Dec. 2nd, C. A. Grundy, Wayne County.
Dec. 3rd, Joseph H. Christensen, Sevier County.
Dec. 6th, Alfred Dahl, Sanpete County.
Dec. 16th, Lester Taylor, Grand County.

1902.

Jan. 14th, F. J. Jones, San Juan County.
Jan. 14th, J. F. Holbrook, Millard County.
Feb. 17th, Albert Nelson, Iron County.
Feb. 24th, J. H. McCormick, Summit County.
April 12th, Alonzo Brinkerhoff, Emery County.
May 10th, Andrew Nelson, Salt Lake County.

Very respectfully,

HEBER M. WELLS,
Governor.

READING SENATE BILLS THIRD TIME.

S. B. No. 10, by Mr. Larsen (C. P.), "An Act Amending Section 2039, Chapter 1, Title 59, of the Revised Statutes of Utah, 1898," was read the third time and passed by the following vote:

Ayes, 15; nays, 2; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Gardner, McKay.

Absent and not voting, Murdock.

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

READING SENATE BILLS SECOND TIME.

S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-taxable While Title is in State. Improvements,'" was read the second time.

S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners," was read the second time.

RESOLUTIONS.

S. J. R. No. 2, by Mr. Johnson, was taken from the table and referred to the Committee on Manufactures and Commerce.

H. J. R. No. 4, by Colton, "A Resolution Regarding the Election of a United States Senator," was taken from the table.

Mr. Bennion moved that it do not pass and that it be returned to the House. Carried.

On motion of Mr. Johnson, Senate adjourned.

ELEVENTH DAY.

State of Utah, Senate Chamber,
January 22, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM ARIZONA LEGISLATURE

The following telegraphic communication was received:

Phoenix, Ariz., Jan. 21, 1903.

The President of Senate, Salt Lake City, Utah:

The Twenty-second Legislative Assembly of the Territory of Arizona sends greeting to the Legislature of the State of Utah, and respectfully prays that your honorable body request its representatives in the Senate of the United States to favor the passage of the Omnibus Statehood bill. J. C. EVANS,
Chief Clerk.

Referred to Committee on Federal Relations.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 21, 1903.

To the Senate:

I have the honor to acknowledge receipt of Senate Concurrent Resolution No. 1, authorizing the Governor, for the expedition of the business of the Legislature, to appoint a massenger, and to thank you for the courtesy. I beg to advise you that I have appointed Mr. Raphael Cottrell. Very Respectfully,

HEBER M. WELLS, Governor.

Placed on file.

REPORT OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Jan. 22, 1903.

To the President:

Your committee to whom was referred S. B. No. 11, "An Act to Prohibit the Payment of Mileage to Members of the Legislature and State Officials for Distances Traveled for Which Officials Use Passes," respectfully report that they have had the same under consideration, and offer these amendments, to-wit: After the word "other," in the third line of the title of the bill, insert the word "free," and after the word "Utah," in the first line of Section 1, insert the following, "or members of the Legislature," and recommend that the act as amended be passed. LAWRENCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 31, by Mr. McKay, "An Act Extending the Time Limit for the Expenditure of Appropriation for General Maintenance of the School for the Deaf and Dumb and Blind, Made in Section 1, of Chapter 135, of the Laws of 1901," was read the first time and referred to the Committee on Appropriations and Claims.

S. B. No. 32, by Mr. Larsen (C. P.), "An Act Estab-

lishing an Experiment Farm in Sanpete County, Utah," was read the first time and referred to the Committee on Public Institutions.

S. B. No. 33, by Mr. Larsen (C. P.), (by request), "An Act Providing for the Inspection of Metalliferous Mines," was read the first time and referred to the Committee on Mines and Minerals.

S. B. No. 34, by Mr. Lewis, "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Payment of Messengers Delivering Election Returns," was read the first time and referred to the Committee on Judiciary.

S. B. No. 35, by Mr. Bamberger, "An Act Amending Section 666a of Chapter 34, Session Laws, 1901, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salaries Thereof," was read the first time and referred to the Committee on Salaries.

S. B. No. 36, by Mr. Bamberger, "An Act Fixing the Salaries of Judges of the District Court," was read the first time and referred to the Committee on Salaries.

S. B. No. 37, by Mr. Lawrence (by request), "An Act Authorizing and Directing the Transfer of Articles of Association of Railroad Corporations from the Office of the State Auditor to the Office of the Secretary of State," was read the first time and referred to the Committee on Judiciary.

READING SENATE BILLS THIRD TIME.

S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-taxable While Title is in State. Improvements,'" was read the third time and passed by the following vote:

Ayes, 17; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Barnes.

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

S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land 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: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Barnes.

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

MEMORIAL.

S. J. M. No. 1, by Mr. Barnes, "Memorializing Congress to Compel the Southern Pacific Railroad Company to Place Suitable Draw-Bridges Along its Proposed Line Across the Great Salt Lake," was taken from the table, read the first time, and referred to the Committee on Railroads.

Mr. Barnes was excused for the day.

On motion of Mr. Love, Senate adjourned at 2:40 p. m.

TWELFTH DAY.

State of Utah, Senate Chamber,
January 23, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM OGDEN CITY COUNCIL.

"Ogden, Utah, January 20, 1903.

"To the Honorable President of the Senate, State of Utah:

"Dear Sir:—I have the honor to submit to you the following resolution, passed by the City Council of Ogden City, January 12, 1903:

" 'Whereas, The pressing need of cities and towns of this State is the use of pure and wholesome water at moderate and reasonable expense; and

' "Whereas, We believe it necessary and advisable, in order to accomplish this end, that the water system and water supply should be owned and controlled by the city; therefore, be it

"Resolved, That the Legislature of the State of Utah, now in session, be requested to enact a law giving authority to this city to condemn or purchase the waterworks system, for the use of the city and its inhabitants, and that a copy of this resolution be transmitted to the Speaker of the House and President of the Senate, with a request that the same be sent to each house.

" 'WILLIAM DRIVER,
" 'President of Council.
" 'WILLIAM GLASMANN,
" 'Mayor.'

"Attested by W. J. Critchlow, City Recorder.
"Submitted by W. J. Critchlow."

Referred to Committee on Private Corporations and Insurance.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Jan. 22, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Bill No. 3, by Mr. Barrett, "An Act to Provide for the

Amount of Powder or High Explosives that May be Stored in a Mine at Any One Time," as amended, and the same is herewith transmitted for your action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 3, by Mr. Barrett, was read the first time and referred to the Committee on Mines and Minerals.

House of Representatives,
Salt Lake City, Jan. 22, 1903.

Mr. President:—I am directed to inform your honorable body that the house has this day passed House Bill No. 4, by Mr. Chipman, "An Act Amending Section 1005 of the Revised Statutes of Utah, 1898, Relating to Officers not Entitled to Fees," and the same is herewith submitted to your honorable body for your action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 4, by Mr. Chipman, was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 22, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, House Joint Resolution No. 5, by Mr. Condon, "A Resolution Thanking the National Irrigation Congress for its Sympathy, Encouragement, and Support of the Eleventh Irrigation Congress to be Held in Ogden City, Utah, 1903," and the same is herewith transmitted for your action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 5, by Mr. Condon, was read the first time and referred to the Committee on Agriculture and Irrigation.

INTRODUCTION OF BILLS.

S. B. No. 38, by Mr. Barnes, "An Act to Compel Certain Smelting Companies to Equip Their Works with Noxious Fume Consumers," was read the first time and referred to the Committee on Mines and Minerals.

S. B. No. 39, by Mr. Johnson, "An Act Making County Sheriffs Livestock Inspectors, and Defining Their Duties, and Regulating the Inspection and Shipment of Livestock," was read the first time and referred to the Committee on Livestock.

S. B. No. 40, by Mr. Bamberger, "An Act Prohibiting the Giving or Accepting of Victuals or Board as Part Consideration for Services Performed in Underground Workings," was read the first time and referred to the Committee on Mines and Minerals.

S. B. No. 41, by Mr. Williams, "An Act Fixing Nine House as a Day's Work for Motormen and Conductors Operating Cars Upon the Street Railways of This State, and Prescribing a Penalty for the Violation Thereof," was read the first time and referred to the Committee on Private Corporations and Insurance.

S. B. No. 42, 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 of 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 Public Printing.

S. B. No. 43, by Mr. Gardner, "An Act Requiring Railroad Companies to Maintain Fences and Cattle Guards, and to Repeal Chapter 86, Sections 1, 2 and 3, of the Session Laws of Utah, 1901," was read the first time and referred to the Committee on Railroads.

S. B. No. 44, by Mr. Gardner, "An Act Prescribing Rules of Negligence in Cases Where Livestock Are Killed or Injured by Railroad Companies," was read the first time and referred to the Committee on Railroads.

S. B. No. 45, by Mr. Gardner, "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.

READING SENATE BILL SECOND TIME.

S. B. No. 11, by Mr. Whitmore, "An Act to Prohibit the Payment of Mileage to Members of the Legislature and State Officials for Distance Traveled for Which Officials Use Passes or Other Free Transportation," was read the second time.

MEMORIAL.

S. J. M. No. 2, by Mr. Johnson, "Memorializing Congress to Pass the 'Omnibus' Statehood Bill, Admitting Arizona, New Mexico, and Oklahoma as States in the Union," was read the first time, and, under suspension of the rules, referred to the Committee on Federal Relations.

Mr. Larsen (C. P.) moved that when the Senate adjourn, it be until Monday, Jan. 26. Carried.

On motion of Mr. Johnson, Senate adjourned at 2:40 p. m.

FIFTEENTH DAY.

State of Utah, Senate Chamber,
January 26, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the twelfth day's session were read and approved.

PETITION.

S. P. No. 6, by Mr. Barnes (by request), asking for relief from the danger of explosion of powder and other

explosives stored near the county road northeast of the Hot Springs, in Section 14, Township 1 North, Range 1 West, signed by John S. White, Jr., and others, was read and referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

Committee Room, January 26.

Mr. President:—We, your Committee on Livestock, to whom was referred Senate Bill No. 14, by Mr. Barnes, entitled, "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 Violation of This Act," beg leave to report that they have considered the same, and they recommend that the act be passed. BARNES, Chairman.

Report adopted.

Committee Room, January 26.

Mr. President:—We, your Committee on Agriculture and Irrigation, to whom was referred Senate Bill No. 12, by Mr. C. P. Larsen, entitled, "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same, and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof," beg leave to report that they have considered the same and that they recommend that the act, with certain amendments, be passed. M'KAY, Chairman.

Report adopted.

Rooms of Senate Judiciary Committee,
January 26, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 37, "An Act Authorizing and Directing the Transfer of Articles of Railroad Corporations from the Office of the State Auditor to the

Office of the Secretary of State," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Jan. 23, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 13, by Mr. Hawley, entitled, "An Act to Amend Section 4361 of the Revised Statutes of Utah, Relating to the Penalty for Grand Larceny," and the same is hereby transmitted for action by your honorable body.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

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

House of Representatives,
Salt Lake City, Jan. 23, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day ordered that Senate Bill No. 10, by Mr. Larsen (C. P.), be returned to your honorable body, and that the same do not pass. The bill is herewith returned.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Mr. Lawrence moved that the President appoint a conference committee of three on S. B. No. 10, by Mr. Larsen (C. P.) Carried.

The President appointed Messrs. Lawrence, Larsen (C. P.) and Whitmore as such committee.

INTRODUCTION OF BILLS.

S. B. No. 46, by Mr. Barnes, "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. 47, by Mr. Lewis, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, to be Held in Portland, Oregon, in the Year 1905; to Define Its Duties, and Making an Appropriation Therefor," was read the first time and referred to the Committee on Manufactures and Commerce.

READING SENATE BILL THIRD TIME.

S. B. No. 11, by Mr. Whitmore, "An Act to Prohibit the Payment of Mileage to State Officials and Members of the Legislature for Distance Traveled for Which Such Officials or Members of the Legislature Use Passes or Other Free Transportation," was read the third time and passed by the following vote:

Ayes, 13; nays, 5.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

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

Those voting in the negative were: Gardner, Johnson, Larsen (C. P.), Loose, Murdock.

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

SIXTEENTH DAY.

State of Utah, Senate Chamber,
January 27, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed Mrs. Coulter, Messrs. Cahoon and Robison as a conference committee to act with a like committee appointed by your honorable body in relation to S. B. No. 10.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Committee Room, January 27.

Mr. President:—We, your Committee on Livestock, to whom was referred S. B. No. 39, entitled, "An Act Making County Sheriffs Livestock Inspectors and Defining Their Duties, and Regulating the Inspection and Shipment of Livestock," beg leave to report that they have considered the same, and they recommend that the act, with some amendments, be passed.

BARNES, Chairman.

Report adopted.

Committee Room, January 27.

Mr. President:—We, your Committee on Agriculture and Irrigation, to whom was referred House Joint Resolution No. 5, by Mr. Condon, referring to the Eleventh National Irrigation Congress, beg leave to report that they have considered the same, and they recommend that the resolution be passed.

M'KAY, Chairman.

Report adopted.

Committee Room, January 27.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 5, by Mr. Bamberger, entitled, "An Act to Provide for the Treatment and Cure of Habitual Drunkards," beg leave to report that we have considered and amended the same, and recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, January 27.

Mr. President:—We, your Committee on Salaries, to whom was referred S. B. No. 15, by Mr. Johnson, entitled, "An Act Fixing the Salaries of the Justices of the Supreme Court, and Providing for the Payment Thereof," and S. B. No. 36, by Mr. Bamberger, entitled, "An Act Fixing the Salaries of the Judges of the District Court," beg leave to submit S. B. No. 48 as a substitute for the above bills, and recommend the same be passed.

JOHNSON, Chairman.

Report adopted and S. B. No. 48, by the Committee on Salaries, was substituted for S. B. No. 15 and S. B. No. 36. S. B. No. 48 was read the first time.

Committee Room, January 27.

Mr. President:—We, your Committee on Federal Relations, to whom was referred S. J. M. No. 2, entitled, "Memorializing Congress to Pass the 'Omnibus Statehood Bill Admitting Arizona, New Mexico and Oklahoma as States in the Union," beg to report that we have considered the same and recommend its passage.

WILLIAMS, Chairman.

On motion of Mr. Bennion, all rules interfering therewith were suspended, the memorial was read the second and third times and passed by the following vote:

Ayes, 17; nays, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Voting in the negative, Mr. Sherman.

Committee Room, January 27.

Mr. President:—We, your Committee on Salaries, to whom was referred S. B. No. 35, by Mr. Bamberger, entitled, "An Act Amending Section 666a of Chapter 34, Session Laws of 1901, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," beg leave to return same to be passed as amended.

JOHNSON, Chairman.

Report adopted.

RESOLUTION.

S. R. No. 2, by Mr. Lewis, "A Resolution Providing for the Printing of the Senate Docket," was read the first time and under a suspension of the rules was referred to the Committee on Public Printing.

INTRODUCTION OF BILLS.

S. B. No. 49, by Mr. McKay, "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials," was read the first time and referred to the Committee on Salaries.

S. B. No. 50, by Mr. Johnson (by request), "An Act Providing for the Actual and Necessary Expenses of the District Judges, and the District Attorneys, Incurred in the Performance of Their Official Duties, and Repealing Chapter 103, Laws of Utah, 1901, Entitled, 'An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Providing for the Payment of Mileage of District Judges and District Attorneys,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 51, by Mr. Bamberger (by request), "An Act to Regulate the Practice of Osteopathy in the State of Utah, and Establishing a Board of Osteopathic Registration and Examination," was read the first time and referred to the Committee on Public Health.

S. B. No. 52, by Mr. Lawrence, "An Act Authorizing Administrators, Executors and Guardians to Lease Mining Claims and Give an Option to Purchase the Same," was read the first time and referred to the Committee on Judiciary.

S. B. No. 53, by Mr. Lawrence (by request), "An Act to Amend Section 2980 of the Revised Statutes of Utah," was read the first time and referred to the Committee on Judiciary.

READING SENATE BILLS SECOND TIME.

S. B. No. 12, by Mr. Larsen (C. P.), "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof," was read the second time.

On motion of Mr. Johnson, S. B. No. 12, by Mr. Barnes, was ordered reprinted, as amended by the Committee on Agriculture and Irrigation.

S. B. No. 14, 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 Circumstances They May be Killed, and Prescribing a Punishment for Killing Licensed Dogs, and to Provide Penalties for Violation of This Act," was read the second time.

S. B. No. 37, by Mr. Lawrence (by request), "An Act Authorizing and Directing the Transfer of Articles of Association of Railroad Corporations from the Office of the State Auditor to the Office of the Secretary of State," was read the second time, and by unanimous consent was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

SECOND READING OF RESOLUTION.

H. J. R. No. 5, by Mr. Condon, "A Resolution Thanking the National Irrigation Congress for Its Sympathy,

Encouragement, and Support of the Eleventh Irrigation Congress to be Held in Ogden City, Utah, 1903," was read the second time.

MISCELLANEOUS.

On motion of Mr. Lawrence the following telegraphic communication was sent to the Twenty-second Legislative Assembly of the Territory of Arizona:

Salt Lake City, Utah,
January 27, 1903.

The Twenty-second Legislative Assembly of the Territory of Arizona:

The State Senate of the Utah Legislature acknowledge greeting of the Twenty-second Legislative Session of Arizona, and, replying to same, will say that we have this day passed memorial endorsing the "Omnibus Statehood Bill," now before the United States Senate, and have requested our representatives in Congress to heartily urge its passage. A. W. JENSEN,
Secretary of the Senate.

On motion of Mr. Johnson, the Senate adjourned at 3 p. m.

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SEVENTEENTH DAY.

State of Utah, Senate Chamber,
January 28, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

READING OF PETITION.

S. P. No. 7, by Mr. Love, endorsing the work of the Education Committee of the Utah Federation of Woman's Clubs in regard to the establishment of the free kindergarten in the public schools, and asking for an appropriation for the Domestic Science building, signed by Ivy G. Corfman and other members of the Nineteenth Century Club, Provo, was read and referred to the Committee on Education.

REPORT OF STANDING COMMITTEES.

Committee Room, January 28, 1903.

Mr. President:—We, your Committee on Mines and Minerals, to whom was referred H. B. No. 3, by Mr. Barrett, entitled, "An Act to Provide for the Amount of Powder or High Explosives That May be Stored in a Mine at Any One Time," beg leave to report that we have considered this act, amended same, and now recommend it for passage. LEWIS, Chairman.

Report adopted.

Committee Room, January 28, 1903.

Mr. President:—We, your Committee on Mines and Minerals, to whom was referred S. B. No. 8, by Mr. Lewis (by request), entitled, "An Act to Provide for the Amount of High Explosives That May be Stored in a Mine at Any One Time," beg leave to report that we have had this act under consideration, and recommend that it be not passed, as the same ground is covered by H. B. No. 3, by Mr. Barrett. LEWIS, Chairman.

Report adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 4, "An Act Amending Section 1005 of the Revised Statutes of Utah, 1898, Relating to Officers Not Entitled to Witness Fees," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your committee to whom was referred H. B. No. 13, being "An Act to Amend Section 4361 of the Revised Statutes of Utah, Relating to the Penalty for Grand Larceny," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 20, being "An Act to repeal Chapter 56, Laws of Utah, 1899, entitled, 'An Act Creating the Office of District Attorney and Defining the Powers and Duties Thereof, Fixing Their Salaries, and to Amend Sections 2061, 633, 2449, 2692, 2693, of the Revised Statutes of Utah, 1898,'" respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 20, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 21, being "An Act to Repeal Chapter 6, Laws of Utah, 1901, entitled '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, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 21, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 22, being "An Act to Repeal Chapter 7, Laws of Utah, 1901, 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 the Session of the Grand Jury,'" respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 22, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 23, being "An Act to Repeal Chapter 69, Laws of Utah, 1901, Entitled, '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 not passed. LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 23, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 24, being "An Act to Repeal Chapter 8, Laws of Utah, 1901, Entitled, '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, and recommend that the act be not passed. LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 24, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 25, being "An Act to Repeal Chapter 9, Laws of Utah, 1901, 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 Reason for Such Dismissal to be Entered Upon the Minutes of the Court,'" respectfully report that they have considered the same, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 25, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 26, being "An Act to Repeal Chapter 10, Laws of Utah, 1901, 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,'" respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 26, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 27, being "An Act to Repeal Chapter 13, Laws of Utah, 1901, Entitled, '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 considered the same, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 27, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 28, being "An Act to Repeal Chapter 12, Laws of Utah, 1901, 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,'" respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 28, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 29, being "An Act to Repeal Chapter 28, Laws of Utah, 1901, Entitled, 'An Act to Amend Sections 4606, 4692, 4693, 4731, and 4771, of the Revised Statutes of Utah, 1898, and Defining an Information, Defining Certain Duties of District Attorneys, Prescribing the Form of an Information or Indictment, and Designating the Grounds Upon Which an Information Must be Set Aside,'" respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 29, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Senate Judiciary Committee Room,
January 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 30, being "An Act to Repeal Chapter 42, Laws of Utah, 1901, Entitled, 'An Act to Amend Section 633, and to Repeal Section 4879 of the Revised Statutes of Utah, 1898, Defining the Duties of County Attorney,'" respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on Judiciary, to whom was referred S. B. No. 30, respectfully report that they have had the same under consideration, and they dissent from the report of the majority of the committee, and recommend that the act be passed.

BARNES,
BENNION.

The report of the committee was adopted.

Committee Room, January 28, 1903.

Mr. President:—We, your committee on Mines and Minerals, to whom was referred S. B. No. 40, by Mr. Bamberger, entitled, 'An Act Prohibiting the Giving or Accepting Food, Lodging or Board as Part Consideration for Services Performed in Underground Workings," beg leave to report that we have considered this act, amended same, and now recommend it for passage.

LEWIS, Chairman.

Report adopted.

Committee Room, January 28, 1903.

Mr. President:—We, your Special Conference Committee, who were appointed to meet with a similar committee from the House to consider S. B. No. 10, by Mr. C. P. Larsen, "An Act Amending Section 2039, Chapter 1, Title 59, of the Revised Statutes of Utah, 1898," beg leave to report that they have met with a like commit-

tee from the House, and that it was decided by the joint committee to recommend that the House reconsider the vote by which such act was defeated in that body.

LAWRENCE, Chairman.

Report adopted and committee discharged.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
January 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 16, by Mr. Condon, Entitled, "An Act to Provide for the Expenses of the Executive Committee of the Eleventh National Irrigation Congress to be Held at Ogden, Utah, Sept. 8, 9, 10 and 11, 1903." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 17, by Mr. Condon, was read the first time and referred to the Committee on Appropriations and Claims.

House of Representatives,
January 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Bill No. 17, by Mr. Condon, entitled, "An Act Extending the Time Limit for the Expenditure of Appropriation for General Maintenance of the School for the Deaf and Dumb and the Blind, Made in Section 1, of Chapter 135, of the Laws of 1901," and the same is herewith transmitted for your action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 17, by Mr. Condon, was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, January 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 19, by Mr. Molyneux, entitled, "An Act to Amend Section 1855 of the Revised Statutes of Utah, Relating to a Convention for the Adoption of Text Books." The same is herewith transmitted to your honorable body for action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 19, by Mr. Molyneux, was read the first time and referred to the Committee on Education.

INTRODUCTION OF BILLS.

S. B. No. 54, by Mr. Lawrence (by request), "A Bill for an Act Amending Chapter 28 of the Session Laws of Utah, 1899, Authorizing Cities of 12,000 and More Inhabitants to Create a Police Department and a Fire Department, Maintain and Control the Same, and Transferring the Property of the Present Police and Fire Departments in Said Cities Over to the Mayor and City Council of Said Cities, Respectively, and Repealing All Acts and Parts of Acts in Conflict Herewith, and Especially Section 2482 of the Revised Statutes of Utah, 1898, in so far as the Same May be in Conflict Herewith, and Chapter 73, Laws of Utah, 1896, Entitled, 'An Act Providing for the Appointment and Duties of the Board of Police and Fire Commissioners in Cities of 12,000 and More Inhabitants, and to Place the Police and Fire Departments of Said Cities Upon a Non-Partisan Basis, and Defining the Duties of Officers and Members of Said Departments,' and Abolishing All Offices Created Under Said Act," was read the first time and referred to the Committee on Judiciary.

S. B. No. 55, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 511 of the Revised Statutes of Utah, 1898, in Relation to the General Powers of the Board of County Commissioners, and Fixing Specifically Their Powers and Duties to the Indigent Sick

and Otherwise Dependent Poor," was read the first time and referred to the Committee on Judiciary.

S. B. No. 56, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in Relation to the Time of Fixing the Rate of City Taxes and the Certificate Thereof to the County Auditor," was read the first time and referred to the Committee on Judiciary.

S. B. No. 57, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 195 of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class," was read the first time and referred to the Committee on Judiciary.

S. B. No. 58, by Mr. Lawrence (by request), "A Bill for an Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities and Towns," was read the first time and referred to the Committee on Judiciary.

S. B. No. 59, by Mr. Lawrence (by request), "A Bill for an Act to Amend Section 2881 of the Revised Statutes of Utah, 1898, in Relation to Time of Commencement of Actions Against a County on Rejected Claims by Including Within Said Limitation Incorporated Cities and Towns as Well as Counties," was read the first time and referred to the Committee on Judiciary.

READING SENATE BILLS THIRD TIME.

S. B. No. 12, by Mr. Larsen (C. P.), "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof," was read the third time and passed by the following vote:

Ayes, 15; noes, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore.

Voting in the negative, Mr. President.

Absent and not voting, Loose, Williams.

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

S. B. No. 14, by Mr. Barnes, "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 Violation of This Act," was read the third time and, on motion of Mr. Love, the enacting clause was stricken out by a vote of 8 to 7.

SECOND READING OF SENATE BILLS.

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards," was read the second time.

S. B. No. 35, by Mr. Bamberger, "An Act Amending Section 666 of Chapter 34, Session Laws, 1901, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salaries Thereof," was read the second time.

S. B. No. 39, by Mr. Johnson, "An Act Making County Sheriffs Livestock Inspectors, and Defining Their Duties, and Regulating the Inspection and Shipment of Livestock," was read the second time.

S. B. No. 48, substitute for S. B. No. 15 and S. B. No. 36, "An Act Fixing the Salaries of the Justices of the Supreme Court and Judges of the District Court," was read the second time.

THIRD READING HOUSE JOINT RESOLUTION.

H. J. R. No. 5, by Mr. Condon, "A Resolution Thanking the National Irrigation Congress for Its Sympathy, Encouragement and Support of the Eleventh Irrigation Congress to be Held in Ogden City, Utah, 1903," was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lar-

sen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting, Bamberger, Loose, Williams.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, January 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, Senate Joint Memorial No. 2, by Mr. Johnson, "Memorializing Congress to Pass the 'Omnibus' Statehood Bill Admitting Arizona, New Mexico and Oklahoma as States in the Union." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

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

House of Representatives.
Salt Lake City, January 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Bill No. 26, by Mr. Brink, entitled, "An Act to Amend Section 4470 of the Revised Statutes of Utah, 1898, Relating to Obtaining Food, etc., Under False Pretenses." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 26, by Mr. Brink, was read the first time and referred to the Committee on Judiciary.

House of Representatives.
Salt Lake City, January 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected Senate Bill No. 11, by Mr. Whitmore, entitled, "An Act to Pro-

hibit the Payment of Mileage to State Officials, or Members of the Legislature, for Distances Traveled for Which Such Officials Use Passes or Other Free Transportation," and the same is herewith returned to your honorable body.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

Mr. Williams was excused for the day.

On motion of Mr. Lawrence, Senate adjourned at 4:10 p. m.

EIGHTEENTH DAY.

State of Utah, Senate Chamber,
January 29, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

REPORTS OF STANDING COMMITTEES.

Committee Room, January 29, 1903.

Mr. President:—We, your Committee on Education, to whom was referred House Bill No. 19, by Mr. Molyneux, "An Act to Amend Section 1855 of the Revised Statutes of Utah, Relating to a Convention for the Adoption of Text Books," beg leave to report that we have considered the same and have substituted therefor S. B. No. 61, and we recommend that this amended act be passed. LOVE, Chairman.

Report adopted.

Committee Room, January 29, 1903.

Mr. President:—We, your Committee on Education, to whom was referred H. B. No. 17, by Mr. Condon (by

request), "An Act Extending the Time Limit for the Expenditure of Appropriation for General Maintenance of the School for the Deaf and Dumb and the Blind, Made in Section 1, of Chapter 135, of the Laws of 1901," beg leave to report that they have considered the same and that they recommend that the act with amendments be passed. LOVE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 60, by Mr. Gardner, "An Act Establishing Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry and Arid or Non-irrigated Lands in the State of Utah," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 61, substitute for H. B. No. 19, by the Senate Committee on Education, "An Act to Amend Sections 1855 and 1858, of the Revised Statutes of Utah, 1898, Relating to a Convention for the Adoption of Text Books," was read the first time and placed on file for second reading.

S. B. No. 62, by Mr. Barnes, "An Act Requiring Certain Mining Companies to File With the Secretary of State a Semi-Annual Financial Statement," was read the first time and referred to the Committee on Mines and Minerals.

S. B. No. 63, by Mr. Lawrence (by request), "An Act Making it Unlawful to Injure, Obstruct or Destroy Any Line Erected or Constructed for the Transmission of Electrical Current, or Appurtenances or Appliances Connected Therewith; or to Remove, Injure or Destroy Any House, Shop, Building or Other Structure or Machinery Connected Therewith; or to Set Any Fire That Shall Result in Such Injury or Destruction; or to Prevent the Removal of Any Obstruction to Such Lines, and Prescribing Punishment Therefor," was read the first time and referred to the Committee on Judiciary.

S. B. No. 64, by Mr. Loose (by request), "An Act to Amend Section 511, of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of

County Commissioners," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 65, by Mr. Barber, "An Act to Amend Section 887, of the Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections and the Terms of Municipal Officers," was read the first time and referred to the Committee on County and Municipal Corporations.

READING SENATE BILLS THIRD TIME.

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards," was read the third time and made the special order for Monday, February 2, at 3 o'clock.

S. B. No. 35, by Mr. Bamberger, "An Act Amending Section 666a of Chapter 34, Session Laws, 1901, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," 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: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative, Bamberger.

Absent and not voting, Loose.

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

S. B. No. 39, by Mr. Johnson, "An Act Making County Sheriffs Livestock Inspectors, and Defining Their Duties, and Regulating the Inspection and Shipment of Livestock," was read the third time and made the special order for Tuesday, February 3, at 3 o'clock.

S. B. No. 48, substitute for S. B. No. 15 and S. B. No. 36, "An Act Fixing the Salaries of the Justices of the Supreme Court and Judges of the District Court," was read the third time and passed by the following vote:

Ayes, 11; nays, 6.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Gardner, Johnson, Larsen (H. S.), Lawrence, Love, McKay, Sherman, Williams, Mr. President.

Those voting in the negative were: Barnes, Bennion, Larsen (C. P.), Lewis, Murdock, Whitmore.

Absent and not voting, Loose.

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

HOUSE BILL.

H. B. No. 17, by Condon (by request), "An Act Extending the Time Limit for the Expenditure of Appropriations for Maintenance and Supplies for State Institutions, Made in Section 1, of Chapter 135, of of the Laws of 1901," was by unanimous consent read the second time and the rules were suspended and the bill read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Gardner, Loose.

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

READING SENATE BILL SECOND TIME.

S. B. No. 40, by Mr. Bamberger, "An Act Prohibiting the Giving or Accepting of Victuals or Board as Part Consideration for Services Performed in Underground Workings," was read the second time.

READING HOUSE BILLS SECOND TIME.

H. B. No. 3, by W. H. Barrett, "An Act to Provide for the Amount of Powder or High Explosives that May be Stored in a Mine at Any One Time," was read the second time.

H. B. No. 4, by Chipman, entitled, "An Act Amending Section 1005 of the Revised Statutes of Utah, 1898, Relating to Officers Not Entitled to Witness Fees," was read the second time.

H. B. No. 13, by Hawley, entitled, "An Act to Amend Section 4361 of the Revised Statutes of Utah Relating to the Penalty for Grand Larceny," was read the second time.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, January 29, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 4, by Mr. Whitmore, entitled, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-taxable While Title is in State. Improvements.'" The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 4, by Mr. Whitmore, was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, January 29, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended by you, Senate Bill No. 3, entitled, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 3, by Mr. Whitmore, was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, January 29, 1903.

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

Joint Memorial No. 1, by Mr. Spry, "To the President and Congress of the United States, to Appropriate Seventy-five Thousand Dollars to the Office of Irrigation Investigations of the Department of Agriculture." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. M. No. 1, by Mr. Spry, was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, January 29, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Bill No. 24, by Mr. Evans, entitled, "An Act Ceding to the United States Jurisdiction Over Lands or Territory in This State Hereafter Acquired for Sites for Public Buildings, and Authorizing the Governor to Execute the Same." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 24, by Mr. Evans, was read the first time and referred to the Committee on Federal Relations.

MISCELLANEOUS.

Mr. Loose was excused for the day.

On motion of Mr. Barber, Senate adjourned at 4:40 p. m.

NINETEENTH DAY.

State of Utah, Senate Chamber,
January 30, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

REPORTS OF STANDING COMMITTEES.

Committee Room, January 29, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. M. No. 2, by Mr. Johnson, entitled, "Senate Joint Memorial, Memorializing Congress to Pass the 'Omnibus' Statehood Bill Admitting Arizona, New Mexico and Oklahoma as States in the Union," respectfully report that they have engrossed and enrolled the same in triplicate, and herewith present the act to you for your signature.

JOHNSON, Chairman

S. J. M. No. 2, by Mr. Johnson, was read by its title, signed by the President in open session and transmitted to the House for the action of the Speaker.

Committee Room, January 29, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 4, by Mr. Whitmore, entitled, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-taxable While Title is in State. Improvements," and S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners,'" beg leave to report that they have correctly engrossed and enrolled such acts, and they are herewith presented for your signature.

JOHNSON, Chairman.

S. B. No. 3 and S. B. No. 4, by Mr. Whitmore, were read by their titles, signed by the President in open session and transmitted to the House for the action of the Speaker.

INTRODUCTION OF BILL.

S. B. No. 66, by Mr. Lawrence, "A Bill for an Act Relating to the Publication of Summons and Other Legal Notices, and Designation of the Newspaper in Which Publication Shall be Made," was read the first time and referred to the Committee on Judiciary.

SPECIAL ORDER.

S. B. No. 40, by Mr. Bamberger, was made a special order for Feb. 3, at 3:30 p. m.

SECOND READING OF SENATE BILL.

S. B. No. 61, substitute for H. B. No. 19, by the Senate Committee on Education, "An Act to Amend Sections 1855 and 1858, of the Revised Statutes of Utah, 1898, Relating to a Convention for the Adoption of Text Books," was read the second time.

THIRD READING OF HOUSE BILLS.

H. B. No. 3, by W. H. Barrett, "An Act to Provide for the Amount of Powder or High Explosives That May be Stored in a Mine at Any One Time, and Prescribing a Penalty for a Violation Thereof," was read the third time, amended, and failed to pass.

The vote was as follows:

Ayes, 9; nays, 1.

Absent and not voting, 8.

Those voting in the affirmative were: Bamberger, Barber, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Whitmore, Mr. President.

Voting in the negative, Lewis.

COMMUNICATION FROM HOUSE.

House of Representatives.
Salt Lake City, January 30, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. J. R. No. 5, "A Resolution thanking the National Irrigation Congress for its sympathy, encouragement and support of the Eleventh Irrigation Congress to be held in Ogden City, Utah, 1903." The same is herewith transmitted for the signature of your honorable President.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 5, by Mr. Condon, was read by its title and signed by the President in open session.

H. B. No. 4, by Chipman, entitled, "An Act Amending Section 1005 of the Revised Statutes of Utah, 1898, Relating to Officers Not Entitled to Witness Fees," was read the third time and was made a special order for Feb. 4, at 3:30 p. m.

Mr. Bamberger gave notice that on Feb. 2 he would move to reconsider the vote by which S. B. No. 48 was passed.

Mr. Sherman was excused for the day.

Mr. Whitmore moved that when the Senate adjourn, it be until Monday, Feb. 2. Carried.

On motion of Mr. Love, Senate adjourned at 3 p. m.

TWENTY-SECOND DAY.

State of Utah, Senate Chamber,
February 2, 1903.

The Senate met at 2 p. m., pursuant to adjournment, Mr. Love presiding at the request of President Allison, who was absent.

Roll-call; quorum present.

Prayer by the Chaplain.

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

PRESENTATION OF PETITIONS.

S. P. No. 8, by Mr. Love, endorsing a bill for an appropriation for a Domestic Science building, signed by Mrs. W. H. Olsten and others, was read and referred to the Committee on Education.

S. P. No. 9, by Mr. Love, endorsing a bill for an appropriation for a Domestic Science building, signed by Mrs. Mary C. Dougall and others, was read and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 2, 1903.

Mr. President:—We, your Committee on Railroads, to whom was referred S. B. No. 1, by Mr. Larsen (H. S.), "An Act to Prohibit the Sale of Spirituous, Malt and Vinuous Liquors Near Public Works and Grading Camps of Railroads," beg leave to report that they have considered and amended the same, and also the title thereof, to be, "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Within Five Miles of Any Camp or Assembly of Twenty-five or More Men Engaged in the Construction or Repair of Any Railroad, Canal, Reservoir, Public Work or Other Kindred Enterprise, and Providing a Penalty Therefor," and they recommend that the same be passed. HOYT SHERMAN, Chairman.

Report adopted.

Committee Room, Feb. 2, 1903.

Mr. President:—We, your Committee on Railroads, to whom was referred S. B. No. 45, by Mr. Gardner, "An Act Creating Liability for All Damages Done by the Destruction of Property Caused by Fire Communicated

from Locomotive Engines," beg leave to report that they have considered the same and recommend that it be not passed. HOYT SHERMAN, Chairman.

Report adopted.

Committee Room, Feb. 2, 1903.

Mr. President:—We, your Committee on Railroads, to whom was referred S. J. M. No. 1, by Mr. Barnes, "Memorializing Congress to Compel the Southern Pacific Railroad Company to Place Suitable Draw-Bridges Along Its Proposed Line Across the Great Salt Lake," beg leave to report that they have considered the same and recommend that the memorial be not passed.

HOYT SHERMAN, Chairman.

Report adopted.

INTRODUCTION OF RESOLUTION.

S. J. R. No. 3, by Mr. Whitmore, relating to the annexation to the State of Utah of that portion of Arizona lying north of the Colorado River, was read the first time, and under the rules went to the table.

INTRODUCTION OF BILLS.

S. B. No. 67, by Mr. Lawrence (by request), "An Act to Increase the Number of Judges for the Third Judicial District, and for the Appointment of a Judge Pending the Next General Election," was read the first time and referred to the Committee on Judiciary.

S. B. No. 68, by Mr. Williams, "An Act Providing for a Commission to Secure to this State the Benefits of the Reclamation Fund Provided for by the National Irrigation Law, and Providing Payment Thereof," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 69, by Mr. Bennion, "An Act to Amend Sections 322, 327, 330 (331), 338, 339 (354) and 368 of the Revised Statutes of Utah, 1898, Relating to Corporations, Their Powers, the Removal of Officers Thereof, the

Transfer of Stock, (the Liability of Stockholders), Amendments to the Articles of Incorporation and Evidence Thereof, (Assessments to Capital Stock), and the Effect of Sale of Stock to the Corporation for Delinquent Assessment, and Providing for the Disposition of Stock so Purchased, as Well as All Other Stock Held by the Corporation," was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, January 30, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 37, by Mr. Lawrence, Entitled, "An Act Authorizing and Directing the Transfer of Articles of Association of Railroad Corporations from the Office of State Auditor to the Office of the Secretary of State." The same is herewith transmitted to your honorable body for action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 37, by Mr. Lawrence, was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, January 30, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session Senate Joint Memorial in triplicate, "Relating to Admission of Arizona, New Mexico and Oklahoma as States." The same is transmitted to your honorable body for action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. J. M. No. 2 was transmitted to the Governor.

House of Representatives,
Salt Lake City, January 30, 1903.

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. 3, entitled, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners." The same is herewith transmitted to your honorable body for action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 3 was transmitted to the Governor.

House of Representatives,
Salt Lake City, January 30, 1903.

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. 4, entitled, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-taxable While Title is in State. Improvements." The same is herewith transmitted to your honorable body for action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 4 was transmitted to the Governor.

THIRD READING OF HOUSE BILL.

H. B. No. 13, by Mr. Hawley, entitled, "An Act to Amend Section 4361 of the Revised Statutes of Utah, Relating to the Penalty for Grand Larceny," was read the third time and passed by the following vote:

Ayes, 15; nays, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H.S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Williams.

Voting in the negative, Whitmore.

Absent and not voting, Mr. President, Murdock.

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

SPECIAL ORDERS.

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards, Defining Whom May be Classed as Such, and Prescribing Certain Duties of the County Attorney, County Auditor and Boards of County Commissioners," special order for 3 p. m., was taken up and re-committed to the Committee on County and Municipal Corporations.

S. B. No. 61, substitute for H. B. No. 19, by the Senate Committee on Education, "An Act to Amend Sections 1855 and 1858 of the Revised Statutes of Utah, 1898, Relating to Text Book Conventions," special order for 3:30 p. m., was taken up, read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H.S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams.

Absent and not voting, Mr. President, Murdock.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, February 2, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Joint Resolution No. 8, by Mr. Morris, "Providing for the Appointment of a Legislature Commission to Visit the Legislature of Arizona and Negotiate for Annexation of That Part of the Territory of Arizona Lying North of the Colorado River to the State of Utah," and the same is herewith transmitted to your honorable body for your action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 8, by Mr. Morris, was read the first time and referred to the Committee on Federal Relations.

On motion of Mr. Lewis, the vote by which H. B. No. 3 was lost was reconsidered and the bill was recommitted to the Committee on Mines and Minerals.

The secretary of the Senate was ordered to request the House to return H. B. No. 3 for further consideration by the Senate.

On motion of Mr. Whitmore, Senate adjourned at 4:10 p. m.

TWENTY-THIRD DAY.

State of Utah, Senate Chamber,
February 3, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 30, 1903.

Hon. E. M. Allison, Jr., President of Senate:

Dear Sir:—I have the honor to make requisition for one-half salary of Messenger for the Governor, Mr. Raphael Cottrell, to be paid out of the Legislature Contingent Expense, as per joint resolution of the two houses.

Very respectfully,
HEBER M. WELLS,
Governor.

The communication from the Governor was referred to the Committee on Contingent Expenses.

On motion of Mr. Barnes, the vote was reconsidered by which the report of the Committee on Railroads was adopted recommending that S. J. M. No. 1, by Mr. Barnes, be not passed, and S. J. M. No. 1 was recommitted to the Committee on Railroads.

PRESENTATION OF PETITIONS.

S. P. No. 10, by Mr. Bamberger, referring to the "gradual crowding in of undesirable aliens, and their presence in mines and mills," signed by P. A. Anderson, was read and referred to the Committee on Mines and Minerals.

S. P. No. 11, by Mr. Whitmore, favoring the "establishment and maintenance of an experimental farm in Juab County," signed by Timothy Hoyt and others, was read and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 2, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 37, entitled "An Act Authorizing and Directing the Transfer of Articles of Association of Railroad Corporations from the Office of the State Auditor to the Office of the Secretary of State," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 37, by Mr. Lawrence, (by request), was read by its title, signed by the President in open session and transmitted to the House for the action of the Speaker.

Committee Room, Feb. 2, 1903.

Mr. President:—We, your Committee on Public Institutions of the Senate, and Asylum for the Insane for the House, acting jointly together, beg leave to report:

That on the 30th day of January, 1903, we jointly visited the State Insane Asylum, located at Provo, and we find that said institution is well managed and kept in good repair and condition. That the cost of maintenance including care and treatment of the insane has been kept within a very low figure and by the economical management of said institution there remains on hand of the money appropriated at the last session of the Legislature the sum of $23,000.

We respectfully recommend that the appropriations asked for by said State Insane Asylum and recommended by the Governor be allowed and the amount appropriated except the sum of $10,000 for the building of a detention hospital.

Respectfully submitted,

C. E. LOOSE,

Chairman Senate Committee on Public Institutions.

WILLIAM SPRY,

Chairman House Committee on Asylum for the Insane.

Report referred to Committee on Appropriations.

Committee Room, Feb. 2, 1903.

Mr. President:—We, your Committee on Railroads, to whom was referred S. B. No. 43, by Mr. Gardner, "An Act Requiring Railroad Companies to Maintain Fences and Cattle Guards, and to Repeal Chapter 86, Sections 1, 2 and 3, of the Session Laws of Utah of 1901," beg leave to report that they have considered the same and substituted therefor S. B. No. 70, by Committee on Railroads, substitute for S. B. No. 43, by Mr. Gardner, "An Act Amending An Act Requiring Railroad Companies to Fence Their Tracks," of Session Laws, 1901, and they recommend that the substitute act be passed.

HOYT SHERMAN, Chairman.

Report adopted and S. B. No. 70 was read the first time.

Committee Room, Feb. 2, 1903.

Mr. President:—Your Committee on Federal Relations, to whom was referred H. J. R. No. 8, "Providing for the Appointment of a Legislative Commission to Visit the Legislature of Arizona and Negotiate for the Annexation of That Part of the Territory of Arizona Lying North of the Colorado River to the State of Utah,"

beg leave to report that we have considered this resolution and recommend the passage of same.

WILLIAMS, Chairman.

Report adopted.

On motion of Mr. Whitmore, the rules were suspended, H. J. R. No. 8 was read the second time and was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Committee Room, Feb. 3, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 54, by Mr. Loose, (by request), entitled, "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Board of County Commissioners," beg to report that we have considered this act and recommend the passage of same.

C. P. LARSEN, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 50, being "An Act Providing for the Actual and Necessary expenses of the District Judges, and the District Attorneys incurred in the performance of their official duties, and repealing Chapter 103, Laws of 1901, entitled, 'An Act to Amend Section 2051, of the Revised Statutes of Utah, 1898, Providing for the Payment of Mileage of District Judges and District Attorneys,'" respectfully report that they have had the same under consideration and have amended the title thereto, recommend that the act as amended be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 52, being "An Act to Authorize Administrators, Executors and Guardians to

Lease Mining Claims and Give an Option to Purchase the Same," respectfully report, that we have had the same under consideration, have made certain amendments thereto, and recommend that the act as amended be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 56, being "An Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in Relation to the Time of Fixing the Rate of City Taxes and the Certificate Thereof to the County Auditor," respectfully report that they have had the same under consideration, have made certain amendments thereto, and recommend that the act as amended be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 57, being "An Act Amending Section 195, of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class," respectfully report, that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 58, being "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities

and Towns," respectfully report, that they have had the same under consideration, have made certain amendments thereto, and recommend that the act as amended be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 59, being "An Act to Amend Section 2881 of the Revised Statutes of Utah, 1898, in Relation to Time of Commencement of Actions Against a County on Rejected Claim by Including Within Said Limitation Incorporated Cities and Towns as Well as Counties," respectfully report that they have had the same under consideration, have made certain amendments thereto, and recommend that the act as amended be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 3, 1903.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 66, being "An Act Relating to the Publication of Summons and Other Legal Notices, and Designation of the Newspaper in Which Publication Shall be Made," respectfully report, that they have had the same under consideration, have made certain amendments thereto, and recommend that the act as amended be passed.

LAWRENCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 71, by Mr. Sherman, "An Act to Amend Section 3439, Chapter 58, Revised Statutes of Utah, 1898, Relating to Qualifications of Sureties Generally," was read the first time and referred to the Committee on Judiciary.

S. B. No. 72, by Mr. Barber, "An Act to Amend Sections 5, 7, 8, 16, 21, 22, 26 and 27 of Chapter 26, of the Laws of Utah, 1898, Relating to Fish and Game, and Sections 10, 12, 14, 19, 23 and 24 of the Said Chapter 26, as the Same was Amended by Chapter 133 of the Laws of Utah 1901, Relating to Fish and Game," was read the first time and referred to the Committee on Fish and Game.

S. B. No. 73, by Mr. Allison, (by request), "An Act to Insure Better Education of and Practitioners of Dental Surgery, and to Regulate the Practice of Dentistry in the State of Utah, Providing Penalties for the Violation Hereof, and to Repeal An Act Now in Force Relating to the Same and Known as. 'Title 16, Revised Statutes of Utah, 1898,' " was read the first time and referred to the Committee on Public Health.

SPECIAL ORDER.

S. B. No. 39, by Mr. Johnson, "An Act Making County Sheriffs Livestock Inspectors, and Defining Their Duties, and Regulating the Inspection and Shipment of Livestock," special order for 3 p. m., was taken up and passed by the following vote:

Ayes, 13; nays, 5.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, McKay, Murdock, Whitmore.

Those voting in the negative were: Lawrence, Love, Sherman, Williams, Mr. President.

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

READING SENATE BILL SECOND TIME.

S. B. No. 1, by Mr. Larsen (H. S.), "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Within Five Miles of Any Camp or Assembly of Twenty-five or More Men Engaged in the Construction or Repair of Any Railroad, Canal, Reservoir, Public Work or Other Kindred Enterprise, and Providing a Penalty Therefor," was read the second time.

MISCELLANEOUS.

S. J. R. No. 3, by Mr. Whitmore, relating to the annexation to the State of Utah of that portion of Arizona lying north of the Colorado River, was taken from the table and rejected.

S. B. No. 40, by Mr. Bamberger, special order for 3:30, was made a special order for Feb. 4, at 3:30.

Messrs. Loose, Williams and Bennion were excused from attendance on Feb. 4.

On motion of Mr. Lawrence, Senate adjourned at 3:05 p. m.

TWENTY-FOURTH DAY.

State of Utah, Senate Chamber,
February 4, 1903.

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

Roll-call; puorum present.

Prayer by the Chaplain.

The minutes of the twenty-third day's session were read, corrected and approved.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has set aside Thursday, Feb. 5, 1903, at 3:30 p. m., for special exercises in honor of the late President William McKinley, and your honorable body is respectfully requested to meet in joint session with the House of Representatives on that date.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Invitation accepted.

House of Representatives,
Salt Lake City, Feb. 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day directed the return of House Bill No. 3, by Mr. Barrett, "An Act to Provide for the Amount of Powder or High Explosives That May be Stored in a Mine at Any One Time," per your request of Feb. 2.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 3, 1903.

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. 37, "Authorizing and Directing the Transfer of Articles of Association of Railroad Corporations from the Office of the State Auditor to the Office of the Secretary of State," The same is herewith transmitter to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 37 was transmitted to the Governor.

PRESENTATION OF PETITIONS.

S. P. No. 12, by Mr. Bamberger, (by request), endorsing the initiative and referendum, signed by Joseph Brown and others, was read and referred to the Committee on Judiciary.

S. P. No. 13, by Mr. Whitmore, (by request), endorsing the initiative and referendum, signed by Joseph R. Novak and others, was read and referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

Committee Room, Feb. 4, 1903.

Mr. President:—Your Committee on Mines and Minerals, to whom was recommitted H. B. No. 3, "An Act to Provide for the Amount of Powder or High Explosives That May be Stored in a Mine at any one Time and Prescribing a Penalty for a 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.

LEWIS, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 74, by Mr. Murdock, "An Act Fixing the Judicial Districts of the State of Utah, and Naming the Counties Comprising the Same," was read the first time and referred to the Committee on Judiciary.

S. B. No. 75, by Mr. Bamberger, "An Act Providing for the Establishment and Maintenance of Kindergartens in All School Districts of the Population of One Thousand and Upwards," was read the first time and referred to the Committee on Education.

S. B. No. 76, by Mr. Bamberger, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers and Duties," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 77, by Mr. Lawrence, (by request), "An Act Relating to the Taking of Depositions Without the State," was read the first time and referred to the Committee on Judiciary.

S. B. No. 78, by Mr. Lawrence, (by request), "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, Relating to the Form of Exceptions, Specifications or Particulars, and the Evidence and Documents to be Incorporated in a Bill of Exceptions," was read the first time and referred to the Committee on Judiciary.

S. B. No. 79, by Mr. Lawrence, (by request), "An Act Requiring that Referees Appointed by Courts Shall be Learned in the Law," was read the first time and referred to the Committee on Judiciary.

S. B. No. 80, by Mr. Lawrence, "by request), "An Act to Amend Section 3151 of the Revised Statutes of Utah, 1898, Relating to the Practice Upon Instructions and When and How Exceptions to Instructions Shall be Made," was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Jan. 4, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, House Joint Resolution No. 8, "Relating to the Annexation of a Certain Part of Arizona to Utah." The same is herewith transmitted to your honorable body for the signature of the President.

Respectfully,
H. L. CUMMINGS, Chief Clerk

H. J. R. No. 8 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 3, 1903.

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. 13, as amended, entitled, "An Act to Amend Section 4361 of the Revised Statutes of Utah, 1898, Relating to the Penalty for Grand Larceny." The same is herewith transmitted to your honorable body for the signature of the President.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 13 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

SECOND AND THIRD READING OF SENATE BILLS.

S. B. No. 56, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in Relation to the Time of Fixing the Rate of City Taxes and the Certificate Thereof to the County Auditor," was read the second time and the rules were suspended, the bill read the third time and passed by the following vote:

Ayes, 15; noes, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Voting in the negative: Barber.

Absent and not voting: Bennion, Williams.

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

S. B. No. 57, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 195 of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class," was read the second time.

S. B. No. 59, by Mr. Lawrence (by request), "A Bill for an Act to Amend Section 2881 of the Revised Statutes of Utah, 1898, in Relation to Time of Commencement of Actions Against a County on Rejected Claims by Including Within Said Limitation Incorporated Cities and Towns as Well as Counties," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Bennion, Williams.

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

S. B. No. 1, by Mr. Larsen (H. S.), "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors

Within Five Miles of Any Camp or Assembly of Twenty-five or More Men Engaged in the Construction or Repair of Any Railroad, Canal, Reservoir, Public Work or Other Kindred Enterprise, and Providing a Penalty Therefor," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Bennion, Williams.

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

S. B. No. 70, by Committee on Railroads, substitute for S. B. No. 43, by Mr. Gardner, "An Act Amending 'An Act Requiring Railroad Companies to Fence Their Tracks' of Session Laws, 1901," was read the second time and was recommitted to the Committee on Railroads.

S. B. No. 52, by Mr. Lawrence, "An Act Authorizing Administrators, Executors and Guardians to Lease Mining Claims and Give an Option to Purchase the Same, Authorizing the Court to Require Bonds and Prescribing Conditions Under Which Title May be Obtained," was read the second time, the rules were suspended and the bill read the third time and was passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Bennion, Williams.

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

S. B. No. 50, by Mr. Johnson (by request), "An Act Providing for the Payment of Actual and Necessary Expenses of the District Judges, and the District Attorneys, Incurred in the Performance of Their Official Duties, and Repealing Chapter 103, Laws of Utah, 1901, En-

titled, 'An Act to Amend Section 2051 of the Revised Statutes of Utah, 1898, Providing for the Payment of Mileage of District Judges and District Attorneys,'" was read the second time, the rules were suspended, the bill 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: Bamberger, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Mr. President.

Those voting in the negative were: Barber, Barnes, Gardner, Larsen (C. P.), Murdock.

Absent and not voting: Bennion, Williams.

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

S. B. No. 58, by Mr. Lawrence (by request), "A Bill for an Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities and Towns," was read the second time.

S. B. No. 64, by Mr. Loose (by request), "An Act to Amend Section 511, of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 14; nays, 2.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Mr. President.

Those voting in the negative were: Barnes, Murdock.

Absent and not voting: Bennion, Williams.

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

S. B. No. 66, by Mr. Lawrence, "A Bill for An Act Relating to the Publication of Summons and Other Legal Notices, and Designation of the Newspaper in Which Publication Shall be Made," was read the second time

and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Bennion, Williams.

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

SPECIAL COMMITTEE.

On motion of Mr. Love, the President appointed Messrs. Johnson and Murdock as a committee to wait upon the House and arrange, if possible, for a postponement of the McKinley Memorial Exercises, now fixed for Feb. 5, at 3:30 p. m.

PRESENTATION OF RESOLUTION.

S. C. R. No. 1, by Mr. Love: Be it resolved by the Senate of the State of Utah, (the House concurring), that no bill shall be introduced in either house after the fortieth day of the session, except by unanimous consent.

Under the rules the resolution went to the table.

SPECIAL ORDERS.

S. B. No. 40, by Mr. Bamberger, "An Act Prohibiting the Giving or Accepting of Victuals or Board as Part Consideration for Services Performed in Underground Workings," special order for 3:30, was taken up and read the third time, and was recommitted to the Committee on Mines and Minerals.

H. B. No. 4, by Chipman, entitled "An Act Amending Section 1005 of the Revised Statutes of Utah, 1898, Relating to Officers not Entitled to Witness Fees," special order for 3:30 p. m., was taken up and read the third time and passed by the following vote:

Ayes, 15; nays, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Voting in the negative: Bamberger.

Absent and not voting: Bennion, Williams.

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

REPORT SPECIAL COMMITTEE.

The special committee appointed to wait upon the House in reference to the McKinley Memorial Exercises reported that the House had agreed to fix Feb. 12, as the date upon which the two houses should meet for exercises in commemoration of Presidents Lincoln and McKinley.

Report adopted and committee discharged.

On motion of Mr. McKay Senate adjourned at 4:15 p. m.

TWENTY-FIFTH DAY.

State of Utah, Senate Chamber,
February 5, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the twenty-fourth day's session were read, corrected and approved.

TELEGRAM FROM NEW MEXICO LEGISLATURE.

Santa Fe, N. M., Feb. 4, 1903.

To the Legislative Assembly of Utah, Salt Lake City, Utah.

To the President of the Senate and Speaker of the House of Representatives of the State of Utah:

I am directed by your memorialists, the Legislative Assembly of the Territory of New Mexico, to communicate with your honorable body with reference to the subject embraced in the memorial adopted by the Legislative Assembly of New Mexico, the text of which was wired you on January 22nd, concerning the "omnibus" bill for the admission of the Territory, now pending before the United States Senate, and to call your attention to the urgency of such matter, and to request that if the memorial so presented meets with your approbation, and you contemplate a compliance therewith, that immediate action be taken and that your memorial, when adopted, shall be telegraphed to the President of the United States Senate and to your Senators, and to also respectfully request information as to whether any action has to the present time been taken with reference to such memorial. W. E. MARTIN,

Chief Clerk of the Legislative Council.

The communication was referred to the Committee on Federal Relations, with instructions to frame a reply to the same.

COMMUNICATION FROM STATE UNIVERSITY.

University of Utah,
Salt Lake City, February 4, 1903.

To the Senate of the Legislature of the State of Utah:

Gentlemen—In behalf of the Regents of the University of Utah I extend an invitation to your honorable body to visit the University of Utah, including the

Branch Normal at Cedar City, both in a body and separately as individual members.

Respectfully,

J. T. KINGSBURY, President.

Communication referred to Committee on Public Institutions.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, February 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 35, by Mr. Bamberger, "An Act Amending Section 666a of Chapter 34, Session Laws, 1901, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof." The same is herewith transmitted to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. B. No. 35 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, February 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 10, "An Act Amending Section 2039, Chapter 1, Title 59, of the Revised Statutes of Utah, 1898." The same is herewith transmitted to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Johnson the rules were suspended, S. B. No. 10, as amended, was read the first, second and third times and was passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

The bill was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, February 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 30, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9, of Chapter 137, of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same, and Penalties for Violation Thereof." The same is herewith transmitted to your honorable body for action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 30 was read the first time and referred to the Committee on Judiciary.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, February 4, 1903.

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. 37, entitled, "An Act Authorizing and Directing the Transfer of Articles of Association of Railroad Corporations from the Office of the State Auditor to the Office of the Secretary of State."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

REPORT OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
February 5, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 26, being "An Act to Amend Section 4470 of the Revised Statutes of Utah, 1898, Relating to Obtaining Food, etc., Under False Pretenses," respectfully report that they have had the same under consideration, have made certain amendments thereto, and recommend that the act as amended be passed. LAWRENCE, Chairman.

Report adopted.

Committee Room, February 5, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 51, by Mr. Bamberger (by request), entitled, "An Act to Regulate the Practice of Osteopathy in the State of Utah, and Establishing a Board of Osteopathic Registration and Examination," beg to report that they have considered this bill and recommend the passage of the same.

MURDOCK, Chairman.

Report adopted.

Committee Room, February 5, 1903.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 17, by Mr. Love, entitled, "An Act to Codify and Revise Certain Laws of the State Providing for the Creation of the Office of Dairy and Food Commissioner, and Defining the Duties Thereof, and Defining Standards of Purity of Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or That Are Impure, Unwholesome, Adulterated or Misbranded, to Provide Penalties for the Violation of Any Provision of This Act and to Repeal Sections 2446 to 2450, Both Inclusive; 729 to 746, Both Inclusive; Sections 4283 to 4290, Both Inclusive, and

Chapters 34 to 48, Laws of Utah, 1898," beg to report that they have considered this act, amended same and recommend its passage. LOVE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 81, by Mr. Johnson, "An Act to Amend Section 1250 of the Revised Statutes of Utah, 1898, Defining Certain Times at Which Liquor May be Dispensed, Prescribing Certain Restrictions Upon Persons Conducting Liquor Saloons and Providing a Penalty for the Violation Thereof," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 82, by Mr. Lawrence (by request), "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing Their Oath, Fixing Their Bond, Designating the Depository for Fines and Forfeitures Coming Into Their Hands, and Enacting a New Section, to be Known as 'Section 249a,' More Expressly Defining the Duties of Such Commissioners," was read the first time and referred to the Committee on Judiciary.

S. B. No. 83, by Mr. Lawrence, "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court Where All Judges of the City Court are Disqualified, and Providing for a Judge Pro Tempore in City Courts in Certain Cases, and Fixing His Compensation," was read the first time and referred to the Committee on Judiciary.

THIRD READING OF SENATE BILLS.

S. B. No. 57, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 195 of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

S. B. No. 58, by Mr. Lawrence (by request), "A Bill for an Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities and Towns," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Love.

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

RESOLUTION.

S. C. R. No. 1, by Mr. Love, providing that no bill shall be introduced in either house after the fortieth day, if one-third of the members object thereto, was taken from the table and passed.

THIRD READING OF HOUSE BILL.

H. B. No. 3, by W. H. Barrett, "An Act to Provide for the Amount of Powder or High Explosives That May be Stored in a Mine at Any One Time, and Prescribing a Penalty for a Violation Thereof," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

Mr. Barber moved that when the Senate adjourned, it be until Feb. 9. Carried.

On motion of Mr. Johnson, Senate adjourned at 3:15 p. m.

TWENTY-NINTH DAY.

State of Utah, Senate Chamber,
February 9, 1903.

The Secretary of the Senate called the Senate to order at 2:20 p. m.

Roll-call; quorum present.

President Allison not being present, Mr. Love was elected President pro tempore.

Prayer by the Chaplain.

The minutes of the twenty-fifth day's session were read and approved.

READING OF SENATE PETITIONS.

S. P. No. 14, by Mr. Love, endorsing the initiative and referendum, signed by J. R. Morgan and others, was read and referred to the Committee on Judiciary.

S. P. No. 15, by Mr. Larsen (C. P.), asking that the month of March be made an open season for shooting ducks and geese in Sanpete County, and that the sale of game and game fish be prohibited for at least five years, signed by L. R. Anderson and others, was read and referred to the Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

Committee Room, February 5, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 10, by Mr. C. P. Larsen, "An Act Amending Chapter 1, Title 59, 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. JOHNSON, Chairman.

The President of the Senate not being present, the report was adopted and the bill laid on the table for signature of the President.

Committee Room, February 5, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 35, "An Act Amending Section 666a of Chapter 34, Session Laws, 1901, Creating the Office of Stenographer of the Supreme Court, and Fixing the Salary Thereof," respectfully report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. JOHNSON, Chairman.

The President of the Senate not being present, the report was adopted and the bill laid on the table for signature of the President.

Committee Room, February 9, 1903.

Mr. President:—We, your Committee on Public Printing, to whom was referred S. B. No. 42, 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 of Printed Stationery, Blanks and Blank Books and Other Supplies Required by the 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," beg leave to report that they have considered the same and recommend that the act do not pass.

LEWIS, Chairman.

Action upon the report was deferred until Feb. 10.

Committee Room, February 5, 1903.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred S. B. No. 38, by Mr. Barnes, "An Act to Compel Certain Smelting Companies to

Equip Their Works with Noxious Fume Consumers," beg to report that they have considered this act and recommend that the same be not passed.

LEWIS, Chairman.

Report adopted.

Senate Military Committee Room,
February 9, 1903.

Mr. President:—Your Committee on Military, to whom was referred S. B. No. 19, being "An Act to Prevent and Punish the Desecration of the Flag of the United States," respectfully report that they have had the same under consideration, and recommend that the act be passed. WILLIAMS, Chairman.

Report adopted.

Committee Room, February 9, 1903.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 44, by Mr. Gardner, "An Act Prescribing Rules of Negligence in Cases Where Livestock Are Killed Or Injured by Railroad Companies," respectfully report that they have had this act under consideration and recommend that the same be not passed. SHERMAN, Chairman.

The report was rejected, and S. B. No. 44 was placed on file for second reading.

Committee Room, February 9, 1903.

Mr. President:—Your Committee on Railroads, to whom was recommitted S. J. M. No. 1, by Mr. Barnes, "Memorializing Congress to Compel the Southern Pacific Company to Place Suitable Draw-Bridges Along Its Proposed Line Across the Great Salt Lake," respectfully report that we have again considered this memorial and recommend that it be not passed.

SHERMAN, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 9, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 63, being "An Act Making it Unlawful to Injure, Obstruct or Destroy any Line Erected or Constructed for the Transmission of Electrical Current, or Appurtenances or Appliances Connected Therewith, or to Remove, Injure or Destroy Any House, Shop, Building, or Other Structure Connected Therewith, or to Set Any Fire That Shall Result in Such Injury or Destruction; or to prevent the Removal of Any Obstruction to Such Lines, and Prescribing Punishment Therefor," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and recommend that the act as amended be passed. LAWRENCE, Chairman.

Report adopted.

Committee Room, February 9, 1903.

Mr. President:—We, your Committee on Federal Relations, to whom was referred H. B. No. 24, "An Act Ceding to the United States Jurisdiction Over Lands or Territory in This State Hereafter Acquired for Sites for Public Buildings, and Authorizing the Governor to Execute the Same," beg leave to report that they have considered the same, and they recommend that the act be passed. WILLIAMS, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 85, by Mr. Murdock (by request), "An Act to Define Conditions of Child Dependency, Neglect and Ill-treatment, and to Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill-treated Children Within the State of Utah; and to Prescribe Punishment for Such Persons as Are Responsible for the Care of a Child, who Neglect or Ill-

treat Such Child," was read the first time and referred to the Committee on Judiciary.

S. B. No. 86, by Mr. Barnes, "An Act to Amend Section 4, Chapter 85, Laws of Utah, 1899, Entitled, 'An Act Establishing an Experiment Farm in the Southern Portion of This State," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 87, by Mr. Larsen (H. S.), "A Bill for an Act to Protect Trade and Commerce Against Unlawful Restraints and Monopolies, and to Prohibit the Giving or Receiving of Rebates on the Transportation of Property," was read the first time and referred to the Committee on Private Corporations and Insurance.

S. B. No. 88, by Mr. Lawrence (by request), "An Act to Amend Sections 3747 and 3748 of the Revised Statutes of Utah, 1898, Relative to Appeals from Justices' Courts," was read the first time and referred to the Committee on Judiciary.

S. B. No. 89, by Mr. Barnes (by request), "An Act Relating to the Location of Powder Houses or Magazines," was read the first time and referred to the Committee on Public Health.

S. B. No. 90, by Mr. Lawrence, "An Act to Amend Section 976, Revised Statutes of Utah, Relating to the Fees of County Auditors," was read the first time and referred to the Committee on Judiciary.

S. B. No. 91, by Mr. Lawrence, "An Act to Prohibit Judges of Courts of Record from Practicing Law," was read the first time and referred to the Committee on Judiciary.

S. B. No. 92, by Mr. Lewis, "An Act to Tax Dogs; Defining Certain Duties of the County Assessor and County Treasurer; Prescribing a Punishment for Killing Taxed Dogs and Providing a Penalty for a Violation of This Act," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 93, by Mr. Lewis, "An Act to Amend Section 2441 of the Revised Statutes of Utah, 1898, Relating to the Appointment, and Defining Certain Duties of, the Bank Examiner," was read the first time and referred to the Committee on Banks and Banking.

S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition, at St. Louis, in the Year 1904; to Define Its Powers and Duties and to Make an Appropriation Therefor," was read the first time and referred to the Committee on Manufactures and Commerce.

READING SENATE BILLS SECOND TIME.

S. B. No. 17, by Mr. Love, "An Act to Codify and Revise Certain Laws of the State Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or That Are Impure, Unwholesome, Adulterated or Misbranded; to Provide Penalties for the Violation of Any Provision of This Act, and to Repeal Sections 2446 to 2450, Both Inclusive; Sections 729 to 746, Both Inclusive; Sections 4283 to 4290, Both Inclusive, and Chapters 34 and 48, Laws of Utah, 1899," was read the second time.

S. B. No. 51, by Mr. Bamberger (by request), "An Act to Regulate the Practice of Osteopathy in the State of Utah, and Establishing a Board of Osteopathic Registration and Examination," was read the second time and made a special order for Feb. 10 at 3 p. m.

READING HOUSE BILL SECOND TIME.

H. B. No. 26, by Mr. Brink, entitled, "An Act to Amend Section 4470 of the Revised Statutes of Utah, 1898, Relating to Obtaining Food or Lodging Under False Pretenses, in Any Board or Lodging House or Inn, and Providing a Penalty Therefor," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams.

Absent and not voting, Mr. President.

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

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 5, 1903.

Mr: President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Concurrent Resolution No. 1, by Mr. Love, relating to the introduction of bills. The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Mr. Lawrence moved that the Senate do not concur in the House amendment. Carried.

Mr. Johnson moved the appointment of a conference committee on S. C. R. No. 1.

The President pro tempore appointed Messrs. Johnson and Barnes as such committee.

House of Representatives,
Salt Lake City, Feb. 5, 1903.

Mr: President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 28, by Mr. Nash, entitled, "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States, and to Repeal Chapter 4, Laws of Utah, 1901." The same is herewith transmitted to your honorable body for your further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 28 was read and referred to the Committee on Military Affairs.

COMMUNICATION FROM AGRICULTURAL COLLEGE.

Salt Lake City, Feb. 8, 1903.

To the President and Members of the Senate, Legislature of the State of Utah:

Gentlemen:—On behalf of the Board of Trustees, I extend you a cordial invitation to visit the Agricultural College of Utah at such time as will suit your convenience.

Respectfully yours,
W. J. KERR, President.

On motion of Mr. Lewis, the invitation was accepted and a committee of five, to be selected by the Committee on Public Institutions from its members, was instructed to visit the Agricultural College Friday, Feb. 13.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 50, by Mr. Morris, entitled, "An Act Amending Section 34 of Chapter 64 of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds Derived from the Sale or Rental of the Public Lands of the State." The same is herewith transmitted to your honorable body for your further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 50, by Mr. Morris, was read the first time and referred to the Committee on Public Lands.

House of Representatives,
Salt Lake City, Feb. 5, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, as amended, Senate Bill No. 61, by Committee on Education, entitled, "An Act to Amend Sections 1855 and 1858 of the Revised Statutes of Utah, 1898, Relating to Text Book Conventions for the Adoption of Text Books." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 61 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 6, 1903.

To the Senate:

I return herewith, without my approval, Senate Bill No. 4, entitled, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Nontaxable While Title is in the State. Improvements.'"

Also Senate Bill No. 3, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners."

I have considered these two bills together, as Senate Bill No. 3 provides the method of carrying into effect the present law, which is sought to be amended by Senate Bill No. 4, and ought not to be enacted into law unless Senate Bill No. 4 becomes a law.

Section 2502 of the Revised Statutes now reads:

"No tax shall be levied upon lands, the title to which remains in the State, held or occupied by any person under a contract of sale or lease from the Territory or State of Utah, but this provision shall not be construed to prevent the taxation of improvements on such

lands and the interest in the land to the extent of money paid prior to the levying of such tax in part payment of the purchase price thereof."

Senate Bill No. 4 is to amend such section by omitting therefrom that part which reads "and interest in the land to the extent of money paid prior to the levying such tax in part payment of the purchase price thereof." And Senate Bill No. 3 is to amend the existing law by omitting the provision requiring the secretary of the State Board of Land Commissioners to report for assessment a list of lands sold with partial payments made thereon.

While there is no affirmative expression in either of these bills exempting from taxation the interest in the land of purchasers of State lands to the extent of the money paid in part payment of the purchase price, I assume that it is the purpose of these bills to make such exemption.

Section 2 of Article 13 of the Constitution of this State provides: "All property in the State, not exempt under the laws of the United States, or under this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The word 'property,' as used in this article, is hereby declared to include moneys, credits, bonds, stocks, franchises and all matters and things (real, personal or mixed) capable of private ownership."

Section 3 of Article 13 defines what property is exempt from taxation, which includes public property, certain property held for religious and charitable purposes, and cemeteries.

When a person purchases from the State a tract of land and makes a payment thereon, he receives a certificate of sale which gives him an interest in the land, which is assignable, and is frequently a subject of sale. Under the constitutional definition it is certainly property, not being exempted by the Constitution, could not be exempted by legislation, and should, therefore, be taxed.

The question of taxing an interest in land, the title of which is vested in the State or National Government, has frequently been before the courts. Where an at-

tempt was made to tax an interest in lands in Michigan, the title to which was vested in the United States, in the case of Carroll vs. Stafford, reported in 3 How. 441, the Supreme Court of the United States says:

"It is said the fee is not in the purchaser, but in the United States, until the patent is issued. This is so, technically at law, but not in equiry. The land in the hands of the purchaser is real estate, descends to his heirs, and does not go to his executors or administrators. In every legal and equitable aspect it is considered as belonging to the realty. Now why cannot such property be taxed by its proper denomination as real estate?"

If there is any difficulty under the existing law in collecting the tax on this class of property, it could be remedied by amending the law to require a copy of the certificate of sale of the interest in the land sold by delinquent taxes to be filed with the secretary of the State Board of Land Commissioners, which would operate as an assignment of such interest, and the tax sale purchaser would be substituted for the original purchaser.

Very respectfully,

(Signed) H. M. WELLS, Governor.

Mr. Lewis moved that S. B. No. 3 and S. B. No. 4 be reconsidered. Carried.

On motion of Mr. Bennion, the communication from the Governor and S. B. No. 3 and S. B. No. 4 were referred to the Committee on Public Lands.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 5, 1902.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 35, by Mr. Barrett, entitled, "An Act to Amend Sections 1711, 1712, 1713, 1722, 1724, 1726 and 1727 of the Revised Statutes of Utah, 1898, and Section 1719, as amended in Chapter 33, Session Laws

of 1899, Relating to Penalties, Acting Without Registration, Adulterated Drugs, Etc." The same is herewith transmitted to your honorable body for your action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 35 was read the first time and referred to the Committee on Public Health.

On motion of Mr. Johnson, the rules were suspended and H. B. No. 24, by Evans, entitled, "An Act Ceding to the United States Jurisdiction Over Lands or Territories in This State Which Have Been or That May be Hereafter Acquired for Sites for Public Buildings, and Authorizing the Governor to Execute the Necessary Deeds Therefor," was read the second time, amended and was made a special order for Feb. 10 at 3:30 p. m.

MISCELLANEOUS.

On motion of Mr. Murdock, all members who desire to visit the Agricultural College on Feb. 13 were excused for that day.

On motion of Mr. Lawrence, Senate adjourned at 4:35 p. m.

THIRTIETH DAY.

State of Utah, Senate Chamber,
February 10, 1903.

The Senate met at 2 p. m., pursuant to adjournment, President pro tempore Love presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the twenty-ninth day's session were read, corrected and approved.

READING OF PETITIONS.

S. P. No. 16, by Mr. Lawrence (by request), endorsing the establishment of kindergartens, signed by Bathsheba W. Smith and others, was read and referred to the Committee on Education.

S. P. No. 17, by Mr. Lewis, asking for an appropriation for the improvement of the road in Kanab Canyon, signed by E. D. Woolley and others, was read and referred to the Committee on Appropriations.

S. P. No. 18, by Mr. Bamberger, endorsing the bill for the treatment of habitual drunkards, signed by J. M. Beatie and others, was read and referred to the Committee on County and Municipal Corporations.

S. P. No. 19, by Mr. Bamberger, endorsing the bill for the treatment of habitual drunkards, signed by John A. Taylor and others, was read and referred to the Committee on County and Municipal Corporations.

S. P. No. 20, by Mr. Bamberger, endorsing the passage of the bill for the treatment of habitual drunkards, signed by Joseph J. Williams and others, was read and referred to the Committee on County and Municipal Corporations.

S. P. No. 21, by Mr. Bamberger, endorsing the passage of the bill for the treatment of habitual drunkards, signed by A. M. Truman and others, was read and referred to the Committee on County and Municipal Corporations.

REPORT OF STANDING COMMITTEES.

Committee Room,

February 10, 1903.

Mr. President:—Your Committee on Federal Relations, to whom was referred a communication from the Legislature of New Mexico, beg to report that we have given this communication consideration, and herewith submit a reply to same.

WILLIAMS, Chairman.

State of Utah, Senate Chamber,
February 10, 1903.

To the Legislative Council, Santa Fe, N. M.:

Replying to wire of recent date will say in compliance both with your request and that of the Territorial Assembly of Arizona, we passed under suspension of rules Joint Memorial urging admission of both territories and same received sanction of Governor and has been forwarded to Washington, D. C.

May success crown your efforts and the near future find your stars in the firmament of "Old Glory."

Fifth Legislative Assembly of the State of Utah.

H. S. LOVE,
President of Senate Pro Tempore.
THOMAS HULL,
Speaker of the House of Representatives.

On motion of Mr. Lawrence the rules were suspended, the reply was signed by the President pro tempore and transmitted to the House for the action of the Speaker.

Senate Judiciary Committee Room,
February 10, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 55, being "An Act Amending Section 511, of the Revised Statutes of Utah, 1898, in Relation to the General Powers of the Board of County Commissioners, and Fixing Specifically Their Powers and Duties, to the Indigent Sick and Otherwise Dependent Poor," respectfully report, that they have had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

GEO. N. LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 10, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 53, being "An Act to Amend Section 2980 of the Revised Statutes of Utah, 1898, Providing When a Reply to an Answer is Necessary," respectfully report that they have had the same under consideration, and have offered an amendment to the title of the bill, and as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 10, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 80, being "An Act to Amend Section 3151 of the Revised Statutes of Utah, 1898, Relating to the Practice Upon Instructions and When and How Exceptions to Instructions Shall be Made," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 10, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 78, being "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, Relating to the Form of Exceptions, Specifications of Particulars and the Evidence and Documents to be Incorporated in a Bill of Exceptions" respectfully report, that they have had the same under consideration, have offered an amendment to Section 1 thereof, and as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 10, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 83, being "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, Where all Judges of the City Court are Disqualified, and Providing for a Judge Pro Tempore in City Courts, in Certain Cases, and Fixing His Compensation" respectfully report, that they have had the same under consideration, have offered a certain amendment to Section 4 thereof, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, February 10, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 5, "An Act to Provide for the Treatment and Cure of Habitual Drunkards, Defining Who May be Classed as Such, and Prescribing Certain Duties of the County Attorney, County Auditor and Board of County Commissioners," beg leave to report, that they have considered the same and recommend that the act, with amendments, be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, February 10, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 65, by Mr. Barber, "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections and the Terms of Municipal Officers" beg leave to report, that they have considered the same and that they recommend that the act, with amendments, be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, February 10, 1903.

Mr. President:—Your Committee on Private Corporations, to whom was referred S. B. No. 41, by Mr. Williams, entitled "An Act Fixing Nine Hours as a Day's Work for Motormen and Conductors Operating Cars Upon the Street Railways of This State and Prescribing a Penalty for the Violation Thereof," respectfully report, that we have had this act under consideration and recommend that it be not passed.

H. S. LARSEN, Chairman.

Report adopted.

Committee Room, February 10, 1903.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. J. M. No. 1, by Mr. Spry, asking for an appropriation of seventy-five thousand dollars beg to report that we have had this memorial under consideration and recommend the passage of same.

M'KAY, Chairman.

Report adopted.

Committee Room, February 10, 1903.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. P. No. 11, by Mr. Whitmore, asking for an experimental farm in Juab County, respectfully report that we have had this petition under consideration and recommend that it be not passed.

M'KAY, Chairman.

Report adopted.

Committee Room, February 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 61, by Committee on Education, as a substitute for H. B. No. 19, by Mr. Molyneux, "An Act to Amend Sections 1855 and 1858 of the Revised Statutes of Utah, 1898, Relating

to Text Books Conventions for the Adoption of Text Books," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

The President of the Senate not being present, the report was adopted and the bill laid on the table for signature of the President.

Committee Room, February 10, 1903.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 60, by Mr. Gardner, "An Act Establishing Farms to Investigate and Demostrate the Best Methods of Reclaiming the Dry or Arid or Non-Irrigated Lands of the State of Utah, and Making Appropriations Therefor," respectfully report that we have had this act under consideration and recommend the same for passage as amended.

M'KAY, Chairman.

Report adopted.

The report of the Committee on Public Printing received by the Senate February 9th, recommending that S. B. No. 42 be rejected, was taken from the table and adopted.

REPORT CONFERENCE COMMITTEE.

The Conference Committee on S. C. R. No. 1 reported that a compromise had been agreed upon, making the day of limitation the forty-fifth instead of the fortieth.

On motion of Mr. Bennion the report was adopted.

INTRODUCTION OF BILLS.

S. B. No. 95, by Mr. Lawrence, "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court and Making an Exception of Fines Imposed

by the District Court in Cases Appealed from City Courts," was read the first time and referred to the Committee on Judiciary.

S. B. No. 96, by Mr. Lawrence, "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the Ex-Officio Clerk Thereof," was read the first time and referred to the Committee on Judiciary.

S. B. No. 97, by Mr. Lawrence, "An Act Amending Section 18, of Chapter 109, of the Session Laws of Utah, 1891, in Relation to New Trials and Appeals in City Courts" was read the first time and referred to the Committee on Judiciary.

S. B. No. 98, by Mr. Lawrence, "An Act in Relation to Proceedings Against Corporations for Violation of City Ordinances, Prescribing the Requisite of Summons to be Served in Lieu of a Warrant, the Time of Service, the Plea to the Complaint, the Hearing on the Charge and the Imposition of a Penalty Upon Conviction," was read the first time and referred to the Committee on Judiciary.

S. B. No. 99, by Mr. Lawrence, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court From a City Court, Providing for the Prosecution Thereof in the District Court, and for the Payment of Witnesses Therein" was read the first time and referred to the Committee on Judiciary.

S. B. No. 100, by Mr. Lawrence, "An Act Amending Section 22 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees to be Collected by the ex-Officio Clerk of the City Courts" was read the first time and referred to the Committee on Judiciary.

S. B. No. 101, by Mr. Lawrence, "An Act Amending Section 15, of the Session Laws of Utah 1901, in Relation to the Manner of Commencing Actions, the Issuing of Summons and the Form Thereof in City Courts" was read the first time and referred to the Committee on Judiciary.

S. B. No. 102, by Mr. Lawrence, "An Act In Relation to the Serving of Process Issued Out of City Courts, and Providing Who May Serve Such Process" was read the first time and referred to the Committee on Judiciary.

S. B. No. 103, by Mr. Lawrence, "An Act Authorizing a Seal for City Courts in Cities of the First Class, Prescribing the Design and Designating the Custodian Thereof," was read the first time and referred to the Committee on Judiciary.

S. B. No. 104, by Mr. Sherman, "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses, and Providing for Issuing Subpoenas, Compelling Attendance of Witnesses, and Administering Oaths in Such Proceedings" was read the first time and referred to the Committee on Judiciary.

S. B. No. 105, by Mr. Sherman, "An Act in Relation to Streets, Alleys, Lanes, Courts and Other Highways Within Cities and Towns, Defining What Are Such, and Prescribing Under What Conditions a Street, Alley, Lane or Court May Become a Public Highway by Impied Dedication" was read the first time and referred to the Committee on Judiciary.

S. B. No. 106, by Mr. Lewis, "An Act to Provide for an Additional Shaft, Incline, Tunnel, Manway, or a Double Shaft, in certain Mines in This State, and Providing a Penalty for a Violation of This Act" was read the first time and referred to the Committee on Mines and Minerals.

S. B. No. 107, by Mr. Williams, "An Act Amending Chapter 80 of the Session Laws of Utah, 1901, an Act Entitled 'An Act Providing for the Incorporation of Churches and Religious Societies,'" was read the first time and referred to the Committee on Private Corporations and Insurance.

S. B. No. 108, by Mr. Lawrence (by request), "An Act to Amend Section 3508 of the Revised Statutes of Utah, 1898, in Respect to Damages for Nuisances" was read the first time and referred to the Committee on Judiciary.

S. B. No. 109, by Mr. Lawrence (by request), "An Act to Amend Section 3060, Revised Statutes of Utah,

in Respect to the Granting of Injunctions" was read the first time and referred to the Committee on Judiciary.

READING SENATE BILLS SECOND TIME.

S. B. No. 19, by Mr. Sherman, "An Act to Prevent and Punish the Desecration of the Flag of the United States," was read the second time.

S. B. No. 44, by Mr. Gardner, "An Act Prescribing Rules of Negligence in Cases Where Livestock Are Killed or Injured by Railroad Companies," was read the second time.

SPECIAL ORDERS.

S. B. No. 51, by Mr. Bamberger (by request), "An Act to Regulate the Practice of Osteopathy in the State of Utah, and Establishing a Board of Osteopathic Registration and Examination," special order for 3 p. m., was read the third time and recommitted to the Committee on Public Health.

H. B. No. 24, by Evans, entitled, "An Act Ceding to the United States Jurisdiction Over Lands or Territories in This State Which Have Been or That May be Hereafter Acquired for Sites for Public Buildings, and Authorizing the Governor to Execute the Necessary Deeds Therefor," special order for 3:30 p. m., was taken up and read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 8.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams.

Absent and not voting: Mr. President, Loose, Larsen (C. P.).

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, S. B. No. 12, by Mr. Larsen, (C. P.) entitled, "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same, and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof," the same is herewith transmitted to your honorable body for your further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Lawrence the Senate concurred in the House amendments and S. B. No. 12 as amended was read the first and second times, and the rules were suspended and the bill read the third time and passed by the following vote:

Ayes, 17; noes, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams.

Absent and not voting: Mr. President.

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

S. B. No. 12 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session as amended, H. B. No. 4, by Mr. Chipman, entitled "An Act Amending Section 1005 of the Revised Statutes of Utah, 1898, Relating to Officers

Not Entitled to Witness Fees," the same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President of the Senate not being present the communication was filed and the bill laid on the table for the signature of the President.

House of Representatives.
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. C. R. No. 1, by Mr. Love, Prohibiting the Introduction of Bills After the Forty-fifth day of the Session of the Senate or House if Objection is Made by at Least One-third of the Members Present," the same is transmitted to your honorable body for your action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Bennion the House amendment was concurred in by the Senate.

House of Representatives.
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session as amended, H. B. No. 26, entitled "An Act to Amend Section 4470 of the Revised Statutes of Utah, 1898, Relating to Obtaining Food or Lodging Under False Pretenses in Any Boarding or Lodging House or Inn, and Providing a Penalty Therefor," the same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President of the Senate not being present the communication was filed and the bill laid on the table for the signature of the President.

House of Representatives,
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session the within communication to the Legislative Council of New Mexico, the same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Sergeant-at-Arms was instructed to wire the following communication to the Legislative Council of New Mexico:

State of Utah, Senate Chamber,
February 10, 1903.

To the Legislative Council, Santa Fe, N. M.:

Replying to wire of recent date, will say in compliance both with your request and that of the Territorial Assembly of Arizona, we passed under suspension of rules Joint Memorial urging admission of both territories and same received sanction of Governor and has been forwarded to Washington, D. C.

May success crown your efforts and the near future find your stars in the firmament of "Old Glory."

Fifth Legislative Assembly of the State of Utah.

S. H. LOVE,
President of Senate Pro Tempore.
THOMAS HULL,
Speaker of the House of Representatives.

SENATE CLAIM.

S. C. No. 1, by Mr. Lawrence (by request), claim of Lewis P. Kelsey against the State of Utah, was referred to the Committee on Appropriations and Claims.

SECOND READING SENATE BILL.

S. B. No. 63, by Mr. Lawrence (by request), "An Act Making it Unlawful to Injure, Obstruct or Destroy Any Line Erected or Constructed for the Transmission of Electrical Current, or Appurtenances or Appliances Connected Therewith; or to Remove, Injure or Destroy Any House, Shop, Building or Other Structure or Machinery Connected Therewith; or to Set Any Fire That Shall Result in Such Injury or Destruction; or to Prevent the Removal of Any Obstruction to Such Lines, and Prescribing Punishment Therefor," was read the second time, the rules were suspended and the bill was read the third time and passed by the following vote.

Ayes, 17; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, Mcay, Murdock, Sherman, Whitmore, Williams.

Absent and not voting: Mr. President.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, as amended, H. B. No. 3, by Mr. Barrett, entitled "An Act to Provide for the Amount of Powder or High Explosives That May Be stored in a Mine at Any One Time and Prescribing a Penalty for a Violation Thereof, the same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President of the Senate not being present the communication was filed and the bill laid on the table for signature of the President.

House of Representatives,
Salt Lake City, Feb. 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a committee of three, consisting of Mr. Barrett, Mr. Merrill and Mr. Stoker, to confer with a like committee from the Senate in regard to the invitation to visit the Agricultural College and the University of Utah.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Barnes, the President pro tempore appointed Messrs. Barnes and Loose as a committee to confer with the House committee in regard to the invitation to visit the Agricultural College and the University of Utah.

On motion of Mr. Lewis the rules were suspended, S. B. No. 3, S. B. No. 4 and the Governor's vetoes thereof, were recalled from the Committee on Public Lands and were made special orders for Feb. 16, at 3 p. m.

REPORT SPECIAL COMMITTEE.

The special committee appointed to meet with a like committee from the House reported that the two committees had decided to report that the House and the special committee of five from the Committee on Public Institutions of the Senate and all other Senators who desire to go would visit the Agricultural College on Feb. 13, and that the members of the two Houses visit the State University on Feb. 17, leaving the Deseret National Bank corner in a body at 10 a. m.

Report adopted.

On motion of Mr. Sherman, Senate adjourned at 4:40 p. m.

THIRTY-FIRST DAY.

State of Utah, Senate Chamber,
February 11, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

Mr. Barnes was excused for the day.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 65, by Mr. Luther, entitled "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, in Relation to Reports of County Treasurers and County Auditors to the State Auditor of Certificates and Warrants Issued for Mileage and Attendance of Grand Jurors, for Mileage and Attendance of Petit Jurors Engaged in the Trial of Criminal Cases in the District Court, for Mileage and Attendance of Witnesses Summoned by or on Behalf of the State in Criminal Cases, in the District Court, and for Salaries of County Assessors and the Disposition of the Funds for Payment of the Same." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 65, by Mr. Luther, was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, H. B. No. 58, by Mr. McKinnon, entitled "An Act Amending Section 25 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sales of Trespassing Animals." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 5, by Mr. McKinnon, was read the first time and referred to the Committee on Livestock.

House of Representatives,
Salt Lake City, Feb. 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 34, by Mr. Child, entitled "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials." The same is herewith transmitted to your honorable body for your further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 34, by Mr. Child, was read the first time and referred to the Committee on Salaries.

READING OF PETITIONS.

S. P. No. 23, by Mr. Allison, asking that the laws be amended to require the County Commissioners to care for all the poor of counties, or that cities of the second class be allowed to levy taxes to provide for their poor, and that counties be allowed to levy poor taxes only outside of cities of the second class, signed by the Mayor and Councilmen of Ogden, was read the first time and referred to the Committee on Judiciary.

S. P. No. 24, by Mr. Allison, asking that an appropriation of five thousand dollars be made for the improvement of roads in Weber County, signed by W. G. Wilson, was read and referred to the Committee on Highways and Bridges.

SIGNING OF BILLS.

The report of the Committee on Engrossed and Enrolled Bills, notifying the Senate of the engrossment of S. B. No. 10, was taken from the table, and S. B. No. 10 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

The report of the Committee on Engrossed and Enrolled Bills, notifying the Senate of the engrossment of S. B. No. 35, was taken from the table and S. B. No. 35, was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

H. B. No. 26 was taken from the table and was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

H. B. No. 3 was taken from the table and was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

H. B. No. 4 was taken from the table and was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 10, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 12, by Mr. Larsen (C. P.), "An Act to Encourage the Destruction of Grasshoppers, etc." beg leave to report that the same has been correctly engrossed and enrolled and the same is herewith presented for your signature.

JOHNSON, Chairman.

S. B. No. 12 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 10, 1903.

Mr. President:—Your committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 61, by Committee on Education, as a substitute for H. B. No. 19, by Mr. Molyneux, "An Act to Amend Sections 1855 and 1858 of the Revised Statutes of Utah, 1898, Relating to Text Books Conventions for the Adoption of Text Books," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 61 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 11, 1903.

Mr. President:—We, your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 68, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Lands Reclamation Fund, Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof," beg leave to report that they have considered the same and amended the same and the title thereof and they recommend that the act as amended be passed.

M'KAY, Chairman.

Report adopted.

MAJORITY REPORT.

Committee Room, Feb. 11, 1903.

Mr. President:—We, the majority of your Committee on Municipal Corporations, to whom was referred S. B. No. 6, by McKay, "An Act to Enable Incorporated

Cities and Towns to Supply Said Cities and Towns and Inhabitants Thereof with Pure and Wholesome Water and for the Purchase or Condemnation of Water Systems, Plants, Property and Franchises for the Use of Said Cities and Towns," respectfully report that we have had this act under consideration and recommend that the same be passed.

C. P. LARSEN,
Chairman.

MINORITY REPORT.

Mr. President:—A minority of your Committee on County and Municipal Corporations report adversely on S. B. No. 6 and recommend that the bill do not pass for the following reasons:

First. That it is unconstitutional and against good public policy.

Second. That it is special legislation in the especial interest of first and second class cities of this State and a dangerous principle to apply to the interests of all of the people of this State.

Third. That if this bill should become law, it will in the future entail untold and unnecessary litigation upon the citizens in defending their personal rights already well established and be a never failing source of expense to our citizens, and delay what is so much desired, a settlement of individual vested rights.

Fourth. And for the further reason, that the apparent object of this bill is already provided for in subdivision 5 of Section 3588, R. S. of Utah, 1898, by enumerating among the uses for which reservoirs, dams, water gates, canals, ditches and flumes may be condemned, under the laws of eminent domain, any waters used for domestic or other purposes.

WHITMORE.

The reports of the committee and of the minority were made a special order for Feb. 16, at 3:30 p. m.

Committee Room, Feb. 11, 1903.

Mr. President:—Your Committee on Manufacture and Commerce, to whom was referred S. B. No. 16, by Mr. Barnes, "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 we have considered this act and recommend that it be not passed.

LOVE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 110, by Mr. McKay, "An Act to Amend Section 2205 of the Revised Statutes of Utah, 1898, Relating to Bringing of Paupers, Etc., Into the State," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 111, by Mr. Lewis, "An Act Defining Certain Duties of the Attorney General," was read the first time and referred to the Committee on Judiciary.

S. B. No. 112, by Mr. Williams (by request), "A Bill Authorizing the Secretary of State to Purchase and Distribute Two Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1-25," was read the first time and referred to the Committee on Judiciary.

S. B. No. 113, by Mr. McKay, "An Act to Amend Section 2056 of the Revised Statutes of Utah, 1898, Relating to the Classification of Counties," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 114, by Mr. Barber, "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating Certain Marriage Licenses Issued by Any District Court, or Clerk Therof, Within This State," was read the first time and referred to the Committee on Judiciary.

S. B. No. 115, by Mr. Allison, "An Act Amending Section 4953, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for Filing the Same," was read the first time and referred to the Committee on Judiciary.

READING SENATE BILL THIRD TIME.

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards, Defining Whom May be Classed as Such, and Prescribing Certain Duties of the County Attorney, County Auditor and Boards of County Commissioners," was read the third time and was rejected by the following vote:

Ayes, 9; nays, 7.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Larsen (C. P.), Larsen (S. H.), Lewis, McKay, Murdock, Whitmore.

Those voting in the negative were: Gardner, Johnson, Loose, Love, Sherman, Williams, Mr. President.

Absent and not voting: Barnes, Lawrence.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate Amendments to H. B. 24, by Mr. Evans, entitled, "An Act Ceding to the United States Jurisdiction Over Lands or Territory in This State Which Has Been or That May be Hereafter Acquired for Sites for Public Buildings and Authorizing the Governor to Execute the Necessary Deeds Therefor."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

THIRD READING SENATE BILLS.

S. B. No. 17, by Mr. Love, "An Act to Codify and Revise Certain Laws of the State Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or That Are Impure, Unwholesome, Adulterated or Misbranded; to Provide Penalties for the Violation of Any Provision of This Act, and to Repeal Sections 2446 to 2450, Both Inclusive, Sections 729 to 746, Both Inclusive, Sections 4283 to 4290, Both Inclusive, and Chapters 34 and 48, Laws of Utah, 1899," was read the third time and action on the same was deferred until Feb. 12.

S. B. No. 19, by Mr. Sherman, "An Act to Prevent and Punish the Desecration of the Flag of the United States," was read the third time and passed by the following vote:

Ayes, 16; noes, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (S. H.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Lawrence.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 29, by Mr. Nash, entitled "An Act to Exempt Soldiers From Poll Tax, and to Repeal Section 5, Chapter 4, Laws of Utah, 1901." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 29, by Mr. Nash, was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

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. 12, entitled, "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof." The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The communication was filed and S. B. No. 12 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

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. 35, entitled "An Act Amending Section 666a of Chapter 34, Session Laws 1901, Creating the Office of Stenographer of the Supreme Court and Fixing the Salary Thereof." The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The communication was filed and S. B. No. 35 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

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. 10, entitled "An Act Amending Section 2039, Chapter 1, Title 59, of the Re-

vised Statutes of Utah, 1898." The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The communication was filed and S. B. No. 10 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

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. 61, entitled "An Act to Amend Sections 1855 and 1858 of the Revised Statutes of Utah, 1898, Relating to Text Books Conventions for the Adoption of Text Books." The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The communication was filed and S. B. No. 61 was transmitted to the Governor.

THIRD READING SENATE BILL.

S. B. No. 44, by Mr. Gardner, "An Act Prescribing Rules of Negligence in Cases Where Livestock Are Killed or Injured by Railroad Companies," was read the third time and was made a special order for Feb. 17 at 3 p. m.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, S. B. No. 52, entitled "An Act to Authorize

Administrators, Executors and Guardians to Lease Mining Claims and Give an Option to Purchase the Same, Authorizing the Court to Require Bonds and Prescribing Conditions Under Which Title May be Obtained." The same is herewith transmitted to your honorabls body for your further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 52 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 1, by Mr. Larsen (H. S.), entitled, "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Within Five Miles of Any Grading Camp or Assembly of Twenty-five or More Men Engaged in the Construction or Repair of Any Railroad, Canal, Reservoir, Public Works or Other Kindred Enterprises." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

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

House of Representatives,
Salt Lake City, Feb. 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 61, by Mr. McKinnon, entitled "An Act to Amend Section 999 of the Revised Statutes of Utah, 1898, Relating to Jurors in Justices' Courts, Per Diem and Mileage." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 61, by Mr. McKinnon was read the first time and referred to the Committee on Judiciary.

Mr. Lawrence was excused for the day.

On motion of Mr. Murdock, Senate adjourned at 5 p. m.

THIRTY-SECOND DAY.

State of Utah, Senate Chamber,
February 12, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the thirty-first day's session were read, corrected and approved.

PRESENTATION OF PETITION.

S. P. No. 25, by Mr. Larsen (C. P.), asking that the month of March be made an open season for shooting ducks and geese in Sanpete County, and that the sale of game and game fish be prohibited for at least five years, signed by Joseph H. Thompson and others, was read and referred to the Committee on Fish and Game.

INTRODUCTION OF BILL.

S. B. No. 116, by Mr. Love (by request), "An Act to Amend Section 1 of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps," was read the first time and referred to the Committee on Judiciary.

UNFINISHED BUSINESS.

READING SENATE BILLS SECOND AND THIRD TIMES.

S. B. No. 53, by Mr. Lawrence (by request), "An Act to Amend Section 2980 of the Revised Statutes of Utah, 1898, Providing When a Reply to An Answer is Necessary," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose.

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

S. B. No. 55, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 511 of the Revised Statutes of Utah, 1898, in Relation to the General Powers of the Board of County Commissioners, and Fixing Specifically Their Powers and Duties to the Indigent Sick and Otherwise Dependent Poor," was recommitted to the Committee on Judiciary.

S. B. No. 60, by Mr. Gardner, "An Act Establishing Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry and Arid or Non-Irrigated Lands of the State of Utah, and Making an Appropriation Therefor," was read the second time.

S. B. No. 65, by Mr. Barber, "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections and the Terms of Municipal Officers," was read the second time and further consideration of the same was postponed until Feb. 16.

S. B. No. 78, by Mr. Lawrence (by request), "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, Relating to the Form of Exceptions, Specifications or Particulars, and the Evidence and Documents to be Incorporated in a Bill of Exceptions," was read the

second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose, Love.

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

S. B. No. 80, by Mr. Lawrence (by request), "An Act to Amend Section 3151 of the Revised Statutes of Utah, 1898, Relating to the Practice Upon Instructions and When and How Exceptions to Instructions Shall Be Made," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose, Johnson.

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

S. B. No. 83, by Mr. Lawrence, "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court Where All Judges of the City Court are Disqualified, and Providing for a Judge Pro Tempore in City Courts in Certain Cases, and Fixing His Compensation," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose.

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

On motion of Mr. Love the vote by which S. B. No. 5 was rejected was reconsidered and S. B. No. 5 was made a special order for Feb. 16 at 3:30 p. m.

On motion of Mr. Johnson the Senate took a recess at 3:30 to meet with the House for exercises commemorative of Presidents Lincoln and McKinley.

JOINT SESSION.

The Senate and the House met in the hall of the House of Representatives at 3:35 p. m. for exercises commemorative of Presidents Lincoln and McKinley.

Roll-call; quorum present.

Representative Done addressed the joint assembly upon the subject, "Lincoln, the Man."

Senator Love addressed the joint assembly upon the subject, "McKinley, the Soldier."

Representative White addressed the joint assembly on the subject, "Lincoln, the Statesman."

At 4:20 President Allison declared the joint assembly dissolved.

REGULAR SESSION.

At 4:30 the Senate resumed session.

SECOND AND THIRD READING OF SENATE BILL.

S. B. No. 68, by Mr. Williams, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Lands Reclamation Fund, Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose, Lewis, Sherman.

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

SECOND AND THIRD READING HOUSE JOINT MEMORIAL.

H. J. M. No. 1, by Mr. Spry, "A Memorial to Congress, Asking for an Appropriation of $75,000 for Irrigation Purposes," was read the second time, and the rules were suspended and the memorial was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose, Lewis, Sherman.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 6, by Mr. Molyneux, entitled, "An Act to Amend Section 1818 of the Revised Statutes of Utah, 1898, Relating to Text Books, Furniture, etc." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 6 was read the first time and referred to the Committee on Education.

Mr. Loose was excused for the day. Mr. Sherman was excused for that part of the day since the joint session.

The special committee of the Committee on Public Institutions, Messrs. Gardner, Williams, Johnson, Barber and Bennion, were excused to Feb. 13.

Messrs. Barnes and Whitmore were also excused for Feb. 13.

On motion of Mr. Lawrence, Senate arjourned at 5 p. m.

THIRTY-THIRD DAY.

State of Utah, Senate Chamber,
February 13, 1903.

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

Roll-call; quorum not present.

After waiting until 2:25 p. m., and a quorum appearing,

The Chaplain offered prayer.

The minutes of the thirty-second day's session were read and approved.

PRESENTATION OF PETITION.

S. P. No. 26, by Larsen (C. P.), (by request), endorsing the initiative and referendum, signed by Chas. E. Strong and others, was read and referred to the Committee on Judiciary.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 99, being "An Act in relation to the District Court procedure in criminal cases

arising through the violation of a city ordinance and appealed to the District Court from a City Court, providing for the prosecution thereof in the District Court, and for the payment of witnesses therein," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 103, being "An Act authorizing a Seal for City Courts in Cities of the first class, prescribing the design, and designating the custodian thereof," respectfully report, that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 90, being "An Act to amend Section 976, Revised Statutes of Utah, relating to the fees of County Auditor," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 102, being "An Act in relation to the serving of process issued out of City Courts, and providing who may serve such process," respectfully

report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 30, being "An Act to amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137, of the laws of Utah, 1901, to encourage the destruction of certain wild animals, and providing bounty for the killing of the same, and penalties for violations thereof," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 101, being an "Act amending Section 15, of Chapter 109 of the Session laws of Utah, 1901, in relation to the manner of commencing actions, the issuing of summons and the form thereof in City Courts," respectfully report, that they have had the same under consideration, have offered certain amendments thereto, and as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 91, being "An Act to prohibit Judges of Courts of Record from practicing law,"

respectfully report that they have considered the same, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 13, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 98, being "An Act in relation to proceedings against Corporations for violations of City Ordinances, prescribing the requisite of Summons to be served in lieu of a warrant, the time of service, the plea to the Complaint, the hearing on the charge and the imposition of a penalty upon conviction," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

INTRODUCTION OF BILL.

S. B. No. 117, by Mr. McKay, "An Act to Provide for the Establishment and Maintenance of a Schol for Deficient Youth," was read the first time and referred to the Committee on Education.

COMMUNICATION.

The following telegraphic communication was received:

Cedar City, Utah, February 12.

Senator A. B. Lewis, Salt Lake City, Utah:

Citizens Branch Normal School District extend urgent invitation to Senate to visit Branch Normal Schol.

CITIZENS' COMMITTEE.

Referred to the Committee on Public Institutions.

THIRD READING SENATE BILLS.

Action on S. B. No. 17, by Mr. Love, was deferred.

S. B. No. 60, by Mr. Gardner, "An Act Establishing Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry and Arid or Non-irrigated Lands in the State of Utah, and Making an Appropriation therefor," was read the third time, and action on the same deferred.

SECOND READING SENATE BILLS.

On motion of Mr. Lawrence, the rules were suspended and the following bills were read the second time:

S. B. No. 99, by Mr. Lawrence, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court From a City Court, Providing for the Prosecution Thereof in the District Court, and for the Payment of Witnesses Therein."

S. B. No. 103, by Mr. Lawrence, "An Act Authorizing a Seal for City Courts in Cities of the First Class. Prescribing the Design and Designating the Custodian Thereof."

S. B. No. 90, by Mr. Lawrence, "An act to Amend Section 976, Revised Statutes of Utah, Relating to the Fees of County Auditors."

S. B. No. 102, by Mr. Lawrence, "An Act In Relation to the Serving of Process Issued Out of City Courts, and Providing Who May Serve Such Process."

S. B. No. 101, by Mr. Lawrence, "An Act Amending Section 15, of the Session Laws of Utah 1801, in Relation to the Manner of Commencing Actions, the Issuing of Summons and the Form Thereof in City Courts."

S. B. No. 91, by Mr. Lawrence, "An Act to Prohibit Judges of Courts of Record from Practicing Law."

S. B. No. 98, by Mr. Lawrence, "An Act in Relation to Proceedings Against Corporations for Violation of City Ordinances, Prescribing the Requisite of Summons to be Served in Lieu of a Warrant, the Time of Service, the Plea to the Complaint, the Hearing on the Charge and the Imposition of a Penalty Upon Conviction."

H. B. No. 30, by Mr. Watts, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same and Penalties for Violations Thereof."

MISCELLANEOUS.

Mr. Loose was excused for the day.

Mr. Bamberger moved that when the Senate adjourn, it be until February 16th. Carried.

On motion of Mr. Lawrence, Senate adjourned at 2:45 p. m.

THIRTY-SIXTH DAY.

State of Utah, Senate Chamber,
February 16, 1903.

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

Roll-call; quorum present.

Prayer by Bishop Murdock of Beaver, Utah.

The minutes of the thirty-third day's session were read and approved.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 12, 1903.

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. 10, entitled, "An Act Amending Section 2039, Chapter I, Title 59, of the Revised Statutes of Utah, 1898, Relating to the Payment of Rewards for the Destruction of Certain Wild Animals and Birds."

Senate Bill No. 35, entitled, "An Act Amending Section 666a of Chapter 34, Session Laws, 1901, Creating the Office of Stenographer of the Supreme Court and Fixing the Salary Thereof."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, Feb. 14, 1903.

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. 61, entitled, "An Act to Amend Sections 1855 and 1858 of the Revised Statutes of Utah, 1898, Relating to Text Book Conventions for the Adoption of Text Books."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM SENATOR OF THE UNITED STATES THOMAS KEARNS.

A communication relating to the subject of irrigation was received from Senator of the United States Thomas Kearns, and was read and referred to the Committee on Agriculture and Irrigation.

COMMUNICATION FROM IDAHO LEGISLATURE.

The following communication was received from the Idaho Legislature:

Concurrent Resolution No. 4, in the Senate of Idaho, by O'Neil of Shoshone.

A Concurrent Resolution inviting the members of the Utah Legislature to visit the Capital of this State as the guests of the Idaho Legislature.

Be it resolved by the Legislature of the State of Idaho:

That an invitation be and hereby is extended to the honorable members of the Utah Legislature to visit the capital of this State during the present session as the guests of the Idaho Legislature, and that the President of the Senate and the Speaker of the House of Representatives be and are authorized and empowered to make all necessary arrangements for the reception and entertainment of the distinguished representatives of our sister State. And be it further

Resolved, That properly authenticated copies of this Concurrent Resolution be immediately forwarded to the presiding officers of the Senate and House of Representatives of the Utah Legislature.

Respectfully transmitted,

ALLEN MILLER,
Secretary of the Senate.

Approved:

J. W. BINGHAM, President Pro Tem.

Mr. Sherman moved that a special committee of four be appointed to meet with a like committee from the House, to consider the invitation of the Legislature of Idaho. Carried.

The President appointed Messrs. Sherman, Larsen (H. S.), Barber and Whitmore as such committee.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 16, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 1, by Mr. H. S. Larsen, beg leave eo report that we have correctly engrossed and enrolled the same, and it is herewith presented for your signature.

JOHNSON, Chairman.

S. B. No. 1 was signed by the President, in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 16, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 52, by Mr. Lawrence, beg leave to report that we have correctly engrossed and enrolled the same, and it is herewith presented for your signature.

JOHNSON, Chairman.

S. B. No. 52 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 16, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 92, by Mr. Lewis, "An Act to Tax Dogs; Defining Certain Duties of the County Assessor and Treasurer; Prescribing a Punishment for Stealing or Killing Taxed Dogs, and Providing a Penalty for the Violation of This Act," beg leave to report that they have considered the same and recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, Feb. 16, 1903.

Mr. President:—We, your Committee on Manufactures and Commerce, to whom was referred S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition at St. Louis, in the year 1904; to Define Its Powers and Duties, and to Make an Appropriation Therefor," beg leave to report that they have considered the same and that they recommend that the act with amendments be passed.

LOVE, Chairman.

Report adopted.

Committee Room, Feb. 16, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 81, by Mr. Johnson, "An Act to Amend Section 1250 of the Revised Statutes of Utah, 1898, Defining Certain Times at Which Liquor May be Dispensed, Prescribing Certain Restrictions Upon Persons Conducting Liquor Saloons, and Providing a Penalty for the Violation Thereof," beg leave to report that they have considered the same and they recommend that the act do not pass.

C. P. LARSEN, Chairman.

Report adopted.

Judiciary Committee Room,
February 16, 1903.

Mr. President:—We, your Committee on Judiciary, to whom was referred S. B. No. 111, being "An Act Defining Certain Duties of the Attorney General," respectfully report that we have considered the same and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Judiciary Committee Room,
February 16, 1903.

Mr. President:—We, your Committee on Judiciary, to whom was referred S. B. No. 95, being "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court, and Making an Exception of Fines Imposed by the District Court in Cases Appealed from City Courts," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Judiciary Committee Room,
February 16, 1903.

Mr. President:—We, your Committee on Judiciary, to whom was referred S. B. No. 77, being "An Act Relating to the Taking of Depositions Without the State," respectfully report that they have had the same under consideration, have amended the title thereto, and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 16, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 114, "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating Certain Marriage Licenses Issued by Any District Court, or Clerk Thereof, Within This State," respectfully report that we have had the same under consideration and recommend that the act be passed. LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 16, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 67, being "An Act to Increase the Number of Judges for the Third Judicial District, and for the Appointment of One Judge Pending the Next General Election," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 16, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 82, being "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing Their Oath, Fixing Their Bond, Designating the Depository for Fines and Forfeitures Coming Into Their Hands, and Enacting a New Section, to be Known as 'Section 249a,' More Expressly Defining the Duties of Such Commissioners," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 16, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 100, being "An Act Amending Section 22 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to the Fees to be Collected by the ex-Officio Clerk of the City Courts," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 16, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 97, being "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to New Trials and Appeals in City Courts," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 16, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 96, being "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the ex-Officio Clerks Thereof," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed. LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 16, 1903.

Mr. President:—We, your Committee on Salaries, to whom was referred H. B. No. 34, by Mr. Child, "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials," beg leave to report that they have considered the same and they recommend that the act be passed with the amendments thereto.

JOHNSON, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 118, by Mr. Bennion, "An Act Requiring the Secretary of State to Certify to the County Clerk of Each County of the State the Names of All Persons Holding Notarial Commissions Therein, the Date of Expiration of Same, and Requiring County Clerks to Keep a Record Thereof," was read the first time and referred to the Committee on Judiciary.

S. B. No. 119, by Mr. Lewis, "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values; Providing a Penalty for Certain County Officers or County Employes Who Shall Divulge the Name of a Person Giving Cer-

tain Information to the Assessor or to the Board of County Commissioners, and Fixing a Punishment of Certain County Officers for a Violation of This Act," was read the first time and referred to the Committee on Judiciary.

S. B. No. 120, by Mr. Lewis, "An Act to Amend Section 1134 of the Revised Statutes of Utah, 1898, Defining Certain Powers of the Board of County Commissioners as to Highways, and Prescribing a Penalty for the Injuring of Guide Posts Upon Any Public Highway in This State," was read the first time and referred to the Committee on Highways and Bridges.

S. B. No. 121, by Mr. Williams, "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for a Violation of This Act," was read the first time and referred to the Committee on Public Health.

UNFINISHED BUSINESS.

S. B. No. 17, by Mr. Love, "An Act to Codify and Revise Certain Laws of the State Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or That Are Impure, Unwholesome, Adulterated or Misbranded; to Provide Penalties for the Violation of Any Provision of This Act, and to Repeal Sections 2446 to 2450, 729 to 746, 4283 to 4290, All Inclusive, and Chapters 34 and 48, Laws of Utah, 1899," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Murdock.

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

CONSIDERATION DEFERRED.

Further consideration of S. B. No. 60, by Mr. Gardner, was deferred.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed as a committee to confer with a like committee of the Senate, relating to the invitation from the Legislature of Idaho, the following named Representatives: Barrett, Spry, Stewart, Adams.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

THIRD READING SENATE BILLS.

S. B. No. 90, by Mr. Lawrence, "An Act to Amend Section 976, Revised Statutes of Utah, 1898, Relating to the Fees of County Auditors," was read the third time and passed by the following vote:

Ayes, 12; nays, 0.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Lawrence, Lewis, Loose, Love, McKay, Williams, Mr. President.

Absent and not voting: Barber, Larsen (C. P.), Larsen (H. S.), Murdock, Sherman, Whitmore.

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

S. B. No. 91, by Mr. Lawrence, "An Act to Prohibit Judges of Courts of Record from Practicing Law," was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Williams, Mr. President.

Absent and not voting: Barber, Larsen (H. S.), Murdock, Sherman, Whitmore.

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

S. B. No. 98, by Mr. Lawrence, "An Act in Relation to Proceedings Against Corporations for Violation of City Ordinances, Prescribing the Requisite of Summons to be Served in Lieu of a Warrant, the Time of Service, the Plea to the Complaint, the Hearing on the Charge and the Imposition of a Penalty Upon Conviction," was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Williams, Mr. President.

Absent and not voting: Barber, Sherman, Larsen (H. S.), Whitmore, Murdock.

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

S. B. No. 99, by Mr. Lawrence, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court, Providing for the Prosecution Thereof in the District Court, and for the Payment of Witnesses Therein," was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 2.

Excused from voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Whitmore, Williams, Mr. President.

Excused from voting, Larsen (H. S.)

Absent and not voting, Murdock, Sherman.

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

SPECIAL ORDERS.

S. B. No. 3 and S. B. No. 4, and the Governor's vetoes thereof, special order for 3 p. m., were taken up, and

S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners," was passed over the Governor's veto by the following vote:

Ayes, 13; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (H. S.), Lawrence, Lewis, Loose, Love, Whitmore, Williams, Mr. President.

Those voting in the negative were: Johnson, Larsen (C. P.), McKay, Sherman.

Absent and not voting, Murdock.

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

S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, Entitled, 'Land Non-taxable While Title is in State. Improvements,'" was passed over the Governor's veto by the following vote:

Ayes, 13; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (H. S.), Lawrence, Lewis, Loose, Love, Whitmore, Williams, Mr. President.

Those voting in the negative were: Johnson, Larsen (C. P.), McKay, Sherman.

Absent and not voting, Murdock.

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

CONSIDERATION DEFERRED.

Further consideration of S. B. No. 6, by Mr. McKay, was deferred.

S. B. No. 5 was made a special order for Feb. 17 at 3 p. m.

THIRD READING SENATE BILL.

S. B. No. 101, by Mr. Lawrence, "An Act Amending Section 15 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to the Manner of Commencing Actions, the Issuing of Summons and the Form Thereof in City Courts," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Murdock.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed in open session Senate Bill No. 59, by Mr. Lawrence, entitled, "An Act to Amend Section 2881 of the Revised Statutes of Utah, 1898, in Relation to Time of Commencement of Action Against a County on Rejected Claims, by Including Within Said Limitation Incorporated Cities and Towns as Well as Counties." The same is herewith returned to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 59, by Mr. Lawrence, was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 58, by Mr. Lawrence, entitled,

"An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities and Towns." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 58, by Mr. Lawrence, was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Bill No. 71, by Mr. Hall, entitled, "An Act to Amend Section 40, Chapter 2, of the Revised Statutes of Utah, 1898, as Amended in Chapter 64 of the Session Laws of 1901, Relating to 'Marks and Brands,' and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 71, by Mr. Hall, was read the first time and referred to the Committee on Livestock.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, House Concurrent Resolution No. 1, "Relating to a Committee from the House and Senate to Visit the Branch Normal School at Cedar City." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. C. R. No. 1 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 56, by Mr. Lawrence, entitled, "An Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in Relation to the Time of Fixing the Rate of City Taxes and the Certification Thereof to the County Auditor." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 56, by Mr. Lawrence, was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

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. 24, by Mr. Evans, entitled, "An Act Ceding to the United States Jurisdiction Over Lands or Territory in This State Which Has Been or That May be Hereafter Acquired for Sites of Public Buildings, and Authorizing the Governor to Execute Necessary Deeds Therefor." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 24, by Mr. Evans, was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

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. 17, by Mr. Condon,

entitled, "An Act Extending the Time Limit for the Expenditure of Appropriation for Maintenance and Supplies for the State Institutions, Made in Section 1 of Chapter 135 of the Laws of 1901." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 17, by Mr. Condon, was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

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. 1, entitled, "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Within Five Miles of Any Grading Camp or Assembly of Twenty-five or More Men, Engaged in Construction or Repair of Any Railroad, Canal, Reservoir, Public Work or Other Kindred Enterprise." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 1 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 16, 1903.

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. 52, entitled, "An Act to Authorize Administrators, Executors and Guardians to Lease Mining Claims and Give an Option to Purchase the Same, and Authorizing the Court to Require Bonds, and Prescribing Conditions Under Which Title

May be Obtained." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 52 was transmitted to the Governor.

THIRD READING SENATE BILLS.

S. B. No. 102, by Mr. Lawrence, "An Act in Relation to the Serving of Process Issued Out of City Courts, and Providing Who May Serve Such Process," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Murdock.

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

S. B. No. 103, by Mr. Lawrence, "An Act Authorizing a Seal for City Courts in Cities of the First Class, Prescribing the Design and Designating the Custodian Thereof," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

BILL RECOMMITTED.

H. B. No. 30, by Mr. Watts, was recommitted to the Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE.

Senate Committee Room, Feb. 16, 1903.

Mr. President:—We, your Special Committee to whom was referred the invitation to visit the Idaho Legislature, beg leave to report that we have conferred with a like committee from the House, and recommend that the invitation be accepted.

We further recommend that we leave here not later than 1 o'clock p. m., Friday, the 20th (holding a morning session on that day), and return in time to meet at 2 o'clock Tuesday, the 24th inst., calling attention to the fact that Monday, the 2rd, is a legal holiday.

SHERMAN, Chairman.

Mr. Bennion moved that the report of the Special Committee be not adopted, and the report was rejected by the following vote:

Ayes, 14; nays, 4.

Those voting in the affirmative were: Bamberger, Bennion, Gardner, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barber, Barnes, Johnson, Larsen (H. S.)

CONSIDERATION DEFERRED.

Consideration of S. B. No. 65 was deferred, and S. B. No. 65 was made a special order for Feb. 17 at 3:30 p. m.

SENATE CLAIM.

S. C. No. 2, by Mr. Larsen (C. P.), claim of Sanpete County against the State of Utah, was referred to the State Board of Examiners.

On motion of Mr. Bennion, Senate adjourned at 4:35 p. m.

THIRTY-SEVENTH DAY.

State of Utah, Senate Chamber,
February 17, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the thirty-sixth day's session were read and approved.

BILL RECOMMITTED.

By unanimous consent, S. B. No. 81, by Mr. Johnson, was recommitted to the Committee on County and Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 17, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 59, by Mr. Lawrence, beg leave to report that they have correctly engrossed and enrolled the same, and it is herewith presented for your signature.

JOHNSON, Chairman.

S. B. No. 59 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 17, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 56, by Mr. Lawrence (by request), entitled, "An Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in Relation to the Time of Fixing the Rate of City Taxes and the Certification Thereof to the County Au-

ditor," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 56 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Senate Military Committee Room,
February 17, 1903.

Mr. President:—Your Committee on Military Affairs, to whom was referred H. B. No. 28, being "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States, and to Repeal Chapter 4, Laws of Utah, 1901," respectfully report that we have had the same under consideration, and recommend that the act be passed.

WILLIAMS, Chairman.

Report adopted.

Committee Room, Feb. 17, 1903.

Mr. President:—We, your Committee on Mines and Minerals, to whom was referred S. B. No. 62, by Mr. Barnes, "An Act Requiring Certain Companies to File with the Secretary of State a Semi-Annual Financial Statement," beg leave to report that they have considered the same, and they recommend that the act do not pass. LEWIS, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 17, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 29, being "An Act to Exempt Soldiers from Poll Tax, and to Repeal Section 5, Chapter 4, Laws of Utah, 1901," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 17, 1903.

Mr. President:—We, your Committee on Mines and Minerals, to whom was referred S. B. No. 33, by Mr. C. P. Larsen, "An Act Providing for the Inspection of Metaliferous Mines," beg leave to report that they have considered the same, and they recommend that the act be not passed. LEWIS, Chairman.

Report adopted.

PRESENTATION OF RESOLUTION.

S. J. R. No. 4, by Mr. Bamberger:

"Whereas, Article V. of the Constitution of the United States provides that 'the Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two-thirds of the several States shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by convention in three-fourths thereof,' etc.; and,

"Whereas, The House of Representatives of the Congress of the United States has on four separate occasions passed by a two-thirds vote a resolution proposing an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; and,

"Whereas, The United States Senate has each time refused to consider or vote upon said resolution, thereby denying to the people of the several States a chance to secure this much-desired change in the method of electing Senators; therefore, be it

"Resolved, By the Senate and House of Representatives of the State of Utah, that, under the authority of Article V. of the Constitution of the United States, application is hereby made to Congress to forthwith call a constitutional convention for the purpose of submitting to the States for ratification an amendment to the Fed-

eral Constitution providing for the election of United States Senators by direct vote of the people; and,

"Resolved, That the Secretary of the State be and is hereby directed to forward a properly authenticated copy of these resolutions to the President of the United States, to the President of the Senate of the United States, and to the Speaker of the House of Representatives of the United States."

S. J. R. No. 4, by Mr. Bamberger, was read the first time, and the rules were suspended and the resolution was referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

S. B. No. 122, by Mr. Lawrence (by request), "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers, and Fixing Their Terms of Office," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 123, by Mr. Johnson, "An Act to Prohibit the Insurance of Children Under the Age of Fifteen Years, and Providing a Penalty for the Same," was read the first time and referred to the Committee on Private Corporations and Insurance.

S. B. No. 124, by Mr. Lewis, "An Act Defining Certain Duties of the Board of County Commissioners and the County Auditor in Relation to Public Printing or Publishing," was read the first time and referred to the Committee on Public Printing.

READING SENATE BILLS SECOND TIME.

S. B. No. 77, by Mr. Lawrence (by request), "An Act Making Provision for the Taking of Depositions Additional to Those Contained in Chapter 55 of Title 73 of the Revised Statutes of Utah, 1898," was read the second time.

S. B. No. 67, by Mr. Lawrence (by request), "An Act to Increase the Number of Judges for the Third Judicial District, and for the Appointment of a Judge Pending the Next General Election," was read the second time, and the rules were suspended and the bill was read the third time.

SPECIAL ORDERS.

S. B. No. 44, by Mr. Gardner, "An Act Prescribing Rules of Negligence in Cases Where Livestock Are Killed or Injured by Railroad Companies," special order for 3 p. m., was taken up and was rejected, the vote being as follows:

Ayes, 6; nays, 12.

Those voting in the affirmative were: Barber, Gardner, Larsen (H. S.), Loose, Love, Whitmore.

Those voting in the negative were: Bamberger, Barnes, Bennion, Johnson, Larsen (C. P.), Lawrence, Lewis, McKay, Murdock, Sherman, Williams, Mr. President.

S. B. No. 5, by Mr. Bamberger, "An Act to Provide for the Treatment and Cure of Habitual Drunkards, Defining Whom May be Classed as Such, and Prescribing Certain Duties of the County Attorney, County Auditor and Boards of County Commissioners," special order for 3 p. m., was taken up and was rejected, the vote being as follows:

Ayes, 9; nays, 8.

Excused from voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (H. S.), Lewis, McKay, Murdock, Whitmore.

Those voting in the negative were: Gardner, Johnson, Lawrence, Loose, Love, Sherman, Williams, Mr. President.

Excused from voting, Larsen (C. P.)

S. B. No. 60, by Mr. Gardner, "An Act Establishing Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry and Arid or Non-irrigated Lands in the State of Utah, and Making an Appropria-

tion Therefor," special order for 3:30 p. m., was taken up and passed by the following vote:

Ayes, 17; nays, 0.

Excused from voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Excused from voting, Lawrence.

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

S. B. No. 65, by Mr. Barber, "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections and the Terms of Municipal Officers," special order for 3:30 p. m., was taken up, read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

SECOND READING SENATE BILLS.

S. B. No. 92, by Mr. Lewis, "An Act to Tax Dogs; Defining Certain Duties of the County Assessor and County Treasurer; Prescribing a Punishment for Stealing or Killing Taxed Dogs and Providing a Penalty for a Violation of This Act," was read the second time.

S. B. No. 82, by Mr. Lawrence (by request), "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing Their Oath, Fixing Their Bond, Designating the Depository for Fines and Forfeitures Coming Into Their Hands, and Enacting a New Section, to be Known as 'Section 249a,' More Expressly Defining the Duties of Such Commissioners," was read the second time.

S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition, at St. Louis, in the Year 1904; to Define Its Powers and Duties and to Make an Appropriation Therefor," was read the second time.

S. B. No. 95, by Mr. Lawrence, "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court and Making an Exception of Fines Imposed by the District Court in Cases Appealed from City Courts," was read the second time.

S. B. No. 96, by Mr. Lawrence, "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the Ex-Officio Clerk Thereof," was read the second time.

S. B. No. 97, by Mr. Lawrence, "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1891, in Relation to New Trials and Appeals in City Courts," was read the second time.

S. B. No. 100, by Mr. Lawrence, "An Act Amending Section 22 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees to be Collected by the Ex-Officio Clerk of the City Courts," was read the second time.

S. B. No. 111, by Mr. Lewis, "An Act Defining Certain Duties of the Attorney General," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

S. B. No. 114, by Mr. Barber, "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating Certain Marriage Licenses Issued by Any District Court, or Clerk Thereof, Within

This State," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Murdock.

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

READING HOUSE BILL SECOND TIME.

H. B. No. 34, by Mr. Childs, entitled, "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials," was read the second time and was made a special order for Feb. 18 at 3 p. m.

On motion of Mr. Johnson, Senate arjourned at 4 p. m.

THIRTY-EIGHTH DAY.

State of Utah, Senate Chamber,
February 18, 1903.

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

Roll-call- quorum present.

Prayer by Bishop Murdock of Beaver, Utah.

The minutes of the thirty-seventh day's session were read and approved.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 17, 1903.

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. 12, entitled, "An Act to Encourage the Destruction of Grasshoppers, Locusts and Crickets, to Provide a Bounty for the Destruction of the Same, and to Prevent Fraud in Obtaining the Bounty, and to Provide Penalties for the Violation Thereof, and Making Appropriation Therefor."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 17, 1903.

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. 59, by Mr. Lawrence, entitled, "A Bill for an Act to Amend Section 2881 of the Revised Statutes of Utah, 1898, in Relation to Time of Commencement of Actions Against a County on Rejected Claims by Including Within Said Limitation Incorporated Cities and Towns as Well as Counties." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 59 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 17, 1903.

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. 56, by Mr. Lawrence, "A Bill for an Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in Relation to the Time of Fixing the Rate of City Taxes and the Certificate Thereof to the County Auditor." The same is returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 56 was transmitted to the Governor.

PRESENTATION OF PETITIONS.

S. P. No. 27, by Mr. Bennion, relating to the roads and bridges of Uintah County, signed by William Ashby and others, was received and referred to the Committee on Highways and Bridges.

S. P. No. 28, by Mr. Larsen (H. S.), protesting against certain features of S. B. No. 72, signed by Joseph Josephson and others, was read and referred to the Committee on Fish and Game.

S. P. No. 29, by Mr. Lewis, protesting against the passage of S. B. No. 86, by Mr. Barnes, signed by Edward H. Snow and others, was referred to the Committee on Agriculture and Irrigation.

S. P. No. 30, by Mr. Gardner, asking for an appropriation for the repair of the road from Spanish Fork City to Lake Shore, signed by Robert T. Banks and others, was read the first time and referred to the Committee on Highways and Bridges.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 18, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 58,

"Relating to Claims Against Incorporated Cities and Towns," beg leave to report that they have correctly engrossed and enrolled the same, and it is herewith presented for your signature. JOHNSON, Chairman.

S. B. No. 58, was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 18, 1903.

Mr. President:—We, your Committee on Public Health, to whom was referred S. B. No. 89, "An Act Relating to the Location of Powder Houses or Magazines," beg leave to report that they have considered the same, and they recommend that the act be passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, Feb. 17, 1903.

Mr. President:—We, your Committee on Livestock, to whom was referred H. B. No. 58, "An Act Amending Section 25 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sale of Trespassing Animals," beg leave to report that they have considered the same and recommend that the act be passed.

BARNES, Chairman.

Report adopted.

Committee Room, Feb. 17, 1903.

Mr. President:—We, your Committee on Livestock, to whom was referred H. B. No. 71, substitute for H. B. No. 33, "An Act to Amend Section 40, Chapter 2, of the Revised Statutes of Utah, 1898, as Amended in Chapter 64 of the Session Laws of 1901, Relating to 'Marks and Brands,' and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto," beg leave to report that they have considered the same and recommend that the act be passed.

BARNES, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 18, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 112, being "An Act Authorizing the Secretary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1-25," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the same be passed. LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 18, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 34, being "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Payment of Messengers Delivering Election Returns," respectfully report that we have had the same under consideration, have prepared and herewith present a substitute therefor, S. B. No. 125, being "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Delivery of Election Returns, and the Payment Therefor," and recommend that the substitute be passed, and that the original bill be rejected.

LAWRENCE, Chairman.

Report adopted and S. B. No. 34 was rejected.
S. B. No. 125 was read the first time.

Committee Room, Feb. 18, 1903.

Mr. President:—We, your Committee on Manufactures and Commerce, to whom was referred S. B. No. 47, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Lewis and Clarke Centennial and American Pacific Exposition and Oriental Fair, to be held in Portland, Oregon, in the Year 1905;

to Define Its Duties, and Making an Appropriation Therefor," beg leave to report that they have considered the same and substituted therefor S. B. No. 126, and recommend that the substitute measure be passed.

LOVE, Chairman.

Report adopted and S. B. No. 47 was rejected.
S. B. No. 126 was read the first time.

Senate Judiciary Committee Room,
February 18, 1903.

Mr. President:—We, your Committee on Judiciary, to whom was referred S. B. No. 46, "An Act to Provide for the Initiative and Referendum Legislation," beg leave to report that they have considered the same and substituted therefor S. B. No. 127, and they recommend that the substitute be passed.

LAWRENCE, Chairman.

Report adopted and S. B. No. 46 was rejected.
S. B. No. 127 was read the first time.

PRESENTATION OF RESOLUTIONS.

S. C. R. No. 2, by Mr. Johnson:

Be it resolved by the Senate of the State of Utah, the House concurring:

That an invitation be and the same is hereby extended to the honorable members of the Idaho Legislature to visit the capital of Utah, during the present session, as the guests of the Utah Legislature, and that the President of the Senate and the Speaker of the House of Representatives be and are hereby empowered to make all necessary arrangements for the reception and entertainment of the representatives of our sister State; and be it further.

Resolved, That properly authenticated copies of this Concurrent Resolution be at once transmitted to the presiding officers of the Senate and House of Representatives of the Idaho Legislature.

S. C. R. No. 2 was read the first time and referred to the special committee on the invitation of the Idaho Legislature to the Utah Legislature to visit Boise, Idaho.

INTRODUCTION OF BILLS.

S. B. No. 128, by Mr. Bennion, "An Act Providing the Manner of Annexing Part of the Territory of a County to an Adjoining County," was read the first time and referred to the Committee on Judiciary.

S. B. No. 129, by Mr. Lawrence (by request), "An Act to Amend Section 105 of the Revised Statutes of the State of Utah, 1898, Relative to Admission of Attorneys to the Bar," was read the first time and referred to the Committee on Judiciary.

S. B. No. 130, by Mr. Allison, "An Act to Amend Section 324 of Chapter 1, Title 2, of the Revised Statutes of Utah of 1898," was read the first time and referred to the Committee on Judiciary.

THIRD READING SENATE BILLS.

S. B. No. 92, by Mr. Lewis, "An Act to Tax Dogs; Defining Certain Duties of the County Assessor and County Treasurer; Prescribing a Punishment for Stealing or Killing Taxed Dogs and Providing a Penalty for a Violation of This Act," was read the third time and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative: Larsen (H. S.), Love.

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

S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition, at St. Louis, in the Year 1904; to Define Its Powers and Duties and to Make an Appropriation Therefor," was read the third time, and further consideration was deferred.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 18, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 57, by Mr. Lawrence (by request), entitled, "An Act Amending Section 195 of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 57, by Mr. Lawrence, was referred to the Committee on Engrossed and Enrolled Bills.

THIRD READING SENATE BILLS.

S. B. No. 95, by Mr. Lawrence, "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court and Making an Exception of Fines Imposed by the District Court in Cases Appealed from City Courts," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

SPECIAL ORDER.

H. B. No. 34, by Mr. Childs, entitled, "An Act to Amend Section 2062 of the Revised Statutes of Utah,

1898, Providing for the Payment of Compensation to Deputy County Officials," special order for 3 p. m., was taken up, read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

THIRD READING SENATE BILLS.

S. B. No. 96, by Mr. Lawrence, "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the Ex-Officio Clerk Thereof," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

S. B. No. 97, by Mr. Lawrence, "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1891, in Relation to New Trials and Appeals in City Courts," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Love.

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

S. B. No. 100, by Mr. Lawrence, "An Act Amending Section 22 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees to be Collected by the Ex-Officio Clerk of the City Courts," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Love, Sherman.

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

S. B. No. 77, by Mr. Lawrence (by request), "An Act Making Provision for the Taking of Depositions Additional to Those Contained in Chaptr 55 of Title 73 of the Revised Statutes of Utah, 1898, and Prescribing the Procedure Under Which Depositions May be Taken Outside of the State on Oral Interrogation and Answers," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Larsen (C. P.)

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 18, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day communicated to the Speaker of the House that he has approved and filed in the office of the Secretary of State, House Bill No. 17, entitled, "An Act Extending the Time Limit for the Expenditure of Appropriation for Maintenance

and Supplies for State Institutions Made in Section 1 of Chapter 135 of the Laws of 1901;" also House Bill No. 3, entitled, "An Act to Provide for the Amount of Power or High Explosives That May be Stored in a Metalliferous Mine at Any One Time, and Prescribing a Penalty for a Violation Thereof."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

THIRD READING SENATE BILL.

S. B. No. 82, by Mr. Lawrence (by request), "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing Their Oath, Fixing Their Bond, Designating the Depository for Fines and Forfeitures Coming Into Their Hands, and Enacting a New Section, to be Known as 'Section 249a,' More Expressly Defining the Duties of Such Commissioners," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

SECOND AND THIRD READING HOUSE BILLS.

H. B. No. 28, by Mr. Nash, entitled, "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States, and to Repeal Chapter 4, Laws of Utah, 1901," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C.

P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

H. B. No. 29, by Mr. Nash, entitled, "An Act to Exempt Honorably Discharged Soldiers, Sailors and Marines from Poll Tax and to Repeal Section 5, Chapter 4, Laws of Utah, 1901," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

SPECIAL ORDER.

S. B. No. 67, by Mr. Lawrence (by request), was made a special order for Feb. 20 at 3 p. m.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 18, 1903.

To the Senate:

I have the honor to transmit for your information a copy of the report of Hon. D. H. Morris and Hon. Joel H. Johnson, special commissioners appointed by me, under authority of Joint Resolution No. 8, providing for the appointment of a legislative commission to visit the Legislature of Arizona and negotiate for the annexation of that part of the Territory of Arizona lying north of the Colorado River, to the State of Utah.

Very respectfully,
HEBER M. WELLS, Governor.

The report of the commissioners was ordered spread upon the Journal.

REPORT OF COMMISSIONERS.

Salt Lake City, Utah, Feb. 17, 1903.

To His Excellency Heber M. Wells, Governor of Utah:

We, your commissioners appointed to visit the Legislature of the Territory of Arizona to obtain, if possible, their consent to the annexation of the land belonging to Arizona lying north of the Colorado River, beg leave to report as follows:

Upon receipt of our commission we started for Phoenix, Arizona, where we arrived Monday, the 9th of February, and immediately called on the Governor, who, being busy at the time, made an appointment to meet us at 9 o'clock a.m. the next morning at the State Capitol at which time we presented our commission and were received with marked respect. The Governor sent by his private secretary to the different houses of the Legislature letters of introduction, of which Exhibits "A" and "B" are copies. These letters were read in both houses, and the Speaker of the House made a very warm speech of welcome. We were not in the council at the time of the reading of the letters sent to that house, it being read at about the same time that the one was read in the House of Representatives.

After adjournment of the council we had an interview with Eugene S. Ives, President of the Council, and stated that in conversation with the Governor we both decided it would be most satisfactory to us to have a hearing before a joint assembly, to which the President agreed, and suggested that we make a written application to the Legislature, which we did, Exhibit "C" being a copy. The next morning, Feb. 11, in conversation with President Ives, he stated that he had just been in consultation with the Governor and they had decided that it would be best to have a joint committee appointed before whom we could appear and make our statement and introduce any others who we would like to have heard, and should the report of the committee be favorable the matter might be settled by accepting the report of the committee; otherwise we could have a hearing before the joint assembly.

A resolution authorizing the President to appoint a committee of three (3) to meet with a similar committee of five (5) from the House was adopted and sent to the House, but before the House had time to act on said resolution the Council adjourned until the next day. The House passed the resolution and the Speaker appointed J. W. Woolf of Maricopa County, L. O. Cowen of Pima County, Kerr St. Charles of Mohave County, W. T. Webb of Graham County and John H. Page of Coconina County, the committee from the House. Upon the appointment of the House committee we asked President Ives to telephone if he would appoint the Council committee, so that we could present our request as soon as possible, and he replied that he would do so the next day, the 12th, at which time he appointed J. R. Whiteside of Mohave County, H. D. Rice of Graham County and J. B. Corbett of Pima County as said committee.

Immediately after the adjournment of the Legislature we met with the committee and presented our request and reasons for the same, after which E. S. Clark represented Coconina County and Kern St. Charles represented Mohave County, after which we withdrew and the committee drew up their report and presented the same to the different branches of the Legislature the next morning, Feb. 13, a copy of which is annexed and marked Exhibit "D."

Different members of the committee had told us their report recommended a hearing before a joint assembly, so we were taken by surprise and immediately took steps to have a joint resolution passed granting us a hearing before the joint assembly, and succeeded in having it passed by the House, a copy of which is annexed and marked Exhibit "E," and had it sent to the Council immediately, and there it was amended by a substitute being adopted, a copy of which is annexed hereto and marked Exhibit "F." The substitute made the report of the committee the report of the Legislature, which was adverse to the annexing of the land north of the Colorado River, and now being a part of Arizona, to the State of Utah. Immediately upon the passing of the substitute resolution by the Council that

body adjourned until the following Monday, Feb. 16, without waiting to hear what the House did relative to the substitute. The House, after hearing what the Council had done, and realizing that the action of the Legislature would be adverse to our petition, concurred in the substitute.

On the 11th we telegraphed Senator Rawlins if Delegate Smith would wire Arizona Legislature recommending the annexation, and received an answer after our return to the city, which forms Exhibits "G" and "H."

In conclusion we may add that the newspapers of Phoenix were very much opposed to the proposition, and the statements published in some instances only proved that the writers knew but little of what they wrote.

The Governor, Speaker of the House, and the Representatives showed us every courtesy and great consideration, and we are sorry that we cannot say the same of the Council. Councilor Heber Jarvis being the only member who voted against the substitute, and thereby expressed a desire to give us a hearing before the joint assembly.

Exhibits A, B, C, D, E, F, G, and H are attached to and form a part of this report.

D. H. MORRIS.
JOEL H. JOHNSON.

Feb. 17, 1903.

EXHIBIT "A."

February 10, 1903.

To the Honorable the Council, Twenty-second Legislative Assembly of Arizona:

Gentlemen:—His Excellency the Governor of Utah having appointed two commissioners from the State of Utah, in obedience to the provisions of a joint resolution of the Legislature of the State of Utah, approved by the Governor on the 4th day of February, 1903, to visit and negotiate with the Arizona Legislature now in session, for the purpose of obtaining its consent to the annexation of that tract of country in Arizona Territory

lying north of the Colorado River, and the making of the said river the boundary line between the State of Utah and the Territory of Arizona, and for other purposes, and said commissioners having presented their credentials to me as the Governor of Arizona, I take pleasure in introducing to your honorable body Messrs. David H. Morris and Joel H. Johnson, said commissioners, and bespeak for them your courteous consideration.

Very respectfully,

(Signed) ALEXANDER O. BRODIE,
Governor of Arizona.

EXHIBIT "B."

February 10, 1903.

To the Honorable the House of Representatives, Twenty-second Legislative Assembly of Arizona:

Gentlemen:—His Excellency the Governor of Utah having appointed two commissioners from the State of Utah, in obedience to the provisions of a joint resolution of the Legislature of the State of Utah, approved by the Governor on the 4th day of February, 1903, to visit and negotiate with the Arizona Legislature now in session, for the purpose of obtaining its consent to the annexation of that tract of country in Arizona Territory lying north of the Colorado River, and the making of the said river the boundary line between the State of Utah and the Territory of Arizona, and for other purposes, and said commissioners having presented their credentials to me as the Governor of Arizona, I take pleasure in introducing to your honorable body Messrs. David N. Morris and Joel H. Johnson, said commissioners, and bespeak for them your courteous consideration.

Very respectfully,

(Signed) ALEXANDER O. BRODIE,
Governor of Arizona.

EXHIBIT "C."

To the Twenty-second Legislative Assembly of the Territory of Arizona:

We beg to present herewith our commission from the State of Utah, and respectfully ask your honorable body to communicate with us, and suggest in what manner it may best serve your convenience to hear us with respect to the matters contained in such commission.

(Signed)

D. H. MORRIS,
JOEL H. JOHNSON.

EXHIBIT "D."

To the Officers and Members of the Twenty-second Legislative Assembly of the Territory of Arizona:

Your committee, appointed by the President of the Council and the Speaker of the House, respectively, to act jointly in the matter of meeting and hearing Messrs. J. H. Johnson and D. H. Morris, commissioners accredited to this Legislature by the Legislative Assembly of the State of Utah for the purpose of securing, if possible, the assent of the Arizona Legislature to the proposition that all that portion of Arizona lying north and west of the Colorado River, be annexed to the State of Utah (as proposed in a measure now pending before the Congress of the United States), beg leave to report as follows:

At a meeting of said committee, held on this day, the commissioners above named were accorded a full hearing, and the committee also considered such further information and testimony as could be made available, including statements from members of the committee residing in Coconino and Mohave counties, out of which the tract proposed to be annexed to Utah is sought to be taken.

After full discussion and careful deliberation, your committee has unanimously concluded that the annexation of any portion of our Territory to the State of Utah

would be highly injurious and detrimental to the interests of the entire Territory, and particularly to the counties of Coconino and Mohave; that the proposed measure, if enacted, would take away from said counties approximately 8,000 square miles of territory, which in mineral resources is abundant in future possibilities, comprising magnificent area of pine timber and embracing almost unlimited grazing facilities. The amount of taxable property now within the said tract and assessed annually by the counties above named constitutes a substantial net revenue, all of which Arizona is asked to relinquish to the State of Utah, without remuneration or compensation of any kind.

Your committee is unalterably opposed to any acquiescence in the proposed measure, and urgently recommends that if any action be taken by the Legislative Assembly, it assume the form of urgent protest to the acquisition by Utah of any portion of the territory referred to.

Respectfully submitted,

(Signed)

JOHN R. WHITESIDE,
H. B. RICE,
JOE B. CORBETT,
Z. W. WOOLF,
L. O. COWEN,
KEAN ST. CHARLES,
W. T. WEBB,
JOHN H. PAGE.

EXHIBIT "E."

Whereas, Messrs. D. H. Morris and J. H. Johnson have been appointed special commissioners to this Territory by the Governor and Legislature of the State of Utah; and,

Whereas, Said commissioners desire to address the joint houses; therefore, be it

Resolved, By the House, the Council concurring, that the privileges of the floor be extended to the said commissioners for the purposes mentioned.

(Signed) W. A. ROWE.

EXHIBIT "F."

By John R. Whiteside:

Resolved, If the House concur, that the report of the joint committee upon the application of the commissioners from Utah be adopted.

EXHIBIT "G."

Phoenix, Ariz., Feb. 11, 1903.

Joseph L. Rawlins, U. S. Senator, Washington, D. C.:

Will Delegate Smith wire immediately Arizona Legislature, recommending annexation to Utah Arizona strip.

D. H. MORRIS,
JOEL H. JOHNSON,
Utah Legislature Commissioners.

EXHIBIT "H."

To Hon. D. H. Morris and J. H. Johnson, Utah Legislature, Salt Lake City, Utah:

Delegate Smith prefers leaving matter to Legislature without recommendation.

J. L. RAWLINS, U. S. S.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 18, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of three on House Bill No. 34, entitled, "An Act Amending Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials," to meet with a like committee from the Senate. The same is herewith

returned to your honorable body for its further action. House committee: Stewart, Childs, Mrs. Coulter.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Mr. Bennion moved the appointment of a conference committee of three on H. B. No. 34. Carried.

The President appointed Messrs. Bennion, Johnson and McKay as such committee.

REPORT SPECIAL COMMITTEE.

Committee Room, Feb. 18, 1903.

Mr. President:—We, your special committee to whom was referred S. C. R. No. 2, by Mr. Johnson, extending an invitation to the Idaho Legislature to visit the capital of Utah as the guests of the Utah Legislature, beg leave to report in favor of the adoption of the resolution.

We further recommend that if the House concurs in this proposed action, the invitation shall be officially extended by the President of the Senate and the Speaker of the House, and that, if accepted, those officers are hereby empowered to make all necessary arrangements for the entertainment of our guests.

SHERMAN, Chairman.

Report adopted.

On motion of Mr. Johnson, all rules interfering therewith were suspended and S. C. R. No. 2, by Mr. Johnson, was read the second and third times and passed.

Mr. Barber was excused for Feb. 19.

On motion of Mr. Whitmore, Senate adjourned at 4 p. m.

THIRTY-NINTH DAY.

State of Utah, Senate Chamber,
February 19, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the thirty-eighth day's session were read and approved.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 18, 1903.

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. 58, "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities and Towns." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 58 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 18, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day laid Senate Concurrent Resolution No. 2, "Extending an Invitation to the Idaho Legislature to Visit the Legislature of Utah," on the table.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 49, by Mr. Done (by request), entitled, "An Act to Amend Section 1208, Revised Statutes of Utah, 1898, and Providing for Divorce Upon Grounds of Permanent Insanity." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 49, by Mr. Done, was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Concurrent Resolution, by Mr. Spry, "Inviting the Members of the Idaho Legislature to visit the Capital of This State as the Guests of the Utah Legislature." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. C. R., by Mr. Spry, inviting the Legislature of the State of Idaho to visit the capital of the State of Utah, was read the first, second and third times, under a suspension of the rules and passed.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in triplicate House Joint Memorial No. 1, entitled, "A Memorial Asking an Appropriation of Seventy-five Thousand Dollars for Irrigation

Purposes." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. M. No. 1 was signed in triplicate by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 18, 1903.

Mr. President:—We, your Committee on Manufactures and Commerce, to whom was referred S. J. R. No. 2, pertaining to an exhibition at the Louisiana Purchase Exposition, beg leave to report that they have considered the same and recommend that the resolution do not pass, as the matter included therein is covered by S. B. No. 94, already reported by this committee.

LOVE, Chairman.

Report adopted and S. J. R. No. 2 rejected.

Committee Room, Feb. 19, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 121, "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for a Violation of This Act," beg leave to report that they have considered the same and they recommend that the act be passed.

MURDOCK, Chairman.

Report adopted.

REPORT OF SPECIAL COMMITTEE.

Committee Room, Feb. 18, 1903.

Mr. President:—We, your Conference Committee from the Senate and House, appointed to consider H. B. No. 34, by Mr. Childs, beg leave to report that we rec-

ommend that the House concur in the Senate amendments, excepting striking out the words "except in counties of the first class," in line 16, and the words "and not to exceed three dollars per day," in line 18; these we recommend be reinstated.

BENNION,
Chairman Senate Conference Committee.
STEWART,
Chairman House Conference Committee.

Report adopted.

REPORT SPECIAL COMMITTEE.

The special committee to whom was referred the invitation of the Legislature of Idaho to the Utah Legislature to visit Boise, Idaho, reported the following reply, which the Sergeant-at-Arms was ordered to wire to the Legislature of Idaho:

State of Utah, Senate Chamber,
Salt Lake City, Feb. 19, 1903.

To the Honorable Members of the Idaho Legislature,
Boise City, Idaho:

Gentlemen:—We beg to acknowledge receipt of your communication of recent date, inviting the Utah Legislature to visit your honorable body.

We sincerely regret that the press of official business will prevent our acceptance of the kind invitation tendered by you.

With expressions of the highest regard for the members of the Idaho Legislature, we are,

Respectfully,
UTAH STATE LEGISLATURE.

INTRODUCTION OF BILL.

S. B. No. 132, by Mr. Johnson, "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary," was read the first time and referred to the Committee on Public Health.

PASSAGE OF BILL.

S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition, at St. Louis, in the Year 1904; to Define Its Powers and Duties and to Make an Appropriation Therefor," was taken from the table and passed by the following vote:

Ayes, 15; nays, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Gardner.

Absent and not voting: Barber, Murdock.

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

SECOND READING SENATE BILLS.

S. B. No. 89, by Mr. Barnes (by request), "An Act Relating to the Location of Powder Houses or Magazines," was read the second time and recommitted to the Committee on Public Health.

S. B. No. 112, by Mr. Williams (by request), "A Bill Authorizing the Secretary of State to Purchase and Distribute Two Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1-25," was read the second time, and the rules were suspended and the bill was read the third time and recommitted to the Committee on Judiciary.

S. B. No. 125, by the Committee on Judiciary, substitute for S. B. No. 34, by Mr. Lewis, "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Delivery of Election Returns, and the Payment Therefor," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Love.

S. B. No. 126, by the Committee on Manufactures and Commerce, substitute for S. B. No. 47, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, at Portland, Oregon, in 1905; to Define Its Duties and Powers, and to Make and Appropriation Therefor," was read the second time, and the rules were suspended and the bill 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: Bamberger, Barnes, Bennion, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Gardner.

Absent and not voting: Barber, Larsen (H. S.), Love.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 56, by Mr. Smith, entitled, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 56, by Mr. Smith, was read the first time and referred to the Committee on Judiciary.

SECOND READING SENATE BILL.

S. B. No. 127, by the Committee on Judiciary, substitute for S. B. No. 46, by Mr. Barnes, "An Act to Provide for the Initiative and Referendum," was read the second time.

SECOND READING HOUSE BILLS.

H. B. No. 58, by Mr. McKinnon, entitled, "An Act Amending Section 25 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sales of Trespassing Animals," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Love.

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

H. B. No. 71 (substitute for H. B. No. 33), by Mr. Hall, entitled, "An Act to Amend Section 40, Chapter 2, of the Revised Statutes of Utah, 1898, as Amended in Chapter 64 of the Session Laws of 1901, Relating to 'Marks and Brands,' and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence.

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

PRESENTATION OF RESOLUTION.

S. J. R. No. 5, by Mr. Lewis:

Whereas, It is a lamentable and well-known fact that a large proportion of the taxable property of this State is inadequately assessed or not placed upon the assessment rolls at all, the statement being made that in one county not 10 per cent. of a certain class of property is assessed; and,

Whereas, This is inimical to the best interests of the State, subversive to good government, prejudicial to public morals, and a gross injustice to all honest taxpayers; therefore, be it

Resolved, That the assessors of the various counties of this State be and the same hereby are urged to the greatest possible degree of vigilance in assessing property subject by constitutional and legislative provisions to assessment regardless of undue influence, fear or favor; and be it further

Resolved, That the county commissioners, acting as a board of equalization, be requested to use their best endeavors to the end that a full, true and impartial assessment shall be placed upon the rolls; and be it further

Resolved, That upon the approval of this resolution the Secretary of State be requested to have same printed and a copy thereof forwarded to every County Assessor and county commissioner within the state.

S. J. R. No. 5, by Mr. Lewis, was read the first time and under the rules went to the table.

On motion of Mr. Lawrence, Senate adjourned at 4 p. m.

FORTIETH DAY.

State of Utah, Senate Chamber,
February 20, 1903.

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

Roll-call; puorum present.

Prayer by the Chaplain.

The minutes of the thirty-ninth day's session were read and approved.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 20, 1903.

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. 1, entitled "An Act to Prohibit the Sale of Spirituous, Malt and Vinous Liquors Within Five Miles of any Grading Camp or Assembly of Twenty-five or More Men Engaged in the Construction or Repair of Any Railroad, Canal, Reservoir, Public Work or Other Kindred Enterprise."

Senate Bill No. 52, entitled "An Act to Authorize Administrators, Executors and Guardians to Lease Mining Claims and Give an Option to Purchase the Same, and Authorizing the Court to Require Bonds and Prescribing Conditions Under Which Title May Be Obtained."

Senate Bill No. 56, entitled, "An Act Amending Section 2689 of the Revised Statutes of Utah, 1898, in relation to the Time of Fixing the Rate of City Taxes and the Certification Thereof to the County Auditor."

Very Respectfully,
HEBER M. WELLS,
Governor.

Communication filed.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 34, by Mr. Childs, entitled, "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Bennion H. B. No. 34, by Mr. Child, was read the first and second times and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. C. R. No. 2, by Mr. Johnson, extending an invitation to the Idaho Legislature to visit the Capitol of Utah, as the guests of the Utah Legislature. The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. C. R. No. 2, by Mr. Johnson, was referred to Committee on Engrossed and Enrolled Bills.

CLAIM.

S. C. No. 4, by Mr. Whitmore (by request), claim of Lewis P. Kelsey against the State of Utah, was referred to the Board of Examiners.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 20, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 57, relating to the Mayor's veto in cities of the first and second class, beg leave to report that they have correctly engrossed and enrolled the same and it is herewith presented for your signature.

JOHNSON, Chairman.

S. B. No. 57 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 19, 1903.

Mr. President:—We, your Committee on Public Health, to whom was referred H. B. No 35, "An Act to Amend Sections 1711, 1712, 1713, 1722, 1724, 1726, 1727, of the Revised Statutes of Utah, 1898, and Section 1719 as Amended in Chapter 33, Session Laws of 1899, Relating to Penalties, Acting Without Registration, Adulterated Drugs, etc.," beg leave to report that they have considered the same and they recommend that the act with certain amendments be passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, Feb. 20, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 110, "An Act to Amend Section 2205 of the evised Statutes of Utah, 1898, Relating to the Bringing of Paupers,

etc., into the State" beg leave to report that they have considered the same and they recommend that the act do not pass.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, Feb. 20, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 122, "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter III, of the Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers, and Fixing Their Terms of Office," beg leave to report that they have considered the same and they recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, Feb. 20, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 76, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of the Cities of the First Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers and Duties," beg leave to report that they have considered and amended the same and the title thereof and they recommend that th act as amended be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, Feb. 20, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 113, "An Act to Amend Section 2056 of the Revised Statutes of Utah, 1898, Relating to the Classification of Counties," beg leave to report that they have considered the same and they recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 71, being "An Act to Amend Section 3493, Chapter 58, Revised Statutes of Utah, 1898, Relating to the Qualifications of Sureties Generally," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 104, being "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses and Providing for Issuing Subpoenas Compelling Attendance of Witnesses and Administering Oaths in Such Proceedings," respectfully report, that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 79, being "An Act Requiring that Referees Appointed by Courts Shall be Learned in the Law," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 88, being "An Act to Amend Sections 3747 and 3748 of the Revised Statutes of Utah, 1898, Relative to Appeals from Justices Courts," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 115, being "An Act Amending Section 4953, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for Filing the Same" respectfully report, that they have had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 129, being "An Act to Amend Section 105, of the Revised Statutes of the State of Utah, Relative to the Admission of Attorneys to the Bar" respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 85, being "An Act to Define Conditions of Child Dependency, Neglect and Ill

Treatment, and to Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill Treated Children Within the State of Utah. And to Prescribe Punishment for Such Persons as are Responsible for the Care of a Child, Who Neglects or Ill Treat Such Child," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 19, 1903.

Mr. President:—We, your Committee on Public Health, to whom was referred S. B. No. 51, "An Act to Regulate the Practice of Osteopathy in the State of Utah, and Establishing a Board of Osteopathic Registration and Examination," beg leave to report that they have considered the same and substitute therefor S. B. No. 131, "An Act Declaring the Practice of Osteopathy Not to be the Practice of Medicine and Surgery Within the Meaning of Title 52, Revised Statutes of Utah, 1898, and Regulating the Practice of Osteopathy in the State of Utah," and they recommend that the substitute act be passed.

MURDOCK, Chairman.

S. B. No. 131 was read the first time.

MINORITY REPORT.

Committee Room, Feb. 20, 1903.

Mr. President:—A minority of your Committee on Public Health beg leave to report as being opposed to the above measure inasmuch as it does not require the applicant to pass an examination of sufficient thoroughness. I hold that the applicant to practice osteopathy should be required to pass an examination in all branches in which regular practicing physicians are examined, excepting Materia Medica.

BAMBERGER.

Action on the report of the committee and on the report of the minority was deferred.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day communicated to the House, that he has this day approved and filed in the office of the Secretary of State the following measures: House Bill No. 24, entitled "An Act Ceding to the United States Jurisdiction Over Lands or Territory in This State Which Has Been or That May be Hereafter Acquired for Sites for Public Buildings, and Authorizing the Governor to Execute the Necessary Deeds Therefor." Also, H. J. M. No. 1, entitled, "A Memorial Asking an Appropriation of Seventy-five Thousand Dollars for Irrigation Purposes."

Respectfully,
H. L. CUMMINGS, Chief Clerk

Communication filed.

REPORT OF COMMITTEE.

Senate Judiciary Committee Room,
February 18, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 112, being "An Act Authorizing the Secretary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1-25," respectfully report, that we have had the same under consideration, have offered certain amendments thereto and, as amended, recommend that the same be passed.

LAWRENCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 133, by Mr. McKay, "An Act to Provide for the Licensing and Regulating the Sale of Malt, Spiritous and Vinous Liquors in the State of Utah, and to

Repeal Title 32, of Chapter 3, of the Revised Statutes of Utah, entitled 'Intoxicating Liquors,' and An Act entitled "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 and Repealing Section 4246, Revised Statutes of Utah, 1898, Approved March 14, 1901, and Repealing all Acts and Parts of Acts in Conflict With This Act," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 134, by Mr. Johnson (by request), "An Act to Provide for the Recovery of Money, Property or Other Thing of Value Lost in Gambling," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 135, by Mr. Whitmore (by request), "A Bill For An Act to Amend Section 2949 and 2950 of the Revised Statutes of 1898, Relating to the Service of Summons in Civil Actions by Publication; and Prescribing the Form of Summons in Each Case," was read the first time and referred to the Committee on Judiciary.

S. B. No. 136, by Mr. Whitmore (by request), "A Bill For An Act to Amend Section 2939 of the Revised Statutes of 1898, Relating to the Form of Summons in Civil Actions," was read the first time and referred to the Committee on Judiciary.

S. B. No. 137, by Mr. Love, "A Bill For An Act to Amend Section 1156, of the Revised Statutes of the State of Utah, 1898, Relating to Property Exempt From Execution," was read the first time and referred to the Committee on Judiciary.

S. B. No. 138, by Mr. Love (by request), "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1898, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps by County Surveyor and Recorder," was read the first time and referred to the Committee on Judiciary.

S. B. No. 139, by Mr. Whitmore (by request), "An Act to Amend Section 2912 of the Revised Statutes of

Utah, 1898, Relating to Damages for Death Caused by the Wrongful Act or Neglect of Another," was read the first time and referred to the Committee on Judiciary.

REPORT STANDING COMMITTEE.

Senate Judiciary Committee Room,
February 20, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 54, being "An Act Amending Chapter 28 of the Session Laws of Utah, 1899, Authorizing Cities of 12,000 and More Inhabitants to Create a Police Department and a Fire Department, Maintain and Control the Same, and Transferring the Property of the Present Police and Fire Departments in Said Cities over to the Mayor and City Council of said Cities Respectively, and Repealing All Acts and Parts of Acts in Conflict Herewith, and Especially Section 2482, of the Revised Statutes of Utah, 1898, in so far as the Same may be in Conflict Herewith, and Chapter 73, Laws of Utah, 1896, Entitled 'An Act Providing for the Appointment and Duties of the Board of Police and Fire Commissioners in Cities of 12,000 and More Inhabitants, and to Place the Police and Fire Departments of said Cities Upon a Non-Partisan Basis and Defining the Duties of Officers and Members of Said Departments' and Abolishing all Offices Created Under Said Act," respectfully report, that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

The report of the committee was adopted by the following vote:

Ayes, 15; nays, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams.

Those voting in the negative were: Lawrence, Sherman, Mr. President.

INTRODUCTION OF BILLS.

S. B. No. 140, by Mr. Lewis (by request), "An Act Authorizing the Board of County Commissioners of the Several Counties of This State to Appoint Estray Commissioners, Defining Their Duties, Providing for the Disposition of Unbranded Estray Animals and the Disposition of the Money Received From the Sale of Such Animals," was read the first time and referred to the Committee on Livestock.

S. B. No. 141, by Mr. Barber, "An Act to Provide for the Organization and Government of Irrigation Districts and to Provide for the Acquisition of Water and Other Property and for the Distribution of Water Thereby for Irrigation Purposes, and for Other and Similar Purposes," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 142, by Mr. Larsen (C. P.), (by request), "An Act Fixing the Standard of Purity of Oils Used for Illuminating Purposes and Providing a Penalty for a Violation of This Act," was read the first time and referred to the Committee on Manufactures and Commerce.

S. B. No. 143, by Mr. Larsen (C. P.), (by request), "An Act Amending Section 23 of Chapter 26 of the Session Laws of Utah, 1899, as Amended in Section 23 of Chapter 133 of the Session Laws of Utah, 1901, Relating to the Shooting of Geese, Ducks, Snipes, Brants and Swans," was read the first time and referred to the Committee on Fish and Game.

THIRD READING SENATE BILL.

S. B. No. 127, by the Committee on Judiciary, substitute for S. B. No. 46, by Mr. Barnes, "An Act to Provide for the Initiative and Referendum," was read the third time and further action was deferred.

SPECIAL ORDER.

S. B. No. 67, by Mr. Lawrence (by request), "An Act to Increase the Number of Judges for the Third Judicial

District, and for the Appointment of one Judge Pending the Next General Election," was made special order for Feb. 25, at 3 p. m.

SECOND READING SENATE BILL.

S. B. No. 121, by Mr. Williams, "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for a Violation of This Act," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 1.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Bamberger.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 19, 1903.

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. 57, entitled "An Act to Amend Section 195 of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 57 was transmitted to the Governor.

RESOLUTION.

S. J. R. No. 5, by Mr. Lewis, "A Resolution Urging the County Assessors and Board of County Commissioners to Make Proper Assessments Within Their Respective Jurisdictions," was read the second time and the rules were suspended and the resolution was read the third time and passed by the following vote:

Ayes, 12; Nays, 5.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Whitmore, Williams.

Those voting in the negative were: Barber, Bennion, Larsen (H. S.), Sherman, Mr. President.

Absent and not voting: Murdock.

REPORT STANDING COMMITTEE.

Committee Room, Feb. 20, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. C. R. No. 2, inviting the Idaho Legislature to visit the Utah Legislature, beg leave to report that they have correctly engrossed the same and it is herewith presented for your signature.

JOHNSON, Chairman.

S. C. R. No. 2 was signed by the President of the Senate.

MISCELLANEOUS.

Mr. Loose moved that when the Senate adjourn it be until February 24th. Carried.

The following committee was excused from the Senate during a visit to the Branch Normal School: Gardner, Larsen (C. P.), Barnes, Barber.

On motion of Mr. Barnes the Senate adjourned at 4 p. m.

FORTY-FOURTH DAY.

State of Utah, Senate Chamber,
February 24, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fortieth day's session were read and approved.

Mr. Gardner was excused for the day.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 20, 1903.

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. 58, entitled, "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, in Relation to Claims Against Incorporated Cities and Towns."

Senate Bill No. 59, entitled, "An Act to Amend Section 2881 of the Revised Statutes of Utah, 1898, in Relation to Time of Commencement of Actions Against a County on Rejected Claim by Including Within Said Limitations Incorporated Cities and Towns as Well as Counties."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, Feb. 20, 1903.

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. 57, entitled, "An Act Amending Section 195 of the Revised Statutes of Utah, 1898, and Relating to the Mayor's Veto in Cities of the First and Second Class."

Very respectfully,
HEBER M. WELLS, Governor.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 68, by Mr. Williams, entitled, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Lands Reclamation Fund, Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The above communication and the following one relating to S. B. No. 68 were placed before the Senate at the same time.

House of Representatives,
Salt Lake City, Feb. 24, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day reconsidered the vote by which S. B. No. 68, by Mr. Williams, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Land Reclamation Fund Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof," which was passed by the House on the 20th inst., and respectfully ask your honorable body to return the same to the House for further consideration.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

By unanimous consent, S. B. No. 68, by Mr. Williams, was returned to the House for further consideration.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bills No. 34, by Mr. Child, entitled, "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials." Also House Bill No. 71, substitute for House Bill No. 33, by Mr. Hall, entitled, "An Act to Amend Section 40, Chapter 2, of the Revised Statutes of Utah, 1898, as Amended in Chapter 64 of the Session Laws of 1901, Relating to 'Marks and Brands,' and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a committee, consisting of Representatives Richards, Barrett, Chipman, Merrill, Done, Redd, and Morris, to visit the Branch Normal, at Cedar City, with a like committee from the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Joint Memorial No. 2, by Mr. Luther, "Requesting the

Honorable Secretary of the Interior to Restore to the Public Domain Such Lands as Have Been Temporarily Withdrawn with the View to the Creation of Forest Reserves as Are Not Actually Essential to the Preservation of Timber and the Conservation of Water." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. M. No. 2 was read the first time and referred to the Committee on Public Lands.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, House Bill No. 64, by Mr. Smith, entitled, "An Act to Establish State Board of Sheep Commissioners, Create the Office of State Sheep Inspector, Provide for the Control and Suppression of Scab and Other Infectious Diseases of Sheep, and to Provide Revenue to Enforce the Same." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 64 was read the first time and referred to the Committee on Livestock.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 46, by Mr. Austin (by request), "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, Entitled, 'An Act to Establish a Bureau of Statistics and to Define the Duties Thereof, and Making Appropriation Therefor.'" The same is herewith transmitted for the action of your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 46 was read the first time and referred to the Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 28, entitled, "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States, and to Repeal Chapter 4, Laws of Utah, 1901." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 28 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 20, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session Senate Concurrent Resolution No. 2, "Inviting the Idaho Legislature to Visit the Capital of Utah During the Present Session." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. C. R. No. 2 was transmitted to the Governor.

PRESENTATION OF PETITIONS.

S. P. No. 31, by Mr. Barnes, asking for an appropriation for the improvement of roads running through Davis County, was read and referred to the Committee on Highways and Bridges.

S. P. No. 32, by Mr. Wliliams (by request), asking that George C. Lambert be reimbursed for certain quantities of paper furnished the Irrigation Commission, was read and referred to the Committee on Appropriations and Claims.

S. P. No. 33, by Mr. Larsen (C. P.), asking that the month of March be an open season for shooting ducks and geese in Sanpete County, and also that the sale of game and game fish be prohibited for at least five years, was read and referred to the Committee on Fish and Game.

S. P. No. 34, by Mr. Love, asking that seventy-five per cent. of the purchase-price of certain lands be returned to John T. Pye, was read and referred to the Committee on Appropriations and Claims.

S. P. No. 35, by Mr. Allison (by request), asking that legislation be enacted against offering or receiving of food in part payment for labor in mines, was read and referred to the Committee on Mines and Minerals.

CLAIM.

S. C. No. 4, claim of George A. Lowe Co. against the State of Utah, was referred to the State Board of Examiners.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 24, 1903.

Mr. President:—Your Committee on Livestock, to whom was referred S. B. No. 140, "An Act Authorizing County Commissioners of the Several Counties of This State to Appoint Estray Commissioners, Defining Their Duties, Providing for the Disposition of Unbranded Estray Animals, and the Disposition of the Money Received from the Sale of Such Animals," respectfully report that they have had the same under consideration and recommend that the act do not pass, for the reason that the provisions are amply covered by Chapter 60, Title 73, of the Revised Statutes.

BARNES, Chairman.

On motion of Mr. Lewis, S. B. No. 140 was recommitted to the Committee on Livestock.

Senate Judiciary Committee Room,
February 24, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 118, being "An Act Requiring the Secretary of State to Certify to the County Clerk of Each County of the State the Names of All Persons Holding Notarial Commissions Therein, the Dates of the Expiration of the Same and Requiring County Clerks to Keep Record Thereof," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 24, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 61, being "An Act to Amend Section 999 of the Revised Statutes of Utah, 1898, Relating to Jurors in Justice's Courts, Per Diem and Mileage," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 24, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 105, being "An Act in Relation to Streets, Alleys, Lanes, Courts and Other Highways Within Incorporated Cities and Towns, Defining What Are Such and Prescribing Under What Conditions a Street, Alley, Lane or Court May Become a Public Highway by Implied Dedication," respectfully report

that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 24, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 109, being "An Act to Amend Section 3060, Revised Statutes of Utah, in Respect to the Granting of Injunctions," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

PRESENTATION OF RESOLUTION.

S. J. R. No. 6, by Mr. Barnes, relating to the election of United States Senators by direct vote of the people, was read the first time and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

S. B. No. 144, by Mr. McKay, "An Act to Amend Section 1278 of the Revised Statutes of Utah, 1898, Providing for Irrigation and Water Rights," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 145, by Mr. Johnson, "An Act Amending Section 3221 of the Revised Statutes of Utah, 1898, Providing for Arbitration of Water Rights," was read the first time and referred to the Committee on Judiciary.

S. B. No. 146, by Mr. Johnson, "An Act Amending Section 335 of the Revised Statutes of Utah, 1898, Providing for Different Kinds and Classes of Capital Stock and for Voting the Same," was read the first time and referred to the Committee on Judiciary.

S. B. No. 147, by Mr. Lewis (by request), "An Act to Create the Office of County Sheep Inspector, to Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to Repeal All Acts or Parts of Acts Conflicting Herewith," was read the first time and referred to the Committee on Livestock.

S. B. No. 148, by Lewis, "An Act to Amend Sections 1242 and 1253, Title 32, of the Revised Statutes of Utah, 1898, Providing a License for the Manufacture, Sale or Dispensing of Intoxicating Liquors, and Prescribing a Penalty for the Violation of This Title," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 149, by Mr. Lewis, "An Act to Amend Section 3090 of the Revised Statutes of Utah, 1898, Relating to Garnishment, and Defining Certain Persons Exempt Therefrom," was read the first time and referred to the Committee on Judiciary.

S. B. No. 150, by Mr. Lewis, "An Act Requiring Corporations to File a Certain Statement and Providing a Penalty for the Refusal or Failure Thereof," was read the first time and referred to the Committee on Judiciary.

S. B. No. 151, by Mr. Lewis, "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 and referred to the Committee on Judiciary.

S. B. No. 152, by Mr. Bennion, "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah, 1898, Prescribing When Judgments May be Entered in District Courts, and Defining Judges' Chambers, and Their Powers at Chambers," was read the first time and referred to the Committee on Judiciary.

S. B. No. 153, by Mr. Whitmore, "An Act to Repeal Chapter 55 of the Laws of Utah, 1901, an Act Entitled, 'An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making an Appropriation Therefor,'" was read the first time and referred to the Committee on Judiciary.

S. B. No. 154, by Mr. Whitmore, "An Act Amending Section 3974 of the Revised Statutes of Utah, 1898, Relating to the Payment of Estate Funds Held in Trust by the State Treasurer, and Providing for Final Disposition of Said Funds at the Expiration of Five Years After Decedent's Death," was read the first time and referred to the Committee on Judiciary.

S. B. No. 155, by Mr. Whitmore, "An Act Amending Sections 1372 and 1386, Revised Statutes of Utah, Relating to Mechanical Liens," was read the first time and referred to the Committee on Judiciary.

S. B. No. 156, by Mr. Lawrence (by request), "An Act Amending Section 3316 of the Revised Statutes of Utah, 1898, Relating to Appeals as Amended by Section 2 of Chapter 62 of the Session Laws of Utah, 1899," was read the first time and referred to the Committee on Judiciary.

S. B. No. 157, by Mr. Bennion, "An Act Making an Appropriation for the Payment of Outstanding Juror and Witness Certificates Issued Between the Years 1874 and 1882 by the Clerks of the District Courts of the Late Territory of Utah for Service of Jurors in Civil and Criminal Cases, and for Witnesses in Criminal Cases," was read the first time and referred to the Committee on Appropriations and Claims.

RECOMMITTED.

S. B. No. 127 was recommitted to the Committee on Judiciary.

PASSAGE OF BILL.

S. B. No. 112, by Mr. Williams (by request), "A Bill Authorizing the Secretary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1-25," was taken from the table and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Gardner.

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

CONSIDERATION OF REPORT STANDING COMMITTEE.

The report of the Committee on Public Health, recommending the passage of S. B. No. 131, substitute by the Committee on Public Health for S. B. No. 51, and a minority report recommending that S. B. No. 131 be rejected, were taken up and the report of the committee was adopted.

SECOND READING SENATE BILLS.

S. B. No. 76, by Mr. Bamberger, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First and Second Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers and Duties," was read the second time.

S. B. No. 71, by Mr. Sherman, "An Act to Amend Section 3439, Chapter 58, Revised Statutes of Utah, 1898, Relating to Qualifications of Sureties Generally," was read the second time.

S. B. No. 79, by Mr. Lawrence (by request), "An Act Amending Section 3174 of the Revised Statutes of Utah, 1898, Requiring that Referees Appointed by Courts Shall be Learned in the Law," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Absent and not voting: Gardner, Whitmore.

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

S. B. No. 85, by Mr. Murdock (by request), "An Act to Define Conditions of Child Dependency, Neglect and Ill Treatment, and to Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill Treated Children Within the State of Utah; and to Prescribe Punishment for Such Persons as Are Responsible for the Care of a Child, Who Neglect or Ill Treat Such Child," was read the second time.

S. B. No. 88, by Mr. Lawrence (by request), "An Act to Amend Sections 3747 and 3748 of the Revised Statutes of Utah, 1898, Relative to Appeals from Justices' Courts," was read the second time.

S. B. No. 104, by Mr. Sherman, "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses, and Providing for Issuing Subpoenas, Compelling Attendance of Witnesses, and Administering Oaths in Such Proceedings," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Bennion, Murdock.

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

S. B. No. 113, by Mr. McKay, "An Act to Amend Section 2056 of the Revised Statutes of Utah, 1898, Relating to the Classification of Counties," was read the second time.

S. B. No. 115, by Mr. Allison, "An Act Amending Section 4953 of the Revised Statutes of Utah, 1898, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for

Filing the Same," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Murdock.

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

S. B. No. 122, by Mr. Lawrence (by request), "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers, and Fixing Their Terms of Office," was read the second time, and the rules were suspended and the bill read the third time and further action deferred.

S. B. No. 129, by Mr. Lawrence (by request), "An Act to Amend Section 105 of the Revised Statutes of the State of Utah, 1898, Relative to Admission of Attorneys to the Bar," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Love, Murdock.

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

SECOND READING HOUSE BILL.

H. B. No. 35, by Barrett, entitled, "An Act to Amend Section 1711, 1712, 1713, 1719, 1721, 1724, 1726, 1727, of the Revised Statutes of Utah, 1898, Relating to Penalties, Acting Without Registration, Adulterated Drugs, Etc.," was read the second time.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 24, 1903.

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 Governing Board of the Utah Art Institute: George M. Ottinger to fill the vacancy occasioned by the resignation of J. T. Harwood. Alan A. Lovey for the term of four years. S. T. Whittaker for the term of four years. Mrs. Edna W. Sloan to fill the vacancy occasioned by the resignation of Elizabeth C. McCune.

Very respectfully,
HEBER M. WELLS, Governor.

The communication was laid on the table pending the reception of further executive appointments.

INTRODUCTION OF BILL.

S. B. No. 158, by Mr. Bamberger, "An Act to Amend Sections 1906 and 1907 of the Revised Statutes of Utah, 1898, Relating to Taking School Census in Cities of the First Class," was read the first time and referred to the Committee on Judiciary.

On motion of Mr. Larsen (H. S.), Senate adjourned at 4:05 p. m.

FORTY-FIFTH DAY.

State of Utah, Senate Chamber,
February 25, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-fourth day's session were read and approved.

Mr. Loose was excused for the day.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 24, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 17, by Mr. Love, entitled, "An Act to Codify and Revise Certain Laws of the State, Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Food, to Prohibit the Sale of Foods Below the Standard of Purity or that Are Impure, Unwholesome, Adulterated or Misbranded, to Provide Penalties for the Violation of Any Provision of This Act, and to Repeal Sections 2446 to 2450, 729 to 746, 4283 to 4290, All Inclusive, of the Revised Statutes of Utah, 1898, Chapters 34 to 48, Laws of Utah, 1899." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 17 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 24, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 68, by Mr. Williams, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Lands Reclamation Fund Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 68 was recommitted to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

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 a like committee from the Senate on the rejection of House Bill No. 61, by Mr. McKinnon, entitled, "An Act to Amend Section 999 of the Revised Statutes of Utah, 1898, Relating to Jurors in Justices' Courts, Per Diem and Mileage. House committee: Mr. McKinnon, Mr. Fishburn, Mr. Haslam.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Mr. Bennion moved that a conference committee of three on H. B. No. 61 be appointed. Carried.

The president appointed: Messrs. Bennion, Lawrence and Barber as such committee.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under

suspension of the rules, House Joint Memorial No. 3, by Mr. Morris, entitled, "Memorial to Congress of the United States, Asking That That Portion of Arizona Territory Lying North of the Colorado River be Annexed to the State of Utah." The same is herewith transmitted to your honorable body for its further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. J. M. No. 3, by Mr. Morris, was read the first time, and the rules were suspended and the memorial was read the second and third times and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

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. 29, entitled, "An Act to Exempt Honorably Discharged Soldiers, Sailors and Marines from the Payment of Poll Tax." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 29 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

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. 58, entitled, "An Act Amending Section 25 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sales of Trespassing Animals." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 58 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

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. 34, entitled, "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 34 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

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. 71, entitled, "An

Act to Amend Section 40, Chapter 2, of the Revised Statutes of Utah, 1898, as Amended in Chapter 64 of the Session Laws of 1901, Relating to 'Marks and Brands,' and Defining Certain Duties of the Recorder of Marks and Brands with Respect Thereto." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 71 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, Senate Bill No. 19, by Mr. Sherman, entitled, "An Act to Prevent and Punish the Desecration of the Flag of the United States." The same is hereby transmitted to your honorable body for its further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. B. No. 19 was referred to the Committee on Engrossed and Enrolled Bills.

PRESENTATION OF PETITIONS.

S. P. No. 36, by Mr. Lawrence (by request), asking for legislation to compel the smelters of Salt Lake County to consume their smoke, was read and referred to the Committee on Judiciary.

S. P. No. 37, by Mr. Larsen (C. P.), asking that an appropriation of $2,000.00 be made to reimburse the County of Sanpete for bounties paid for the destruction of grasshoppers during the year 1902, was read and referred to the Committee on Appropriations and Claims.

S. P. No. 38, by Mr. Larsen (C. P.), asking for an appropriation for the construction and repair of certain roads, was read and referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
February 25, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 65, being "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, in Relation to Reports of County Treasurers and County Auditors to the State Auditor of Certificates and Warrants Issued for Mileage and Attendance of Grand Jurors, for Mileage and Attendance of Petit Jurors Engaged in the Trial of Criminal Cases in the District Court, for Mileage and Attendance of Witnesses Summoned by or on Behalf of the State in Criminal Cases, in the District Court, and for Salaries of County Attorney, County Treasurer and County Assessor and the Disposition of the Funds for the Payment of the Same," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 25, 1903.

Mr. President:—Your Committee on Livestock, to whom was referred H. B. No. 64, by Mr. Smith, "An Act to Establish a State Board of Sheep Commissioners, Create the Office of State Sheep Inspector, Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same," beg leave to report that we have had the same under consideration, and recommend that the act be passed.

BARNES, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 25, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 74, being "An Act Fixing the Judicial Districts of the State of Utah, and Naming the Counties Comprising the Same," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 25, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 49, being "An Act to Amend Section 1208, Revised Statutes of Utah, 1898, and Providing for Divorce Upon Grounds of Permanent Insanity," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 25, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 137, being "An Act to Amend Section 1156 of the Revised Statutes of Utah, 1898, Relating to Property Exempt from Execution," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 25, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred, on recommitment, H. B. No. 30, being "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah, 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same, and Penalties for Violations Thereof," respectfully report that we have again had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 25, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred, on recommitment, S. B. No. 55, being "An Act Amending Section 511 of the Revised Statutes of Utah, 1898, in Relation to the General Powers of the Board of County Commissioners, and Fixing Specifically Their Powers and Duties, to the Indigent, Sick and Otherwise Dependent Poor," respectfully report that we have again had the same under consideration, have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

PRESENTATION OF RESOLUTION.

S. C. R. No. 3, by Mr. Bennion, "A Concurrent Resolution to Amend Section 4, Article 10, of the Constitution of the State of Utah, Relating to the University of Utah and the Agricultural College of Utah," was read, and the rules were suspended and the resolution was referred to the Committee on Education.

INTRODUCTION OF BILLS.

S. B. No. 159, by Mr. Gardner (by request), "An Act Providing for the Relinquishment by Special Guardian of the Inchoate Interest of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husbands' Real Estate," was read the first time and referred to the Committee on Judiciary.

S. B. No. 160, by Mr. Murdock, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract of Day's Labor," was read the first time and referred to the Committee on Labor.

S. B. No. 161, by Mr. Johnson, "An Act to Amend Section 414 of the Revised Statutes of Utah, 1898, Relating to the Examination of Insurance Companies." was read the first time and referred to the Committee on Private Corporations and Insurance.

S. B. No. 162, by Mr. Johnson, "An Act to Amend Section 2434 of the Revised Statutes of the State of Utah, Relating to the Accounts and Reports of the State Treasurer," was read the first time and referred to the Committee on Judiciary.

S. B. No. 163, by Mr. Johnson, "An Act to Amend Section 379 of the Revised Statutes of the State of Utah, in Relation to Bank Officers Borrowing Money from the Bank," was read the first time and referred to the Committee on Banks and Banking.

S. B. No. 164, by Mr. Johnson, "An Act to Amend Section 2441 of the Revised Statutes of Utah, 1898, Relating to the Appointment and Duties of Bank Examiner," was read the first time and referred to the Committee on Banks and Banking.

S. B. No. 165, by Mr. McKay, "An Act to Amend Section 1 of Chapter 19 of the Session Laws of Utah, 1901, Entitled, 'An Act Providing for the Place of Trial of Civil Actions Arising Without the State," was read the first time and referred to the Committee on Judiciary.

S. B. No. 166, by Mr. Larsen (H. S.), "An Act Amending Section 1782 of the Revised Statutes of Utah, 1898,

and Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Session Laws of Utah, 1901, providing for the Election of Certain County and Precinct Officers and Fixing Their Term of Office," was read the first time and referred to the Committee on Elections.

S. B. No. 167, by Mr. Lewis, "An Act Providing a Penalty for Circulating False Statements or Rumors Regarding, or Making Fictitious Sales of Stocks or Bonds of a Corporation or Association, and Providing a Penalty for Any Corporation or Association, or Member Thereof, Who Shall Sell or Offer to Sell the Stocks or Bonds of a Corporation or Association, Without Permission Therefor," was read the first time and referred to the Committee on Judiciary.

S. B. No. 168, by Mr. Lawrence (by request), "An Act to Amend Section 1 of Chapter 62 of the Laws of Utah, 1901, to Tax Gifts, Legacies and Inheritances in Certain Cases," was read the first time and referred to the Committee on Judiciary.

S. B. No. 169, by Mr. Lawrence, "An Act to Prohibit Certain Consolidations Between Corporations, and Prescribing Penalties for a Violation Thereof," was read the first time and referred to the Committee on Judiciary.

S. B. No. 170, by Mr. Lawrence (by request), "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3847 of Chapter 8 of Title 74 of the Revised Statutes of 1898," was read the first time and referred to the Committee on Judiciary.

S. B. No. 171, by Mr. Love (by request), "An Act Authorizing Boards of County Commissioners to Establish Sidewalk Districts, and Providing the Manner of Paying Therefor," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 172, by Mr. Love (by request), "An Act to Prohibit Discrimination in Charges for Reducing, Refining or Smelting Ores, and Providing a Penalty for a Violation Thereof," was read the first time and referred to the Committee on Mines and Mining.

S. B. No. 173, by Mr. Sherman, "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations," was read the first time and referred to the Committee on Banks and Banking.

S. B. No. 174, by Mr. McKay, "An Act to Regulate the Means of Egress from Public Buildings," was read the first time and referred to the Committee on Public Institutions.

S. B. No. 175, by Mr. McKay, "An Act to Make an Appropriation for the Erection and Equipment of a School Building of Domestic Science and Home Making, and to Provide for the Supervision of Its Erection, Ownership and Control," was read the first time and referred to the Committee on Education.

S. B. No. 176, by Mr. Barber, "An Act Relating to the Making of False Statements for the Purpose of Obtaining Credit, and Providing a Penalty Therefor," was read the first time and referred to the Committee on Banks and Banking.

CLAIMS.

S. C. No. 5, by Mr. Barber, claim of Edward Hanson against the State of Utah, was read and referred to the State Board of Examiners.

S. C. No. 6, by Mr. Barber, claim of Thomas Hillyard against the State of Utah, was read and referred to the State Board of Examiners.

S. C. No. 7, by Mr. Barber, claim of Jesse T. Moses against the State of Utah, was read and referred to the State Board of Examiners.

S. C. No. 8, by Mr. Barber, claim of Mrs. James Lauder against the State of Utah, was read and referred to the State Board of Examiners.

S. C. No. 9, by Mr. Barber, claim of Lauritz M. Larsen against the State of Utah, was read and referred to the State Board of Examiners.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 25, 1903.

To the Senate:

I have the honor to appoint, subject to your advice and consent, the following named to be members of the State Board of Health and Vital Statistics:

A. F. Doremus for the term ending December 31, 1908.

Dr. S. H. Allen for the term ending December 31, 1909.

Very respectfully,
HEBER M. WELLS, Governor.

The communication was laid on the table pending the reception of further executive appointments.

SPECIAL ORDER.

S. B. No. 67, by Mr. Lawrence (by request), "An Act to Increase the Number of Judges for the Third Judicial District, and for the Appointment of a Judge Pending the Next General Election," special order for 3 p. 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: Bamberger, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Barber, Barnes, Whitmore.

Absent and not voting: Loose.

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

S. B. No. 122, by Mr. Lawrence (by request), "An Act to Amend Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Laws of Utah, 1901, Providing for the Election of Certain County and

Precinct Officers, and Fixing Their Terms of Office," was taken up and the enacting clause was stricken out.

THIRD READING SENATE BILLS.

S. B. No. 71, by Mr. Sherman, "An Act to Amend Section 3439, Chapter 58, Revised Statutes of Utah, 1898, Relating to Qualifications of Sureties Generally," was read the third time and was made a special order for March 5 at 3 p. m.

S. B. No. 76, by Mr. Bamberger, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers and Duties," was read the third time and was made a special order for March 2 at 3:30 p. m.

S. B. No. 85, by Mr. Murdock (by request), "An Act to Define Conditions of Child Dependency, Neglect and Ill-treatment, and to Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill-treated Children Within the State of Utah; and to Prescribe Punishment for Such Persons as Are Responsible for the Care of a Child, Who Neglect or Ill-treat Such Child," was read the third time and was made a special order for March 2 at 3 p. m.

S. B. No. 88, by Mr. Lawrence (by request), "An Act to Amend Sections 3747 and 3748 of the Revised Statutes of Utah, 1898, Relative to Appeals from Justices' Courts," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Murdock.

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

S. B. No. 113, by Mr. McKay, "An Act to Amend Section 2056 of the Revised Statutes of Utah, 1898, Relat-

ing to the Classification of Counties," was read the third time and passed by the following vote:

Ayes, 12; nays, 0.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Whitmore, Mr. President.

Absent and not voting: Barnes, Loose, Murdock, Williams, Gardner, Sherman.

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

SECOND READING SENATE BILLS.

S. B. No. 131, substitute for S. B. No. 51, "An Act Declaring the Practice of Osteopathy Not to be the Practice of Medicine and Surgery Within the Meaning of Title 52, Revised Statutes of Utah, 1898, and Regulating the Practice of Osteopathy in the State of Utah," was read the second time and made a special order for March 2 at 4 p. m.

S. B. No. 109, by Mr. Lawrence (by request), "An Act to Amend Section 3060, Revised Statutes of Utah, in Respect to the Granting of Injunctions," was read the second time.

S. B. No. 118, by Mr. Bennion, "An Act Requiring the Secretary of State to Certify to the County Clerk of Each County of the State the Names of All Persons Holding Notarial Commissions Therein, the Date of Expiration of Same, and Requiring County Clerks to Keep a Record Thereof," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Love, Barnes.

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

THIRD READING HOUSE BILL.

H. B. No. 35, by Barrett (by request), entitled, "An Act to Amend Sections 1711, 1712, 1713, 1719, 1721, 1724, 1726, 1727, of the Revised Statutes of Utah, 1898, and Section 1719 as Amended in Chapter 33, Session Laws, 1899, Relating to Penalties, Acting Without Registration, Adulterated Drugs, Etc.," was read the third time and was made a special order for Feb. 26 at 3 p. m.

INTRODUCTION OF BILL.

S. B. No. 177, by Mr. Bennion, "An Act Amending Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and Making Exceptions in Cases of Summary Distribution," was read the first time and referred to the Committee on Judiciary.

RECOMITTED.

S. B. No. 6 was taken from the table, and on motion of Mr. McKay was recommitted to the Committee on County and Municipal Corporations.

PRESENTATION OF PETITION.

S. P. No. 39, by Mr. Allison, asking for legislation against undesirable aliens and the giving or receiving of food in part payment for work in mines, was read and referred to the Commitee on Mines and Minerals.

On motion of Mr. Barnes, Senate adjourned at 5 p. m.

FORTY-SIXTH DAY.

State of Utah, Senate Chamber,
February 26, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-fifth day's session were read and approved.

PRESENTATION OF PETITIONS.

S. P. No. 40, by Mr. Larsen (H. S.), asking for an appropriation for the repair of certain roads, was read and referred to the Committee on Highways and Bridges.

S. P. No. 41, by Mr. Allison, asking for favorable action on H. B. No. 16, signed by the Mayor and City Council of Ogden, Utah, was read and referred to the Committee on Appropriations and Claims.

REPORTS STANDING COMMITTEES.

Committee Room, Feb. 26, 1903.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred H. B. No. 16, "An Act to Provide for the Expenses of the Executive Committee of the Eleventh National Irrigation Congress to be Held at Ogden, Utah, Sept. 8th, 9th, 10th and 11th, 1903, respectfully report that they have had the same under consideration, offer certain amendments thereto and recommend that the act as amended be passed.

LEWIS, Chairman.

The report of the committee was adopted and H. B. No. 16 was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes.

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

Committee Room, Feb. 26, 1903.

Mr. President:—Your Committee on Banks and Banking, to whom was referred S. B. No. 93, by Mr. Lewis, being "An Act to Amend Section 2441 of the Revised Statutes of Utah, 1898, Relating to the Appointment and Defining Certain Duties of the Bank Examiner," respectfully report that we have had the same under consideration and recommend that the act be not passed.

SHERMAN, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 26, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 116, being "An Act to Amend Section 1, of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps by County Surveyors," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 26, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 138, being "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99, of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps by County Surveyor and Recorder," respectfully report, that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 26, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 152, being "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah of 1898, Prescribing when Judgments May be Entered in District Courts, and Defining Judges' Chambers and Their Powers at Chambers," respectfully report, that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

MAJORITY REPORT.

Committee Room, Feb. 26, 1903.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 75, by Mr. Bamberger, being "An Act Providing for the Establishment and Maintenance of Kindergartens in all School Districts of a Population of One Thousand and Upwards." respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LOVE, Chairman.

MINORITY REPORT.

Committee Room, Feb. 26, 1903.

Mr. President:—We, the minority of your Committee on Education, to whom was referred S. B. No. 75, by Mr. Bamberger, being "An Act Providing for the Establishment and Maintenance of Kindergartens in all School Districts of a Population of One Thousand and Upwards," beg to report that we have had the same under consideration and recommend that the act be passed.

BAMBERGER,
JOHNSON,
M'KAY.

The report of the committee and of the minority were made a special order for Feb. 27, at 3 p. m.

Senate Judiciary Committee Room,
February 26, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 145, being "An Act Amending Section 3221 of the Revised Statutes of Utah, of 1898, and Providing for Arbitration of Water Rights," respectfully report, that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 26, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 146, being "An Act Amending Section 335 of the Revised Statutes of Utah, 1898, Providing for Different Kinds and Classes of Capital Stock and for Voting the Same," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and, as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, S. B. No. 83, by Mr. Lawrence, entitled "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, Where All Judges of the City Court are Disqualified, and Providing for a Judge Pro Tempore in City Courts, in Certain Cases, and Fixing His Compensation." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 83 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 25, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day sustained the Governor's veto on S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2551 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners." and S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502 of the Revised Statutes of Utah, 1898, entitled 'Land Non-Taxable While Title is in State. Improvements." The same are herewith transmitted to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Mr. Whitmore moved the appointment of a conference committee on S. B. No. 3 and S. B. No. 4 and the Governor's vetoes thereof. Carried.

The President Appointed Messrs. Whitmore, Larsen (C. P.), and Gardner as such committee.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day notified the House of Representatives that he has approved and filed in the office of the Secretary of State H. B. No. 28, by Mr. Nash, entitled "An Act to Provide for the Burial of Honorably Discharged Soldiers, Sailors and Marines of the United States, and to Repeal Chapter 4, Laws of Utah, 1901."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, under suspension of the rules, H. B. No. 175, by Committee on Counties, substitute for S. B. No. 64, by Mr. Loose (by request). "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Board of County Commissioners." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Mr. Lewis moved the appointment of a conference committee on H. B. No. 175, substitute for S. B. No. 64. Carried.

The President appointed Messrs. Lewis, Gardner and Bamberger as such committee.

INTRODUCTION OF BILLS.

S. B. No. 178, by Mr. Murdock, "An Act to Provide for a Tax on Incomes, and Providing for the Collection and Disposition of the Same," was read the first time and referred to the Committee on Ways and Means.

S. B. No. 179, by Mr. Gardner, "An Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the Preparation of Data and Records and Use of Same, and Appropriation of Money to Defray the Expenses Thereof," was read the first time and referred to the Committee on Agriculture and Irrigation.

SPECIAL ORDER.

H. B. No. 35, by Barrett (by request), entitled "An Act to Amend Sections 1711, 1712, 1713 of the Revised Statutes 1898; also Section 1719, as Amended in Chapter 33, Session Laws, 1899, 1722, 1724, 1726, 1727, of the Revised Statutes of Utah, 1898, Relating to Penalties,

Acting Without Registration, Adulterated Drugs, Etc.," special order for 3 p. 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: Bamberger, Barber, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Johnson.

Absent and not voting: Barnes.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 16, by Mr. Condon, entitled "An Act to Provide for the Expenses of the Executive Committee of the Eleventh National Irrigation Congress to be Held at Ogden, Utah, Sept. 8, 9, 10 and 11, 1903, and to Make a Proper Exhibit Thereat."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee to act with a like committee from the Senate in regard to S. B. No. 3, by Mr. Whitmore, "An Act to Amend Section 2554 of the Revised Statutes of Utah, 1898, Defining Certain Duties of the Secretary of the State Board of Land Commissioners;" also S. B. No. 4, by Mr. Whitmore, "An Act to Amend Section 2502

of the Revised Statutes of Utah, 1898, entitled Land Non-Taxable While Title is in State."

House Committee: Stewart, White, Spry.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 99, by Mr. Lawrence, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court, Providing for the Prosecution Thereof in the District Court, and for the Payment of Witnesses Therein." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 99 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 95, by Mr. Lawrence, "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court and Making an Exception of Fines Imposed by the District Court in Cases Appealed From City or Municipal Courts." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Lawrence the Senate concurred in the House amendments to S. B. No. 95.

S. B. No. 95 as amended was read the first time and the rules were suspended and the bill was read the second and third times and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Johnson, Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Absent and not voting: Lawrence, Larsen (C. P.), Barnes, Whitmore, Gardner.

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

S. B. No. 95 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, S. B. No. 90, by Lawrence, entitled "An Act to Amend Section 976, Revised Statutes of Utah, Relating to the Fees of County Auditor." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 90 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 96, by Mr. Lawrence, entitled "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the ex-Officio Clerk There-

of." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 96 was referred to the Committee on Engrossed and Enrolled Bills.

THIRD READING SENATE BILL.

S. B. No. 109, by Mr. Lawrence (by request), "An Act to Amend Section 3060, Revised Statutes of Utah, 1898, in Respect to the Granting of Injunctions, and Requiring the Giving of a Bond for All Damages Which May Be Awarded," was read the third time and passed by the following vote:

Ayes, 17, nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes.

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

SECOND READING SENATE BILLS.

S. B. No. 55, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 511 of the Revised Statutes of Utah, 1898, in Relation to the General Powers of the Board of County Commissioners, and Fixing Specifically Their Powers and Duties to the Indigent Sick and Otherwise Dependent Poor," was read the second time and the rules were suspended and the bill was read the third time and roll call was deferred for one day.

S. B. No. 137, by Mr. Love, "A Bill For An Act to Amend Section 1156, of the Revised Statutes of Utah, 1898, Relating to Property Exempt From Execution," was read the second time and the rules were suspended and the bill was read the third time and roll call was deferred for one day.

SECOND READING HOUSE BILLS.

H. B. No. 64, by Smith, entitled "An Act to Establish a State Board of Sheep Commissioners; Create the Office of State Sheep Inspector; Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep; Provide Revenue to Enforce this Act; and to Repeal All Acts or Parts of Acts Conflicting Herewith," was read the second time.

H. B. No. 30, by Mr. Watts, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same and Penalties for Violations Thereof," was read the second time.

H. B. No. 49, by Done (by request), entitled, "An Act to Amend Section 1208, Revised Statutes of Utah, and Providing for Divorce upon Grounds of Permanent Insanity," was read the second time.

H. B. No. 65, by Luther, entitled "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, in Relation to Reports of County Treasurers and County Auditors to the State Auditor of Certificates and Warrants Issued for Mileage and Attendance of Grand Jurors; for Mileage and Attendance of Petit Jurors Engaged in the Trial of Criminal Cases in the District Court for Mileage and Attendance of Witnesses Summoned by or on Behalf of the State in Criminal Cases, in the District Court, and for Salaries of County Attorney, County Treasurer and County Assessor, and the Deposition of the Funds for Payment of the Same," was read the second time.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State, H. B. No.

29, entitled "An Act to Exempt Honorably Discharged Soldiers, Sailors and Marines From the Payment of Poll Tax."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

On motion of Mr. Williams, Senate adjourned at 4 p. m.

FORTY-SEVENTH DAY.

State of Utah, Senate Chamber,
February 27, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-sixth day's session were read and approved.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended, S. B. No. 98, by Mr. Lawrence, "An Act in Relation to Proceeding Against Corporations for Violations of City Ordinances, Prescribing the Requisite of Summons to be Served in Lieu of a Warrant. The Time of Service, the Plea to the Complaint, the Hearing on the Charge and the Imposition of a Penalty upon Conviction." The same is herewith transmitted to our honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 98 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee consisting of Messrs. Wilson, Colton and Haslam to act with a like committee from the Senate upon H. B. 175, entitled "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 131, by Mr. Hawley, entitled "An Act Providing That the County in Which the Cause of Action Arises Shall Pay the Expenses When the Case is Tried in Another County on Change of Venue." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 131 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 26, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 109 entitled "An Act to Amend Section 300 of the Revised Statutes of Utah, 1898, Relating to Boards of

Trustees in Towns and Requiring Such Trustees to Give Bonds." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 109 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Feb. 27, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in triplicate in open session, H. J. M. No. 3, entitled "A Memorial to the Congress of the United States, Asking That That Portion of Arizona Territory Lying North of the Colorado River be Annexed to the State of Utah." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. M. No. 3 was signed in triplicate by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

REPORTS STANDING COMMITTEES.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 17, being "An Act to Codify and Revise Certain Laws of the State Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or That Are Impure, Unwholesome, Adulterated, or Misbranded, to Provide Penalties for the Violation of Any Provision of This Act and to Repeal Sections 2446

to 2450, 729 to 746, 4283 to 4290, All Inclusive, of the Revised Statutes of Utah, 1898, and Chapters 34 to 48, Laws of Utah, 1899," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 17 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the singing thereof.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committtee on Judiciary, to whom was referred S. B. No. 170, being "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3847, of Chapter 8, ,of Title 74, of the Revised Statutes of1898," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, Feb. 27, 1903.

Mr. President:—Your special committee appointed to confer with a like committee of the House on H. B. No. 175, substitute for S. B. No. 64, "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners," respectfully report that they have had the same under consideration and recommend, as a compromise, that the words "twenty-five," in line 30, page 5, be stricken out and the word "fifty" substituted in lieu thereof. They also recommend that the bill be recommitted to the Senate Committee on Counties and Municipal Corporations.

LEWIS, Chairman Senate Committee,
WILSON, Chairman House Committee.

Report adopted and H. B. No. 175 was read the first time and referred to the Committee on County and Municipal Corporations.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 153, being "An Act to Repeal Chapter 55, of the Laws of Utah, 1901, An Act Entitled, 'An Act to Establish a Bureau of Statistics, and to Define the Duties Thereof, and Making Appropriation Therefor,'" respectfully report that we have considered the same and herewith return the act to the Senate with the recommendation that the bill be sent to the Senate Committee on Manufactures and Commerce, for the reason that a measure embracing the same features is now pending before such committee.

LAWRENCE, Chairman.

Report adopted and S. B. No. 153 was referred to the Committee on Manufactures and Commerce.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 165, being "An Act to Amend Section 1, Chapter 19, of the Session Laws of Utah, 1901, Entitled, 'An Act Providing for the Place of Trial of Civil Actions Arising Without the State,'" respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was recommittted S. B. No. 68, by Mr. Williams, being "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Land Reclamation Fund Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof," beg leave to report that we have considered the same, offered certain amendments, and recommend that the act be passed as amended.

M'KAY, Chairman.

Report adopted, and S. B. No. 68, by Mr. Williams was read, as amended, the first and second times, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Murdock.

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

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 162, being "An Act to Amend Section 2434 of the Revised Statutes of the State of Utah, Relating to the Accounts and Reports of the State Treasurer," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 149, being "An Act to Amend Section 3090 of the Revised Statutes of Utah, 1898, Relating to Garnishment, and Defining Certain Persons Exempt Therefrom," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 177, being "An Act to

Amend Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and Making Exceptions in Cases of Summary Distribution," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 169, being "An Act to Prohibit Certain Consolidations Between Corporations, and Prescribing Penalties for a Violation Thereof," respectfully report that they have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Banks and Banking, to whom was referred S. B. No. 173, by Mr. Sherman, being "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations," beg leave to report that we have had this act under consideration, offer certain amendments thereto, and recommend that the act be passed as amended.

SHERMAN, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Mines and Mining, to whom was recommitted S. B. No. 40, "An Act Prohibiting the Giving or Accepting of Food, Lodgings or Board as Part Consideration for Services Performed in

Underground Workings" respectfully report that they have had the same under consideration, and recommend that the act be passed.

LEWIS, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Mines and Mining, to whom was referred S. B. No. 106, "An Act to Provide for an Additional Shaft, Incline, Tunnel, Manway or a Double Shaft, in Certain Mines in This State, and Providing a Penalty for a 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.

LEWIS, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 135, being "An Act to Amend Sections 2949 and 2950 of the Revised Statutes 1898, Relating to the Service of Summons in Civil Actions by Publication, and Prescribing the Form of Summons in Such Case," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Public Lands, to whom was referred H. B. No. 50, "An Act Amending Section 34, of Chapter 64, of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds Derived From the Sale or Rental of the Public Lands of 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.

LARSEN (H. S.), Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 139, being "An Act to Amend Section 2912 of the Revised Statutes of Utah, 1898, Relating to Damages for Death Caused by the Wrongful Act or Neglect of Another," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 27, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 136, being "An Act to Amend Section 2939 of the Revised Statutes of 1898, Relating to the Form of Summons in Civil Actions," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Labor, to whom was referred S. B. No. 160, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract of Day's Labor," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

LOOSE, Chairman.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 73, "An Act to Insure

Better Education of Practitioners of Dental Surgery, and to Regulate the Practice of Dentistry in the State of Utah, Providing Penalties for the Violation Thereof, and to Repeal an Act Now in Force Relating to the Same, and Known as Title 16, Revised Statutes of Utah, 1898," respectfully report that they have had the same under consideration, offer a substitute therefor, S. B. No. 180, by Committee on Public Health, "An Act to Amend Sections 753, 754 and 757 of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry," and recommend that the substitute be passed and that S. B. No. 73 be rejected. MURDOCK, Chairman.

Report adopted and S. B. No. 180 was read the first time.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 96, by Mr. Lawrence, being "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the Ex-Officio Clerk Thereof," beg to report that we have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.
JOHNSON, Chairman.

S. B. No. 96 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 90, by Mr. Lawrence, being "An Act to Amend Section 976, Revised Statutes of Utah, 1898, Relating to the Fees of County Auditor," beg to report that we have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.
JOHNSON, Chairman.

S. B. No. 90 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, Feb. 27, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 95, being "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court, and Making an Exception of Fines Imposed by the District Court in Cases Appealed from City or Municipal Courts," respectfully report that we have carefully engrossed and enrolled the same, and herewith submit the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 95 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

REPORT CONFERENCE COMMITTEES.

Committee Room, Feb. 27, 1903.

Mr. President:—Your special committee appointed to confer with a like committee from the House on H. B. No. 61, "An Act to Amend Section 999 of the Revised Statutes of Utah, 1898, Relating to Jurors in Justices' Courts, Per Diem and Mileage," respectfully report that they have had the same under consideration, and recommend that the action of the Senate in rejecting the bill be sustained.

BENNION, Chairman Senate Committee.
M'KINNON, Chairman House Committee.

Report adopted.

Committee Room, Feb. 27, 1903.

Mr. President:—Your conference committee appointed to confer with a like committee from the House on Senate Bills 3 and 4 beg leave to report as follows:

That they met with said committee from the House and the majority of the House members arrogantly refused to discuss their recent action of said Senate Bills Nos. 3 and 4, or reconsider any part of the same, contending that they were under no obligations to assign any reason for their action of said measures, and absolutely refused to discuss any further phase of the subject matter.

The majority of your committee respectfully recommend that said action be not endorsed by this Senate, and that a communication be sent to the members and Speaker of the House, requesting that another conference committee be named, who will respectfully discuss the matters.

WHITMORE,
GARDNER.

MINORITY REPORT.

February 27, 1903.

Mr. President:—Your conference committee appointed by the Senate to confer with a like committee from the House in regard to Senate Bills No. 3 and 4, report as follows: That the committee from the Senate and the House met in conference and failed to agree to any further mode of procedure. Three members thereof being in favor of sustaining the Governor's veto and three in favor of passing the bills over the Governor's veto.

I therefore recommend that the matter be left without further action.

Respectfully,.
C. P. LARSEN.

The report of the conference committee on S. B. No. 3 and S. B. No. 4 was adopted and the report of the minority was rejected.

PRESENTATION OF PETITIONS.

S. P. No. 42, by Mr. Gardner, asking that an irrigation law be passed, signed by members of the Oquirrh Commercial Club, was read and referred to the Committee on Agriculture and Irrigation.

INTRODUCTION OF BILL.

S. B. No. 181, by Mr. McKay, Joint Committee Irrigation Bill. "An Act Providing for Determining and Recording Water Rights; Regulating the Diversion, Use and Apportionment of Water; Prescribing the Manner in Which Water May Be Appropriated; Providing for the Appointment of a State Engineer and Prescribing His Qualifications, Powers, Duties and Compensation; Requiring Claimants to the Use of Water to File Statement of Their Claims and Declaring the Forfeiture of Rights for Failure to File Such Statements; Providing for the Taking of Testimony and the Entering of Decrees Determining Rights to the Use of Water, and Permitting Appeals; Requiring Certificates of Water Rights to be Issued, Filed and Recorded; Directing That the State Shall be Divided Into Water Divisions and Districts, and That Superintendents and Supervisors Shall be Appointed to Apportion the Water; Requiring Applications for the Appropriation of Water to be Filed and Permitting the Construction of Diverting Works; Providing for the Issuance and Recording of Certificates of Appropriation; Declaring Water to be Public Property, Subject to Existing Rights; Making Unappropriated Water Subject to Acts of Congress for Storage; Fixing Units of Measurement of Water; Establishing Basis, Measure and Limit of Right; Providing for the Abandonment of Use, Change in Manner or Place of Use, and Commingling and Recovery of Water; Defining Rights of Appropriators; Permitting Irrigation Companies to Take Stock in Similar Companies; Providing for the Acquisition of Rights of Way, and the Use and Enlargement of Existing Canals; Directing That Canals, Bridges, and Crossings be Kept in Repair; Declaring When Water

Rights are Appurtenant to Land, and How Transfers Are to be Made and Recorded; Fixing Penalties for Violations of This Act; Providing Legal Advisers for State Engineer; Establishing Fees and Prescribing How They Shall be Collected and Paid to the State; Providing for the Payment of Fees, Costs and Expenses Under This Act; Prescribing Who May be Parties in Actions Concerning Water; Preserving the Existence and Providing for the Dissolution of Irrigation Districts; Repealing Title 33 of the Revised Statutes of Utah of 1898, on 'Irrigation and Water Rights,' Being Sections 1261 to 1288 Inclusive, and Chapter 125 of the Laws of Utah of 1901, Entitled, '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 Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah of 1898,' Approved March 25, 1901, and All Other Laws and Parts of Laws in Conflict With the Provisions of This Act; but Preserving Vested Rights to the Use of Water, and Providing That Any Right Initiated Under the Laws Repealed May be Completed and Perfected; Continuing the Term of Office of the State Engineer; Providing that Water Commissioners Heretofore Appointed Shall Continue to Perform Their Duties Until Superseded by Division Superintendents and District Supervisors, and That Similar Water Commissioners May be Appointed, if Necessary," was read and referred to the Committee on Agriculture and Irrigation.

CONSIDERATION OF REPORT OF COMMITTEE.

The report of the Committee on Education, recommending that S. B. No. 75, by Mr. Bamberger, be not passed and the report of a minority of the Committee on Education, recommending that S. B. No. 75, by Mr. Bamberger, be passed, were taken up and the report of the minority of the committee was adopted and the report of the committee was rejected, and the bill was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 13; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Whitmore, Mr. President.

Those voting in the negative were: Bennion, Love, Sherman, Williams.

Absent and not voting: Barnes.

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

BILL PASSED.

S. B. No. 55, by Mr. Lawrence (by request), "A Bill for an Act Amending Section 511 of the Revised Statutes of Utah, 1898, in Relation to the General Powers of the Board of County Commissioners, and Fixing Specifically Their Powers and Duties to the Indigent Sick and Otherwise Dependent Poor," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Gardner.

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

RECOMMITTED.

S. B. No. 137 was recommitted to the Committee on Judiciary.

SECOND READING SENATE BILL.

S. B. No. 138, by Mr. Love (by request), "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1898, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing

and Keeping Present Ownership Maps by County Surveyor and Recorder," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes.

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

S. B. No. 145, by Mr. Johnson, "An Act Amending Section 3221 of the Revised Statutes of Utah, 1898, Providing for Arbitration of Water Rights," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 14; nays, 3.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Williams.

Those voting in the negative were: Larsen (H. S.), Whitmore, Mr. President.

Absent and not voting: Barnes.

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

S. B. No. 146, by Mr. Johnson, "An Act Amending Section 335 of the Revised Statutes of Utah, 1898, Providing for Different Kinds and Classes of Capital Stock and for Voting the Same," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes.

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

S. B. No. 152, by Mr. Bennion, "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah, 1898, Prescribing When Judgments May be Entered in District Courts, and Defining Judges' Chambers, and Their Powers at Chambers," was read the second time and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes.

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

THIRD READING OF HOUSE BILLS.

H. B. No. 64, by Smith, entitled "An Act to Establish a State Board of Sheep Commissioners, Creating the Office of State Sheep Inspector; Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep; Provide Revenue to Enforce this Act; and to Repeal All Acts or Parts of Acts Conflicting Herewith," was read the third time and made a special order for Feb. 28, at 3 p. m.

H. B. No. 49, by Done (by request), entitled, "An Act to Amend Section 1208, Revised Statutes of Utah, and Providing for Divorce upon Grounds of Permanent Insanity," was read the third time and passed by the following vote:

Ayes, 12; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber. Bennion, Johnson, Larsen (H. S.), Lawrence, Lewis, Love, Murdock, Whitmore, Williams, Mr. President.

Those voting in the negative were: Loose, McKay, Sherman, Gardner.

Absent and not voting: Barnes, Larsen (C. P.).

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

H. B. No. 65, by Luther, entitled "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, in Relation to Reports of County Treasurers and County Auditors to the State Auditor of Certificates and Warrants Issued for Mileage and Attendance of Grand Jurors; for Mileage and Attendance of Petit Jurors Engaged in the Trial of Criminal Cases in the District Court; for Mileage and Attendance of Witnesses Summoned by or on Behalf of the State in Criminal Cases, in the District Court, and for Salaries of County Attorney, County Treasurer and County Assessor, and the Deposition of the Funds for Payment of the Same," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 11; nays, 3.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Bennion, Johnson, Larsen (C. P.), Lawrence, Lewis, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Whitmore, Larsen (H. S.), Barber.

Absent and not voting: Barnes, Loose, Love, Gardner.

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

H. B. No. 30, by Mr. Watts, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same and Penalties for Violations Thereof," was read the third time and passed by the following vote:

Ayes, 12; nays, 3.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, McKay, Murdock, Whitmore.

Those voting in the negative were: Sherman, Williams, Mr. President.

Absent and not voting: Barnes, Loose, Love.

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

On motion of Mr. Whitmore, Senate adjourned at 5 p. m.

FORTY-EIGHTH DAY.

State of Utah, Senate Chamber,
February 28, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-seventh day's session were read and approved.

REPORTS STANDING COMMITTEES.

Committee Room, Feb. 28, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 83, "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, Where All Judges of the City Court Are Disqualified, and Providing for a Judge Pro Tempore in City Courts, in Certain Cases, and Fixing His Compensation." Also S. B. No. 99, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court, Providing for the Prosecution Thereof in the District Court, and for the Payment of Witnesses Therein." Also S. B. No. 98, "An Act in Relation to Proceedings Against Corporations for Violations of City Ordinances, Prescribing the Requisite of Summons to be Served in

Lieu of a Warrant, the Time of Service, the Plea to the Complaint, the Hearing on the Charge and the Imposition of a Penalty Upon Conviction," respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature. JOHNSON, Chairman.

S. B. No. 83, S. B. No. 99 and S. B. No. 98 were signed by the President in the presence of the Senate in open session, after the titles thereof had been publicly read immediately before the signing thereof.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 130, being "An Act to Amend Section 324, of Chapter 1, Title II, of the Revised Statutes of Utah of 1898," respectfully report that we have had the same under consideration, and the subject matter of the act being covered by S. B. No. 69, we recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 137, being "An Act to Amend Section 1156 of the Revised Statutes of Utah, 1898, Relating to Property Exempt from Execution," respectfully report that we have had the same under consideration on re-commitment, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 131, being "An Act Providing that the County in Which a Civil Cause of Action Arises Shall Pay the Expenses When the Case is Tried in Another County on Change of Venue," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 128, being "An Act Providing for Manner of Annexing Part of the Territory of a County to an Adjoining County," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 155, being "An Act Amending Sections 1372 and 1386, Revised Statutes of Utah, 1898, Relating to Mechanics' Liens and Requiring Material Men to Notify Owners of Building of Material Furnished," respectfully report that they have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 154, being "An Act Amending Section 3974 of the Revised Statutes of Utah, 1898, Relating to the Payment of Estate Funds Held in Trust by the State Treasurer, and Providing for Final Disposition of Said Funds at the Expiration of Five Years After Decedent's Death," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 69, being "An Act to Amend Sections 322, 324, 327, 330, 338, 339, and 368 of the Revised Statutes of Utah, 1898, Relating to Corporations, Their Powers, Powers of Boards of Directors and Their Place of Meeting, the Removal of Officers Thereof, the Transfer of Stock, Amendments to the Articles of Incorporation and Evidence Thereof, Effect of Sale of Stock to the Corporation for Delinquent Assessment, and Providing for the Disposition of Stock so Purchased as Well as all Other Stock Held by the Corporation," respectfully report that we have had the same under consideration, have offered certain amendments Thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 28, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 19, by Mr. Sherman, being "An Act to Prevent and Punish the Desecration of the Flag of the United States," beg to

report that we have carefully engrossed and enrolled the same and herewith present the act to you for your signature. JOHNSON, Chairman.

S. B. No. 19 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

CLAIMS.

S. C. No. 10, by Mr. Barber, claim of Edward Hanson against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 11, by Mr. Barber, claim of Utah L. & T. Co. against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 12, by Mr. Barber, claim of Edward Hanson against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 13, by Mr. Barber, claim of Luigia Bertagnoli against the State of Utah, was referred to the State Board of Examiners.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
February 28, 1903.

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 Pharmacy: James L. Franken of Salt Lake County for the term of five years, ending January, 1908.

W. W. Cook of Beaver County for the term of five years, ending January, 1908.

To be a member of the State Board of Education: William Allison of Weber County, to fill the vacancy caused by the resignation of Frank B. Cooper, whose term expires in 1905.

Very respectfully,
HEBER M. WELLS, Governor.

The communication was laid on the table pending the reception of further executive appointments.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State the following measures: House Bill No. 58, entitled, "An Act Amending Section 25 of the Revised Statutes of Utah, 1898, Relating to the Notice of Sales of Trespassing Animals." Also House Bill No. 71, entitled, "An Act to Amend Section 40, Chapter 2, of the Revised Statutes of Utah, 1898, as Amended in Chapter 64 of the Session Laws of 1901, Relating to Marks and Brands with Respect Thereto."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of three from the House, consisting of Messrs. Watts, Spry and J. E. Johnson, to meet with a like committee from the Senate to consider amendments made by Senate in House Bill No. 30, by Mr. Watts, entitled, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah, 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same, and Penalties for Violation Thereof."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Mr. Lawrence moved that a conference committee of three be appointed on H. B. No. 30. Carried.

The President appointed Messrs. Lewis, Larsen (H. S.) and Murdock as such committee.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

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. 95, "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court, and Making an Exception of Fines Imposed by the District Court in Cases Appealed from City or Municipal Courts." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 95 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 114, by Mr. Barber, "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating Certain Marriage Licenses Issued by Any District Court, or Clerk Thereof, Within This State." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 114 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a

conference committee, consisting of Messrs. Roberts, Molyneux and Watts, to meet with a like committee from the Senate to consider Senate Bill No. 68, by Mr. Williams.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Mr. Williams moved that a conference committee of three on S. B. No. 68 be appointed. Carried.

The President appointed Messrs. Williams, McKay and Whitmore as such committee.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

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. 96, entitled, "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in City Courts by the Ex-Officio Clerk Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 96 transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 78, by Mr. Lawrence (by request), entitled, "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, Relating to the Form of Exceptions, Specifications of Particulars and the Evidence and Documents to be Incorporated in a Bill of Exceptions." The same is herewith transmitted to your honorable body for its further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 78 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

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. 90, entitled, "An Act to Amend Section 976, Revised Statutes of Utah, 1898, Relating to the Fees of County Auditor." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 90 was transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 121, by Mr. Williams, "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for Violation of This Act." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Whitmore, the Senate concurred in the House amendment.

S. B. No. 121 was read the first time, and the rules were suspended and the bill was read the second and third times and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Lar-

sen (H. S.), Lawrence, Lewis, McKay, Murdock, Sherman, Whitmore, Williams, Mr.. President.

Absent and not voting: Barnes, Loose, Love.

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

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day laid your communication with regard to another conference committee to consider S. B. No. 3 and S. B. No. 4, by Whitmore, on the table.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

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. 17, entitled, "An Act to Codify and Revise Certain Laws of the State, Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 17 was transmitted to the Governor.

ROLL-CALL.

S. B. No. 40, by Mr. Bamberger, "An Act Prohibiting the Giving or Accepting of Victuals or Board as Part Consideration for Services Performed in Underground Workings," was passed by the following vote:

Ayes, 12; nays, 4.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Murdock, Williams, Mr. President.

Those voting in the negative were: Lawrence, McKay, Sherman, Whitmore.

Absent and not voting: Barnes, Love.

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

SPECIAL ORDER.

H. B. No. 64, by Smith, entitled, "An Act to Establish a State Board of Sheep Commissioners, Create the Office of State Sheep Inspector, Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, Provide Revenue to Enforce This Act, and to Repeal All Acts or Parts of Acts Conflicting Herewith," was made a special order for March 3 at 3 p. m.

SECOND READING SENATE BILLS.

S. B. No. 106, by Mr. Lewis, "An Act to Provide for an Additional Shaft, Incline, Tunnel, Manway, or a Double Shaft in Certain Mines in This State, and Providing a Penalty for a Violation of This Act," was read the second time.

S. B. No. 139, by Mr. Whitmore (by request), "An Act to Amend Section 2912 of the Revised Statutes of Utah, 1898, Relating to Damages for Death Caused by the Wrongful Act or Neglect of Another," was read the second time.

S. B. No. 160, by Mr. Murdock, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract of Day's Labor," was read the second time.

S. B. No. 162, by Mr. Johnson, "An Act to Amend Section 2434 of the Revised Statutes of the State of Utah, Relating to the Accounts and Reports of the State Treasurer," was read the second time.

RECOMMITTED.

S. B. No. 165, by Mr. McKay, "An Act to Amend Section 1 of Chapter 19 of the Session Laws of Utah, 1901, Entitled 'An Act Providing for the Place of Trial of Civil Actions Arising Without the State," was recommitteed to the Committee on Judiciary.

SECOND READING SENATE BILLS.

S. B. No. 169, by Mr. Lawrence, "An Act to Prohibit Certain Consolidations Between Corporations, and Prescribing Penalties for a Violation Thereof," was read the second time.

S. B. No. 170, by Mr. Lawrence (by request), "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3847 of Chapter 8 of Title 74 of the Revised Statutes of 1898," was read the second time.

S. B. No. 173, by Mr. Sherman, "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations," was read the second time.

S. B. No. 177, by Mr. Bennion, "An Act Amending Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and Making Exceptions in Cases of Summary Distribution," was read the second time.

SECOND READING HOUSE BILL.

H. B. No. 50, by Morris, entitled "An Act Amending Section 34 of Chapter 64 of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds Derived from the Sale or Rental of the Public Lands of the State," was read the second time.

REPORT STANDING COMMITTEE.

Senate Judiciary Committee Room,
February 28, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 56, being "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 103, by Lawrence, entitled "An Act Authorizing a Seal for City Courts in Cities of the First Class, Prescribing the Design and Designating the Custodian Thereof." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 103 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 28, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 101, by Mr. Lawrence, entitled "An Act Amending Section 15 of Chapter 109 of the Session Laws of

Utah, 1901, in Relation to the Manner of Commencing Actions, the Issuing of Summons and the Form Thereof in City Courts." The same is herewith transmitted to your honorable body for its further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 101 was referred to the Committee on Engrossed and Enrolled Bills.

Mr. Love was excused for the day.

On motion of Mr. Lawrence, Senate adjourned at 3:30 p. m.

FIFTIETH DAY.

State of Utah, Senate Chamber,
March 2, 1903.

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

Roll-call; quorum present.

Prayer by Bishop Murdock of Beaver, Utah,

The minutes of the forty-eighth day's session were read and approved.

COMMUNICATIONS FROM SECRETARY OF STATE.

Salt Lake City, Feb. 27, 1903.

To the Senate:

I have the honor to report that the State Board of Examiners has examined claim No. 5012 (Senate Claim No. 2), for half salaries of county attorney, county treasurer and county assessor, in Sanpete County, amounting to $2,156.20½, and is of the opinion that, under the provisions of Section 929 of the Revised Statutes, which provides that the board shall examine all claims, except

salaries or compensation of officers fixed by law, the board has no jurisdiction in this matter. The claim is herewith respectfully returned.

Very respectfully,

JAMES T. HAMMOND,
Secretary of State.

The communication and S. C. No. 2 were referred to the Committee on Appropriations and Claims.

Salt Lake City, March 2, 1903.

To the Senate:

I have the honor to return herewith the following claims:

No. 5019 (Senate Claim No. 5), of John T. Hind, amounting to $348.48, for return of 75 per cent of the money paid for school land in Cache County.

No. 5020 (Senate Claim No. 6), of Thomas A. Hillyard, amounting to $142.27.

No. 5021 (Senate Claim No. 7), of Jesse T. Moses, amounting to $223.98.

No. 5022 (Senate Claim No. 8), of Mrs. James Louder, amounting to $110.35.

No. 5023 (Senate Claim No. 9), of Lauritz M. Larsen, amounting to $51.20.

You are advised that the board has examined and approved all of the above claims (under Chapter 88 of the Laws of 1899), and the same are herewith returned to your honorable body.

Very respectfully,

JAMES T. HAMMOND,
Secretary of State.

The communication and S. C. No. 5, S. C. No. 6, S. C. No. 7, S. C. No. 8 and S. C. No. 9 were referred to the Committee on Appropriations and Claims.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 28, 1903.

To the Senate:

I have the honor to make the following named appointments, and invite your advice and consent thereto:

To be regents of the University of Utah:

W. W. Riter of Salt Lake County for the term of four years, ending July 1st, 1906.

A. H. Lund of Salt Lake County for the balance of the unexpired term of T. R. Cutler, resigned, whose term expires July 1st, 1903.

Very respectfully,
HEBER M. WELLS, Governor.

The communication was laid on the table pending the reception of further executive appointments.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, Senate Bill No. 19, "An Act to Prevent and Punish the Desecration of the Flag of the United States." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 19 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House,

Senate Bill No. 99, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court, Providing for the Prosecution Thereof in the District Court, and for the Payment of Witnesses Therein." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 99 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, Senate Bill No. 83, "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, Where all Judges of the City Court Are Disqualified, and Providing for a Judge Pro Tempore in City Courts, in Certain Cases, and Fixing His Compensation." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 83 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has approved and filed in the office of the Secretary of State, H. J. M. No. 3, by Mr. Morris, "Memorial to the Congress of the United

States Asking That That Portion of Arizona Territory Lying North of the Colorado River be Annexed to Utah."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, Senate Bill No. 98, "An Act in Relation to Proceedings Against Corporations for Violations of City Ordinances, Prescribing the Requisite of Summons to be Served in Lieu of a Warrant; the Time of Service, the Plea to the Complaint, the Hearing on the Charge and the Imposition of a Penalty Upon Conviction." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 98 was transmitted to the Governor.

REPORTS STANDING COMMITTEES.

Committee Room, March 2, 1903.

Mr. President:—Your Committee on Counties and Municipal Corporations, to whom was referred S. B. No. 133, "An Act to Provide for the Licensing and Regulating the Sale of Malt, Spirituous and Vinous Liquors in the State of Utah, and to Repeal Title 32 of Chapter 3 of the Revised Statutes of Utah, Entitled 'Intoxicating Liquors,' and an Act Entitled '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, and Repealing Section 4246 of the Revised Statutes of Utah, 1898,' Approved March

14, 1901, and Repealing all Acts in Conflict with This Act," respectfully report that they have had the same under consideration and recommend that the act do not pass.

LARSEN (C. P.), Chairman.

Report adopted.

Committee Room, March 2, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was recommitted S. B. No. 81, "An Act to Amend Section 1250 of the Revised Statutes of Utah, 1898, Defining Certain Times at Which Liquor May be Dispensed, Prescribing Certain Restrictions Upon Persons Conducting Liquor Saloons, and Providing a Penalty for the Violation Thereof," respectfully report that they have had the same under consideration, and recommend that the act do not pass.

LARSEN (C. P.), Chairman.

Report adopted.

Committee Room, March 2, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was recommitted S. B. No. 6, "An Act to Enable Incorporated Cities and Towns to Supply Said Cities and Towns and Inhabitants Thereof with Pure and Wholesome Water, and for the Purchase or Condemnation of Water Systems, Plants, Property and Franchises for the Use of Cities and Towns," respectfullly report that they have had the same under consideration, offer a substitute therefor—S. B. No. 182, "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Partly Purchase and Partly Lease the Waterworks, Water Mains, Conduits or Other Means of Water Supply; or to Buy the Bonds, Stocks and Interests of Any Person or Corporation Supplying Water to Such Cities and Towns, and Providing for Municipal Control Thereof"—recommend that the substitute be passed and that S. B. No. 6 be rejected.

LARSEN (C. P.), Chairman.

S. B. 182 was read the first time.

MINORITY REPORT.

Mr. President:—A minority of your Committee on County and Municipal Corporations beg leave to submit herewith the following objections to S. B. No. 182, the substitute measure reported by the majority of said committee for Senate Bill No. 6.

The fundamental principle upon which this great republic was founded, has grown and prospered, and now exists under, is absolute equality before the law, with exact justice to all and special privileges to none, and guaranteeing to every citizen the fullest protection to life and property.

The minority contend that such a law would prove to be the most obnoxious form of special legislation, and, therefore, unconstitutional, as it would empower unscrupulously inclined mayors and city councils to take against the will of the owner personal property (and in many instances not giving value received), and to which personal property the law says he has the absolute right to possess, hold and enjoy.

Water rights are personal property, although the water is generally used on land, and, if it is lawful to condemn and take water rights, it necessarily follows that it would be lawful to condemn and take any other personal property, and no one could own or possess anything which would be immune from this pernicious law, litigation over such acts would never cease, capital would refrain from investing in property or in stocks or securities based thereon, and I respectfully submit that the present condition of our young and growing State, with the prosperity that we are now enjoying, will be greatly crippled and jeopardized by the passage of such a socialistic measure as substituted for S. B. No. 6. Respectfully submitted by

WHITMORE.

The report of the committee was adopted and the report of the minority was rejected.

Committee Room, March 2, 1903.

Mr. President:—Your Committee on Public Printing, to whom was referred S. B. No. 124, by Mr. Lewis, "An Act Defining Certain Duties of the Board of County Commissioners and the County Auditor in Relation to Public Printing or Publishing," beg to report that they have had the same under consideration, and recommend that the act be passed. LEWIS, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 168, being "An Act to Amend Section 1, of Chapter 62, of the Laws of Utah, 1901, to Tax Gifts, Legacies and Inheritances in Certain Cases," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 158, being "An Act to Amend Sections 1906 and 1907 of the Revised Statutes of Utah, 1898, Relating to the Taking of School Census in Cities of the First Class," respectfully report that we have had the same under consideration, have offered certain amendments thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—A majority of your Committee on Judiciary, to whom was referred S. B. No. 127, being a

substitute for S. B. No. 46, and being "An Act to Provide for the Initiative and Referendum in Legislation," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Mr. President:—The minority of your Committee on Judiciary, to whom was referred S. B. No. 127, being a substitute for S. B. No. 46, respectfully recommend that the bill do not pass, for the following reasons:

First. It is a vicious measure, in that it permits an insignificant minority of the voters of the State to entail upon the State expense without limit, according to the whim or fancy of the professional and irresponsible agitator.

Second. Only a small minority of the voters of the State put themselves on record as favoring an initiative and referendum measure, and we believe that even this small proportion of the total voting population would not favor the pending measure, embodying as it does so many pernicious, illogical and unwise features.

JOHNSON,
LEWIS.

The report of the committee was adopted by the following vote:

Ayes, 10; nays, 8.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Whitmore.

Those voting in the negative were: Gardner, Johnson, Larsen (C. P.), Lewis, Loose, Sherman, Williams, Mr. President.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. P. No. 13, relating to the enactment of the "Initiative and Referendum" bill now pend-

ing, respectfully report that we have considered the said petition, and herewith return the same to the Senate, with the bill, for further action, and to go with the bill.

LAWRENCE, Chairman.

Report filed.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. P. No. 14, relating to the passage of the "Initiative and Referendum" bill, respectfully report that we have had the said petition before us and have considered the same, and herewith return the same to the Senate for further action, and recommend that it accompany said bill.

LAWRENCE, Chairman.

Report filed.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. P. No. 26, relating to the "Initiative and Referendum" measure now pending, and known as S. B. No. 127, substitute for S. B. No. 46, respectfully report that we have considered the said petition and herewith report the same back to the Senate to go with the said bill.

LAWRENCE, Chairman.

Report filed.

Senate Judiciary Committee Room,
March 2, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. P. No. 12, relating to the passage of the "Initiative and Referendum" bill, No. 127, respectfully report that we have considered the said petition and herewith return the same to the Senate with the recommendation that the petition go with the said bill.

LAWRENCE, Chairman.

Report filed.

ROLL-CALL.

S. B. No. 127, by the Committee on Judiciary, substitute for S. B. No. 46, by Mr. Barnes, "An Act to Provide for the Initiative and Referendum," was taken up, and, on motion of Mr. Bamberger, Section 25, "This act shall take effect upon approval," was stricken out by the following vote:

Ayes, 10; nays, 8.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (H. S.), Lawrence, Love, Murdock, Whitmore, Williams.

Those voting in the negative were: Gardner, Johnson, Larsen (C. P.), Lewis, Loose, McKay, Sherman, Mr. President.

S. B. No. 127 was rejected by the following vote:

Ayes, 9; nays, 9.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (H. S.), Lawrence, Love, Murdock, Whitmore.

Those voting in the negative were: Gardner, Johnson, Larsen (C. P.), Lewis, Loose, McKay, Sherman, Williams, Mr. President.

SPECIAL ORDER.

S. B. No. 85, by Mr. Murdock (by request), "An Act to Define Conditions of Child Dependency, Neglect and Ill-treatment, and to Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill-treated Children Within the State of Utah; and to Prescribe Punishment for Such Persons as Are Responsible for the Care of a Child, Who Neglect or Ill-treat Such Child," special order for 3 p. m., was taken up and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C.

P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 130, by Mr. Morris, "An Act to Amend Section 3942 of the Revised Statutes of Utah, 1898, Relating to Notice of Hearing Account." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 130, by Mr. Morris, was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 125, by Mr. Done (by request), substitute for H. B. No. 84, "An Act Amending Section 1667 of the Revised Statutes of Utah, 1898, Relating to Oaths, Bonds, Etc., of Notaries Public." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 125, by Mr. Done (by request), was read the first time and referred to the Committee on Judiciary.

SPECIAL ORDERS.

S. B. No. 76, by Mr. Bamberger, "An Act to Provide for the Control, Management and Acquisition of the

Water Supply of Cities of the First and Second Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers and Duties," was made a special order for March 4 at 3 p. m.

S. B. No. 131, substitute for S. B. No. 51, "An Act Declaring the Practice of Osteopathy Not to be the Practice of Medicine and Surgery Within the Meaning of Title 52, Revised Statutes of Utah, 1898, and Regulating the Practice of Osteopathy in the State of Utah," special order for 4 p. m., was taken up and was read the third time and passed by the following vote:

Ayes, 10; nays, 7.

Absent and not voting, 1.

Those voting in the affirmative were: Barber, Barnes, Johnson, Larsen (C. P.), Larsen (H. S.), Loose, McKay, Murdock, Whitmore, Mr. President.

Those voting in the negative were: Bamberger, Bennion, Lawrence, Lewis, Love, Sherman, Williams.

Absent and not voting: Gardner.

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

THIRD READING SENATE BILLS.

S. B. No. 106, by Mr. Lewis, "An Act to Provide for an Additional Shaft, Incline, Tunnel, Manway, or a Double Shaft, in Certain Mines in This State, and Providing a Penalty for a Violation of This Act," was read the third time and was rejected by the following vote:

Ayes, 5; nays, 12.

Absent and not voting, 1.

Those voting in the affirmative were: Gardner, Larsen (C. P.), Lewis, McKay, Whitmore.

Those voting in the negative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (H. S.), Loose, Love, Murdock, Sherman, Williams, Mr. President.

Absent and not voting: Lawrence.

S. B. No. 139, by Mr. Whitmore (by request), "An Act to Amend Section 2912 of the Revised Statutes of Utah, 1898, Relating to Damages for Death Caused by the Wrongful Act or Neglect of Another," was taken up and the enacting clause was stricken out.

S. B. No. 160, by Mr. Murdock, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract of Day's Labor," was read the third time and passed by the following vote:

Ayes, 11; nays, 6.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Johnson, Larsen (C. P.), Lawrence, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Barber, Gardner, Larsen (H. S.), Whitmore, Lewis, Love.

Absent and not voting: Bennion.

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

S. B. No. 162, by Mr. Johnson, "An Act to Amend Section 2434 of the Revised Statutes of the State of Utah, 1898, Relating to the Accounts and Reports of the State Treasurer," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Bennion.

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

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
March 2, 1903.

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. 90, entitled, "An Act to Amend Section 976, Revised Statutes of Utah, 1898, Relating to the Fees of County Auditor."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
March 2, 1903.

To the Senate:

I have the honor to appoint Moroni Heiner, of Morgan County, State Dairy and Food Commissioner for the term of two years, and respectfully invite your advice and consent thereto.

Very respectfully,
HEBER M. WELLS, Governor.

On motion of Mr. Love, the Senate gave its advice and consent to the appointment of Moroni Heiner, of Morgan County, as State Dairy and Food Commissioner.

State of Utah, Executive Office,
March 2, 1903.

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. 17, entitled "An Act to Codify and Revise Certain Laws of the State, Providing for the Creation of the Office of Dairy and Food Commissioner and Defining the Duties Thereof, and Defining Standards of Purity for Certain Foods, to Prohibit the Sale of Foods Below the Standard of Purity or That Are Impure, Unwholesome, Adulterated or Misbranded, to Provide Penalties for the Violation of Any Provision of This Act, and to Repeal Sections 2446 to 2450, 729 to 746, and 4283 to 4290, All Inclusive, of the Revised Statutes of Utah, 1898, and Chapters 34 to 48, Laws of Utah, 1899."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No.

102, by Lawrence, "An Act in Relation to the Serving of Process Issued Out of City Courts, and Providing Who May Serve Such Process." The same is herewith returned to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 102 was referred to the Committee on Engrossed and Enrolled Bills.

RECOMMITTED.

S. B. No. 169, by Mr. Lawrence, "An Act to Prohibit Certain Consolidations Between Corporations, and Prescribing Penalties for a Violation Thereof," was recommitted to the Committee on Judiciary.

THIRD READING SENATE BILLS.

S. B. No. 170, by Mr. Lawrence (by request), "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3847 of the Revised Statutes of Utah, 1898," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Murdock.

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

S. B. No. 173, by Mr. Sherman, "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations," was read the third time and passed by the following vote:

Ayes, 15; nays, 2.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barnes, Murdock.

Absent and not voting: Loose.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to House Bill No. 35, by Mr. Barrett, entitled "An Act to Amend Sections 1711, 1712, 1713, of the Revised Statutes of Utah, 1898; also Section 1719, as Amended in Chapter 33, Session Laws of 1899, and Sections 1722, 1724, 1726, 1727, of the Revised Statutes of Utah, 1898, Relating to Penalties Acting Without Registration, Adulterated Drugs, Etc."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

THIRD READING SENATE BILL.

S. B. No. 177, by Mr. Bennion, "An Act Amending Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and Making Exceptions in Cases of Summary Distribution," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C.

P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Sherman.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has approved and filed in the office of the Secretary of State H. B. No. 34, entitled "An Act to Amend Section 2062 of the Revised Statutes of Utah, 1898, Providing for the Payment of Compensation to Deputy County Officials."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

RECONSIDERATION AND REPASSAGE.

Mr. Murdock moved that the vote by which S. B. No. 160 was passed be reconsidered. Carried.

S. B. No. 160 was again passed by the following vote:

Ayes, 13; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Lawrence, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Gardner, Larsen (H. S.), Lewis, Whitmore.

Absent and not voting: Loose.

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

CLAIMS.

S. C. No. 14, by Mr. Barber, claim of Edward Hanson against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 15, by Mr. Barber, claim of Henry H. Harris against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 16, by Mr. Barber, claim of C. W. Morse against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 17, by Mr. Barber, claim of Edward Hanson against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 18, by Mr. Barber, claim of Rebecca Evans against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 19, by Mr. Barber, claim of J. A. Stewart against the State of Utah, was referred to the State Board of Examiners.

On motion of Mr. Johnson, Senate adjourned at 5 p. m.

FIFTY-FIRST DAY.

State of Utah, Senate Chamber,
March 3, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 2, 1903.

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. 98, entitled, "An Act In Relation to Proceedings Against Corporations for Violations of City Ordinances, Prescribing the Requisite of Summons to be Served in Lieu of a Warrant, the Time of Service, the Plea to the Complaint, the Hearing on the Charge, and the Imposition of a Penalty Upon Conviction."

Senate Bill No. 99, entitled, "An Act in Relation to the District Court Procedure in Criminal Cases Arising Through the Violation of a City Ordinance and Appealed to the District Court, Providing for the Prosecution Thereof in the District Court and for the Payment of Witnesses Therein."

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 111, substitute for H. B. No. 10, by Mr. Cahoon, "An Act Providing for the Licensing, Regulating and Restricting the Sale of Intoxicating Liquors, Providing for the Granting and Remonstrances Against the Granting and the Revocation of Such License, and Providing for the Enforcement of the Act and for Penalties for Violation of Same. Title 32 of the Revised Statutes of Utah, 1898, Entitled, 'Intoxicating Liquors,' and Chapter 53 of the Session Laws, 1901, Are Hereby Repealed." The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 111 was read the first time and referred to the Committee on County and Municipal Corporations.

CLAIMS.

S. C. No. 20, by Mr. Barber, claim of I. C. Thoresen against the State of Utah, was referred to the State Board of Examiners.

S. C. No. 21, by Mr. Loose, claim of John E. Lewis against the State of Utah, was referred to the State Board of Examiners.

REPORTS STANDING COMMITTEES.

Committee Room, March 3, 1903.

Mr. President:—Your Committee on Private Corporations, to whom was referred S. B. No. 107, "An Act to Amend Section 80 of the Revised Statutes of Utah, 1898, Providing for the Incorporation of Churches and Religious Societies," respectfully report that they have had the same under consideration, offer a substitute therefor, S. B. No. 183, "An Act Providing for the Incorporation of Churches and Religious Societies, and Providing for Survivorship in Certain Cases, and Repealing Chapter 80 of the Laws of 1901, Entitled 'An Act Providing for the Incorporation of Churches and Religious Societies,'" recommend that the substitute be passed and that S. B. No. 107 be rejected.

LARSEN (H. S.), Chairman.

Report adopted and S. B. No. 183 was read the first time.

Senate Judiciary Committee Room,
March 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 167, being "An Act Providing a Penalty for Circulating False Statements or Rumors Regarding, or Making Fictitious Sales of Stocks or Bonds of a Corporation or Association, and Providing a Penalty for Any Corporation or Association, or Member Thereof, Who Shall Sell or Offer to Sell the Stocks or Bonds of a Corporation or Association Without Permission Therefor," respectfully report that they have had the same under consideration, have offered an amend-

ment to the title of the act, and certain amendments to the bill, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 125, being "An Act Amending Section 1667 of the Revised Statutes of Utah, 1898, Relating to Oaths, Bonds, Etc., of Notaries Public," respectfully report that they have had the same under consideration, and because the same subject matter is covered by S. B. No. 118, recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 169, being "An Act Requiring Foreign Corporations Owning One-third or More of the Capital Stock of Any Domestic or Foreign Corporation Doing Business Within This State to Comply with the Constitution and Laws of This State, and Defining the Duties of the Attorney General in Proceedings for a Violation of This Act, and Prescribing a Penalty Therefor," respectfully report that we have had the same under consideration on re-commitment, have amended the title to the said bill, and have offered certain amendments thereto, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 159, being "An Act Pro-

viding for the Relinquishment by Special Guardian of the Incohate Interest of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husbands' Real Estate," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 3, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 130, being "An Act to Amend Section 3942 of the Revised Statutes of Utah, 1898, Relating to Notice of Hearing Account," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 3, 1903.

Mr. President:—Your Committee on Private Corporations, to whom was referred S. B. No. 123, by Mr. Johnson, "An Act to Prohibit the Insurance of Children Under the Age of Fifteen Years, and Providing a Penalty for the Same," respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LARSEN (H. S.), Chairman.

Report adopted.

Committee Room, March 3, 1903.

Mr. President:—Your Committee on Private Corporations, to whom was referred S. B. No. 161, by Mr. Johnson, "An Act to Amend Section 414 of the Revised Statutes of Utah, 1898, Relating to the Examination of Insurance Companies," beg to report that we have had the same under consideration and recommend that the act be passed.

LARSEN (H. S.), Chairman.

Report adopted.

Committee Room, March 3, 1903.

Mr. President:—We, your Committee on Highways and Bridges, to whom was referred S. B. No. 120, "An Act to Amend Section 1134 of the Revised Statutes of Utah, 1898, Defining Certain Powers of the Board of County Commissioners as to Highways, and Prescribing a Penalty for the Injuring of Guide Posts Upon Any Public Highway in This State," beg leave to report that they have considered the same, and recommend that the act be passed.

GARDNER, Chairman.

Report adopted.

REPORT SPECIAL COMMITTEE.

Committee Room, March 3, 1903.

Mr. President:—We, your special committee who were appointed to meet a like committee from the House to consider certain amendments to S. B. No. 68, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Land Reclamation Fund Provided for by the National Irrigation Law, Making an Appropriation for Payment of Expenses Thereof," beg leave to report that they have met the like committee from the House and that they have agreed with the said House committee on the Senate amendments and to certain other amendments, and they recommend that the bill as amended be accepted by the Senate.

WILLIAMS, Chairman.

Report adopted.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 68, by Mr. Williams, as amended by the conference com-

mittee, entitled, "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Lands Reclamation Fund Provided for by the National Irrigation Law, and Making an Appropriation for Payment of Expenses Thereof." The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

The Senate concurred in the House amendment.

S. B. No. 68, by Mr. Williams, as amended, was read the first and second times, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 2.

Absent and not voting, 1.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Whitmore, Williams, Mr. President.

Those voting in the negative were: Love, Sherman.

Absent and not voting: Bamberger.

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

S. B. No. 68, by Mr. Williams, was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS STANDING COMMITTEES.

Committee Room, March 3, 1903.

Mr. President:—We, the Joint Committee on Irrigation, to whom was referred S. B. No. 181, "An Act Providing for Determining and Recording Water Rights; Regulating the Diversion, Use and Apportionment of Water; Prescribing the Manner in Which Water May be Appropriated; Providing for the Appointment of a State Engineer and Prescribing His Qualifications, Powers, Duties and Compensation; Requiring Claimants to the Use of Water to File Statement of Their Claims and Declaring the Forfeiture of Rights for Failure to File Such Statements; Providing for the Taking of Testimony and

the Entering of Decrees Determining Rights to the Use of Water, and Permitting Appeals; Requiring Certificates of Water Rights to be Issued, Filed and Recorded; Directing that the State Shall be Divided Into Water Divisions and Districts, and that Superintendents and Supervisors Shall be Appointed to Apportion the Water; Requiring Applications for the Appropriation of Water to be Filed and Permitting the Construction of Diverting Works; Providing for the Issuance and Recording of Certificates of Appropriation; Declaring Water to be Public Property, Subject to Existing Rights; Making Unappropriated Water Subject to Acts of Congress for Storage; Fixing Units of Measurement of Water; Establishing Basis, Measure and Limit of Right; Providing for the Abandonment of Use, Change in Manner or Place of Use, and Commingling and Recovery of Water; Defining Rights of Appropriators; Permitting Irrigation Companies to Take Stock in Similar Companies; Providing for the Acquisition of Rights of Way, and the Use and Enlargement of Existing Canals; Directing that Canals, Bridges, and Crossings be Kept in Repair; Declaring When Water Rights are Appurtenant to Land, and How Transfers are to be Made and Recorded; Fixing Penalties for Violations of this Act; Providing Legal Advisers for State Engineer; Establishing Fees and Prescribing How They Shall be Collected and Paid to the State; Providing for the Payment of Fees, Costs and Expenses Under this Act; Prescribing Who May be Parties in Actions Concerning Water; Preserving the Existence and Providing for the Dissolution of Irrigation Districts; Repealing Title 33 of the Revised Statutes of Utah of 1898, on 'Irrigation and Water Rights,' Being Sections 1261 to 1288, Inclusive, and Chapter 125 of the Laws of Utah of 1901, Entitled, '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 Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah of 1898,' Approved March 25, 1901, and All Other Laws and Parts of Laws in Conflict with the Provisions of this Act; but Preserving Vested Rights to the Use of Water, and

Providing that Any Right Initiated Under the Laws Repealed May be Completed and Perfected; Continuing the Term of Office of the State Engineer; Providing that Water Commissioners Heretofore Appointed Shall Continue to Perform Their Duties Until Superseded by Division Superintendents and District Supervisors, and that Similar Water Commissioners May be Appointed, if Necessary," beg leave to report that they have considered the same and recommend that the act be passed.

M'KAY, Chairman.

Report adopted.

Committee Room, March 3, 1903.

Mr. President:—Your Committee on Public Health to whom was referred S. B. No. 132, "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary," respectfully report that they have had the same under consideration, offer a substitute therefor, S. B. No. 184, "An Act Providing for the University of Utah and Agricultural College, making Certain Analysis and Reports," recommend that the substitute be passed and that S. B. No. 132 be rejected.

MURDOCK, Chairman.

Report adopted.

S. B. No. 184 was read the first time.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 60, by Mr. Gardner, "An Act Establishing Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry and Arid or Non-irrigated Lands of the State of Utah, and Making an Appropriation Therefor." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Johnson, the Senate concurred in the House amendments, and S. B. No. 60, by Mr. Gardner, as amended, was read the first and second times, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Love.

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

S. B. No. 60 was referred to the Committee on Engrossed and Enrolled bills.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, H. J. R. No. 12, by Mr. Colton, "Joint Resolution Protesting Against the Report of Congressional Conference Committee on Indian Appropriation Bill." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 12, by Mr. Colton, was read the first and second times, and the rules were suspended and the resolution was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Rep-

resentatives Colton, Wilson and Adams to meet with a like committee from the Senate to consider S. B. No. 55.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Mr. Lawrence moved the appointment of a conference committee on S. B. No. 55. Carried.

The President appointed Messrs. Lawrence, McKay and Larsen (H. S.) as such committee.

By unanimous consent H. B. No. 175 was also referred to this conference committee.

UNFINISHED BUSINESS.

SECOND READING SENATE BILLS.

S. B. No. 180, by Committee on Public Health, "An Act to Amend Sections 753, 754 and 757 of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry," was read the second time.

S. B. No. 69, by Mr. Bennion, "An Act to Amend Sections 322, 324, 327, 330, 338, 339 and 368 of the Revised Statutes of Utah, 1898, Relating to Corporations, Their Powers, Powers of Board of Directors and Their Place of Meeting, the Removal of Officers Thereof, the Transfer of Stock, Amendments to the Articles of Incorporation and Evidence Thereof, Effect of Sale of Stock to the Corporation for Delinquent Assessment, and Providing for the Disposition of Stock so Purchased, as Well as All Other Stock Held by the Corporation," was read the second time.

S. B. No. 128, by Mr. Bennion, "An Act Providing the Manner of Annexing Part of the Territory of a County to an Adjoining County," was read the second time.

SPECIAL ORDER.

H. B. No. 64, by Smith, entitled, "An Act to Establish a State Board of Sheep Commissioners; Create the Office of State Sheep Inspector; Provide for the Control

and Suppression of Scab and Other Infectious Diseases in Sheep; Provide Revenue to Enforce this Act; and to Repeal All Acts or Parts of Acts Conflicting Herewith," special order for 3 p. m., was taken up and passed by the following vote:

Ayes, 17; nays, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Loose.

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

ROLL-CALL.

S. B. No. 137, by Mr. Love, "A Bill for an Act to Amend Section 1156 of the Revised Statutes of the State of Utah, 1898, Relating to Property Exempt from Execution," was taken up and passed by the following vote:

Ayes, 11; nays, 7.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock.

Those voting in the negative were: Johnson, Larsen (C. P.), Loose, Sherman, Williams, Whitmore, Mr. President.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee, consisting of Representatives Done, White and Colton, to meet a like committee from the Senate to consider the rejection by the Senate of H. B. No. 125, by Mr. Done (by request), substitute for H. B.

No. 84, "An Act Amending Section 1667 of the Revised Statutes of Utah, 1898, Relating to Oaths, Bonds, Etc., of Notaries Public."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Mr. Barber moved the appointment of a conference committee of three on H. B. No. 125. Carried.

The president appointed Messrs. Barber, Bennion and Johnson as such committee.

SECOND READING SENATE BILL.

S. B. No. 154, by Mr. Whitmore, "An Act Amending Section 3974 of the Revised Statutes of Utah, 1898, Relating to the Payment of Estate Funds Held in Trust by the State Treasurer, and Providing for Final Disposition of Said Funds at the Expiration of Five Years After Decedent's Death," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 12; nays, 6.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (H. S.), Lawrence, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Gardner, Larsen (C. P.), Lewis, Loose, Love, McKay.

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

S. B. No. 155, by Mr. Whitmore, "An Act Amending Sections 1372 and 1386, Revised Statutes of Utah, 1898, Relating to Mechanical Liens, and Requiring Material Men to Notify Owners of Building of Material Furnished," was read the second time, and the rules were suspended and the bill was read the third time.

THIRD READING HOUSE BILL.

H. B. No. 50, by Morris, entitled, "An Act Amending Section 34 of Chapter 64 of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds De-

rived from the Sale or Rental of the Public Lands of the State," was read the third time and recommitted to the Committee on Public Lands.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 125, by the Committee on Judiciary, substitute for S. B. No. 34, by Mr. Lewis, entitled, "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Delivery of Election Returns, and the Payment Therefor." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 125 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 2, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 66, by Mr. Lawrence, "An Act Relating to the Publication of Summons and Other Legal Notices, and Designation of the Newspaper in Which Publication Shall be Made." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

COMMUNICATION FROM SECRETARY OF STATE.

Salt Lake City, March 3, 1903.

To the Senate:

I am directed to return Senate Claim No. 4 (our claim 5018), being claim of the George A. Lowe Co. for $1032.99. This is a claim growing out of the construc-

tion of the main building of the Agricultural College and represents the claim of a sub-contractor and a material man. The Agricultural College paid the full contract price of the building to the original contractors, but it seems the original contractors did not pay in full the sub-contractors and for material furnished. The board is of the opinion that this is not a legal claim against the State, and the claim is accordingly disapproved and returned herewith.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed.

Salt Lake City, March 3, 1903.

To the Senate:

I have the honor to report that the State Board of Examiners has examined claim No. 3017 (Senate Claim No. 3), of Louis P. Kelsey, amounting to 671.47, being for the refund of 75 per cent of the amount paid by him for school land, under the provisions of Chapter 88 of the Laws of Utah, 1899. The evidence submitted on the part of the claimant for the purpose of establishing his claim shows that the land for which this money was paid was not settled upon, resided upon, occupied or cultivated prior to March 1st, 1869. The board therefore disapproved the claim and the same is herewith returned.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed.

SECOND READING HOUSE BILLS.

H. B. No. 131, by Mr. Hawley, entitled, "An Act Providing that the County in Which a Cause of Action Arises Shall Pay the Expenses When the Case is Tried in Another County on Change of Venue," was read the second time.

H. B. No. 56, by Mr. Smith, entitled, "A Bill for an Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Mr. President.

Those voting in the negative were: Sherman, Williams.

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

SECOND READING SENATE BILLS.

S. B. No. 124, by Mr. Lewis, "An Act Defining Certain Duties of the Board of County Commissioners and the County Auditor in Relation to Public Printing or Publishing," was read the second time.

S. B. No. 148, by Mr. Lewis, "An Act to Amend Sections 1242 and 1253 of the Revised Statutes of Utah, 1898, Providing a License for the Manufacture, Sale or Dispensing of Intoxicating Liquors, and Prescribing a Penalty for the Violation of This Act," was read the second time.

S. B. No. 158, by Mr. Bamberger, "An Act to Amend Sections 1906 and 1907 of the Revised Statutes of Utah, 1898, Relating to Taking School Census in Cities of the First and Second Class," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen

(H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Loose.

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

S. B. No. 168, by Mr. Lawrence (by request), "An Act to Amend Section 1 of Chapter 62 of the Laws of Utah, 1901, to Tax Gifts, Legacies and Inheritances in Certain Cases," was read the second time, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 14; nays, 2.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Love, Murdock, Whitmore, Williams, Mr. President.

Those voting in the negative were: Larsen (C. P.), Sherman.

Absent and not voting: Loose, McKay.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 3, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 82, by Mr. Lawrence (by request), "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing Their Oath, Fixing Their Bond, Designating the Depositary for Fines and Forfeitures Coming Into Their Hands, and Enacting a New Section, to be Known as 'Section 249a,' More Expressly Defining the Duties of Such Commissioners." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Johnson, the Senate concurred in the House amendment.

S. B. No. 82, as amended, was read the first and second times, and the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 15; nays, 1.
Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Voting in the negative: Lawrence.

Absent and not voting: Loose, Sherman.

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

S. B. No. 82 was referred to the Committee on Engrossed and Enrolled Bills.

SECOND READING SENATE BILL.

S. B. No. 182, "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Partly Purchase and Partly Lease the Waterworks, Water Mains, Conduits or Other Means of Water Supply; or to Buy the Bonds, Stocks and Interests of Any Person or Corporation Supplying Water to Such Cities and Towns, and Providing for Municipal Control Thereof," was read the second time.

REPORT STANDING COMMITTEES.

Committee Room, March 3, 1903.

Mr. President:—Your Committee on Livestock, to whom was referred S. B. No. 147, "An Act to Create the Office of County Sheep Inspector, to Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to Repeal All Acts and Parts of Acts Conflicting Herewith," beg leave to report that

they have considered the same, and recommend that the act be not passed.

BARNES, Chairman.

Report adopted.

Committee Room, March 3, 1903.

Mr. President:—We, your Committee on Fish and Game, to whom was referred S. B. No. 143, "An Act Amending Section 23 of Chapter 26 of the Session Laws of Utah, 1899, as Amended in Section 23 of Chapter 133 of the Session Laws of Utah, 1901, Relating to the Shooting of Geese, Ducks, Snipes, Brants and Swans," beg leave to report that they have considered the same, and recommend that the act be not passed.

LOVE, Chairman.

Report adopted.

On motion of Mr. Johnson, Senate adjourned at 4:35 p. m.

FIFTY-SECOND DAY.

State of Utah, Senate Chamber,
March 4, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-first day's session were read and approved.

COMMUNICATION FROM MINUTE CLERK.

Salt Lake City, March 4, 1903.

To the Senate:

It having become necessary for me to go to Washington immediately, I hereby respectfully tender my resignation as minute clerk of the Senate, to take effect today.

In doing so I wish to express my appreciation of the uniform consideration with which I have been treated by all of the members and officers of this Senate.

With great respect,

CARL A. BADGER.

On motion of Mr. Love, the Senate accepted the resignation.

George H. Crosby, Jr., was elected minute clerk.

L. C. Johnson was elected committee clerk in the place of Mr. Crosby.

SENATE RESOLUTION.

The following resolution was introduced by Mr. Bennion and adopted as S. R. No. 4:

Whereas, Mr. Carl A. Badger, minute clerk of the Senate, has today resigned his position in this body to enter upon a wider and more interesting field of labor; and,

Whereas, Mr. Badger has discharged the duties of minute clerk with dispatch and ability; now, therefore, be it

Resolved, That the Senate hereby expresses its appreciation of his services and extends to him its congratulations, confidence and good will in his new office.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 4, 1903.

To the Senate:

I have the honor to appoint W. G. Dalrymple, of Weber County, a member of the State Board of Dental Examiners, for the term ending in 1906, and respectfully invite your advice and consent thereto.

Very respectfully,

HEBER M. WELLS, Governor.

Appointment laid on table to be considered with other appointments.

Salt Lake City, March 4, 1903.

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. 83, entitled, "An Act in Relation to Change of Venue in City Courts, Providing for a Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, Where all Judges of the City Court are Disqualified, and Providing for a Judge Pro Tempore in City Courts in Certain Cases, and Fixing His Compensation."

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 4, 1903.

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. 95, entitled, "An Act to Amend Section 4921 of the Revised Statutes of Utah, 1898, Relating to the Disposition of Fines Imposed by the District Court, and Making an Exception of Fines Imposed by the District Court in Cases Appealed from City or Municipal Courts."

Senate Bill No. 96, entitled, "An Act Amending Section 25 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees, Fines and Costs Collected in the City Courts by the Ex-Officio Clerk Thereof."

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 35, by Mr. Barrett (by request), entitled, "An Act to Amend Section 1711, 1712, 1713, of the Revised Statutes of Utah, 1898; Also Section 1719 as Amended in Chapter 33, Session Laws of 1899, and Sections 1722, 1724, 1726, 1727, of the Revised Statutes of Utah, 1898, Relating to Penalties Acting Without Registration, Adulterated Drugs, etc." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 35 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 16, by Mr. Condon, entitled, "An Act to Provide for the Expenses of the Executive Committee of the Eleventh National Irrigation Congress, to be Held at Ogden, Utah, September 8th, 9th, 10th and 11th, 1903, and to Make a Proper Exhibit Thereat." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 16 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 49, by Mr. Done (by request), entitled, "An Act to Amend Section 1208 of the Revised Statutes of Utah, 1898, and Providing for Divorce Upon the Grounds of Permanent Insanity." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 49 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 65, by Mr. Luther, entitled, "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, in Relation to Reports of County Treasurers and County Auditors to the State Auditor of Certificates and Warrants Issued Per Mileage and Attendance of Grand Jurors, for Mileage and Attendance of Petit Jurors Engaged in the Trial of Criminal Cases in District Court, for Mileage and Attendance of Witnesses Summoned by or on Behalf of the State in Criminal Cases in the District Court, and for Salaries of County Attorney, County Treasurer and County Assessor and the Disposition of the Funds for Payment of the Same." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 65 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee, consisting of Messrs. Morris, Hamlin and White, to meet with a like committee from the Senate on H. B. No. 56, by Mr. Smith, entitled, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President appointed C. P. Larsen, Sherman and Barber as a conference committee.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 64, by Mr. Smith, entitled, "An Act to Establish a State Board of Sheep Commissioners, Create the Office of State Sheep Inspector, Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 88, substitute for H. B. No. 59, by

Mr. Haslam, entitled, "An Act to Regulate the Practice of Barbering and Registering and Licensing of Persons to Carry on Such Practice and to Insure the Better Education of Such Practitioners, and to Insure Better Sanitary Conditions in Barber Shops, and to Prevent the Spreading of Disease in the State of Utah." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The bill was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 53, by Mr. Lawrence (by request), entitled, "An Act to Amend Section 2980 of the Revised Statutes of Utah, 1898, and Providing When a Reply to an Answer is Necessary." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Senate Bill No. 53 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 141, by Mr. Condon, entitled, "An Act to Provide for the Disinfection of Excreta in Cases of Typhoid Fever." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 141 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. R. No. 5, by Mr. Lewis, entitled, "A Resolution Urging the County Assessors and Boards of County Commissioners to Make Proper Assessments Within Their Respective Jurisdictions." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. J. R. No. 5 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS STANDING COMMITTEES.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 60, "An Act Establishing Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry and Arid or Non-Irrigated Lands in the State of Utah, and Making Appropriation Therefor;" S. B. No. 78, "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, Relating to the Form of Exceptions, Specifications or Particulars, and the Evidence and Documents to be Incorporated in a Bill of Exceptions;" S. B. No. 101, "An Act Amending Section 15, of Chapter 109, of the Session Laws of Utah, 1901, in Relation to the Manner of Commencing Actions, the Issuing of Summons and the Form Thereof in City Courts;" S. B. No. 102, "An Act in Relation to the Serving of Process Issued Out of City Courts, and Providing Who May Serve Such Process;" S. B. No. 103, "An Act Authorizing a Seal for City Courts in Cities of the First Class, Prescribing the Design and Designating the Custodian Thereof;" S. B. No. 114, "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating

Certain Marriage Licenses Issued by Any District Court, or Clerk Thereof, Within This State;" S. B. No. 121, "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for a Violation of This Act;" S. B. No. 125, by the Committee on Judiciary, substitute for S. B. No. 34, by Mr. Lewis, "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Delivery of Election Returns, and the Payment Therefor," beg leave to report that they have correctly engrossed and enrolled the same, and they are herewith presented for your signature. JOHNSON, Chairman.

Senate Bills Nos. 60, 78, 101, 102, 103, 114, 121 and 125 were signed by the President in the presence of the Senate in open session, after the titles thereof had been publicly read immediately before the signing thereof.

Committee Room, March 4, 1903.

Mr. President:—We, you Committee on Banks and Banking, to whom was referred S. B. No. 164, "An Act to Amend Section 2441 of the Revised Statutes of Utah, 1898, Relating to Appointment and Duties of Bank Examiner," beg leave to report that they have considered the same, and recommend that the act be not passed.
SHERMAN, Chairman.

Report adopted.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on Public Institutions, to whom was referred S. B. No. 174, "An Act to Regulate the Means of Egress from Public Buildings," beg leave to report that they have considered the same, and recommend that the act with amendments be passed. LOOSE, Chairman.

Report adopted.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on Elections, to whom was referred S. B. No. 166, "An Act Amending Section 1782 of the Revised Statutes of Utah, 1898, and Section 545 of the Revised Statutes of Utah, 1898, as Amended in Chapter III of the Session Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers and Fixing Their Term of Office," beg leave to report that they have considered the same, and recommend that the act be passed.

BAMBERGER, Chairman.

Report adopted.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on Fish and Game, to whom was referred S. B. No. 72, "An Act to Amend Sections 8, 16, 21, 22, 27 and 29, of Chapter 26, of the Laws of Utah, 1899, Relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of said Chapter 26, as the Same Were Amended by Chapter 133 of the Laws of Utah of 1901, Relating to Fish and Game," beg leave to report that they have considered the same, and recommend that the act as amended, together with the title as amended, be passed.

LOVE, Chairman.

Report adopted.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred S. B. No. 134, "An Act to Provide for the Recovery of Money, Property or Other Things of Value Lost in Gambling," beg leave to report that they have considered the same, and recommend that the act be not passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on Banks and Banking, to whom was referred S.B.No.163, "An Act to

Amend Section 379 of the Revised Statutes of Utah, in Relation to Bank Officers Borrowing Money from the Bank," beg leave to report that they have considered the same, and recommend that the act be not passed.

SHERMAN, Chairman.

Report adopted.

Committee Room, March 4, 1903.

Mr. President:—We, your Committee on Banks and Banking, to whom was referred S. B. No. 176, "An Act Relating to the Making of False Statements for the Purpose of Obtaining Credit, and Providing for a Penalty Therefor," beg leave to report that they have considered the same and recommend that the act be passed with one amendment. SHERMAN, Chairman.

Report adopted.

SPECIAL COMMITTEE REPORTS.

Committee Room, March 4, 1903.

Mr. President:—Your special committee appointed to confer with a like committee of the House on H. B. No. 30, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9, of Chapter 137, of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same," respectfully report that they have had the same under consideration and recommend as follows: Section 1, line 4, reinstate the House amendment: "So killed, one dollar and a half; for each." Section 6, line 22, reinstate the last word, "annually." Section 6, line 23, strike out the Senate amendment, "twenty," leaving the words "ten thousand dollars," as originally printed.

LEWIS, Chairman Senate Committee.
WATTS, Chairman House Committee.

Report adopted.

On motion of Mr. Johnson, "S. B. No. 76, by Mr. Bamberger, "An Act to Provide for the Control, Man-

agement and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers and Duties," was recommitted to the Committee on County and Municipal Corporations.

PRESENTATION OF CLAIMS.

S. C. No. 22, of I. C. Thoresen, presented by Mr. Barber.

S. C. No. 23, of G. R. Bothnell, presented by Mr. Sherman.

S. C. Nos. 22 and 23 were referred to the State Board of Examiners.

SPECIAL ORDERS.

S. B. No. 169, by Mr. Lawrence, "An Act Requiring Foreign Corporations Owning One-third or More of the Capital Stock of any Domestic or Foreign Corporation Doing Business Within the State to Comply with the Constitution and Laws of This State, and Defining the Duties of the Attorney General in Proceedings for a Violation of This Act, and Prescribing a Penalty Therefor," came up for roll-call, and on motion of Mr. Murdock the enacting clause was stricken out.

S. B. No. 155, by Mr. Whitmore, "An Act Amending Sections 1372 and 1386, Revised Statutes of Utah, Relating to Mechanical Liens," came on for roll-call and was passed by the following vote:

Ayes, 14; nays, 2.

Absent and not voting, 1.

Excused from voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams.

Those voting in the negative were: Gardner, Larsen (C. P.)

Absent and not voting: Love.

Excused from voting: Mr. President.

INTRODUCTION OF BILLS.

By unanimous consent, S. B. No. 185, by Mr. Love (by request), "An Act to Promote the Science of Medicine and Surgery in the State of Utah, and Designating Who May Deliver and Receive Bodies for Scientific Study," was read the first time and referred to the Committee on Public Health.

THIRD READING OF BILLS.

S. B. No. 69, by Mr. Bennion, "An Act to Amend Sections 322, 324, 327, 330, 338, 339 and 368 of the Revised Statutes of Utah, 1898, relating to Corporations, Their Powers, Powers of Board of Directors and Their Place of Meeting, the Removal of Officers Thereof, the Transfer of Stock, Amendments to the Articles of Incorporation and Evidence Thereof, effect of Sale of Stock to the Corporation for Delinquent Assessment, and Providing for the Disposition of Stock so Purchased, as Well as All Other Stock Held by the Corporation," was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Larsen (C. P.), Sherman.

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

S. B. No. 128, by Mr. Bennion, "An Act Providing the Manner of Annexing Part of the Territory of a County to an Adjoining County," was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Larsen (C. P.), Loose, Sherman.

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

S. B. No. 180, by Committee on Public Health, "An Act to Amend Sections 753, 754 and 757, and Repealing Section 755, of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry," was read the third time and passed by the following vote:

Ayes, 13; nays, 2.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Larsen (C. P.), Lawrence, Lewis, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Those voting in the negative were: Johnson, Larsen (H. S.)

Absent and not voting: Barber, Loose, Sherman.

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

S. B. No. 148, by Lewis, "An Act to Amend Sections 1242 and 1253, Title 32, of the Revised Statutes of Utah, 1898, Providing a License for the Manufacture, Sale or Dispensing of Intoxicating Liquors, and Prescribing a Penalty for the Violation of This Title," was read the third time and failed to pass by the following vote:

Ayes, 7; nays, 10.

Absent and not voting, 1.

Those voting in the affirmative were: Barnes, Bennion, Gardner, Johnson, Lewis, Murdock, Whitmore.

Those voting in the negative were: Bamberger, Barber, Larsen (C. P.), Larsen (H. S.), Lawrence, Love, McKay, Sherman, Williams, Mr. President.

Absent and not voting: Loose.

SPECIAL COMMUNICATION.

The President then called Mr. Johnson to the chair, and this communication was read:

Ogden, Utah, March 2, 1903.

Hon. E. M. Allison, Jr., President, and the Members of the State Senate, Salt Lake City, Utah:

Gentlemen:—Because of the many conflicting reports, charges and stories made respecting the State Industrial School by different members of the present Legislature, and which have been given wide publicity through the press, we demand that we be heard, and, therefore, respectfully request that a special joint committee be appointed to make a thorough, complete and official investigation of the conditions existing at this institution, and to thereafter report their findings and conclusions to each house of the Legislature.

We ask this, feeling that the trustees, superintendent and officers have been maligned and unjustly censured.

Your very early consideration of our request will be appreciated.

A communication in substance the same as the foregoing has been forwarded to the honorable House of Representatives.

Respectfully,

A. T. WRIGHT,
President Board of Trustees.

Motion of Mr. President to appoint a committee of four to serve with a like committee from the house and investigate conditions at the State Industrial School, was carried. Mr. Johnson in the chair appointed said committee, consisting of Loose, Lawrence, Bennion and Sherman.

At the request of Mr. Bennion, S. C. R. No. 3, relating to the management of the University of Utah and the Agricultural College, was withdrawn from the committee.

At the request of Mr. McKay, S. B. No. 181, relating to irrigation, was recommitted to the joint Committee on Irrigation.

On motion of Mr. Whitmore, Senate adjourned at 5:22 p. m.

FIFTY-THIRD DAY.

State of Utah, Senate Chamber,
March 5, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-second day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 4, 1903.

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 to Prevent and Punish the Desecration of the Flag of the United States."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 4, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under

suspension of the rules, House Concurrent Resolution No. 3, by Mr. Spry, providing for the appointment of a joint committee of seven to investigate existing conditions at the State Industrial School. The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. C. R. No. 3 was amended to comprise a committee of eight, four from the Senate and four from the House. The rules were suspended, the resolution was read the first second and third times and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Murdock.

House of Representatives,
Salt Lake City, March 5, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day instructed me to return S. B. No. 131, substitute for S. B. No. 51, for your action on the insertion of the word "surgery" in line 17, page 2. This word was inserted after receipt of bill by the House of Representatives.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. B. No. 131 was returned to the House with an explanation stating that the insertion of the word "surgery" was proper.

House of Representatives,
Salt Lake City, March 5, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in

amendments made by conference committee on H. B. No. 30, by Mr. Watts, entitled, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same, and Penalties for Violation Thereof." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 30, as amended, was read the first time.

The rules were suspended and H. B. No. 30, by Mr. Watts, "An Act to Amend Sections 1, 2, 4, 5, 6, and 9 of Chapter 137 of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same and Penalties for the Violations Thereof," was read the second and third times and passed by the following vote.

Ayes, 16; nays, 0.

Absent and not voting, 1 excused, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Larsen (C. P.)

Excused: Lawrence.

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

House of Representatives,
Salt Lake City, March 5, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in triplicate H. J. R. No. 12, entitled, "A Resolution Protesting Against the Report of Congressional Conference Committee on Indian Appropriation Bill." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 12 was signed in triplicate by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 103, entitled, "An Act Authorizing a Seal for City Courts in Cities of the First Class, Prescribing the Designs and Designating the Custodian Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 103 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 125, entitled, "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Providing for the Delivery of Election Returns and the Payment Therefor." The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 125 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 102, entitled, "An Act in Relation to the Serving of Process Issued Out of City Courts, and Providing Who May Serve Such Process," The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. B. No. 102 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 78, entitled, "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, Relating to the Form of Exceptions, Specifications of Particulars and the Evidence and documents to be Incorporated in a Bill of Exceptions." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. B. No. 78 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 114, entitled, "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating Certain Marriage Licenses Issued by Any District Court or Clerk Thereof Within this State." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. B. No. 114 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 121, entitled, "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for a Violation of this Act." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 121 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 60, entitled, "An Act Establishing Experimental Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry or Arid or Non-irrigated Lands of the State of Utah, and Making Appropriation Therefor." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 60 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

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. 101, entitled, "An Act Amending Section 15 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to the Manner of Commencing Actions, the Issuing of Summons and the Form

Thereof in City Courts." The same is herewith transmitted to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 101 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 5, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. C. R. No. 3, by Mr. Spry, providing for the appointment of a joint committee of eight to investigate existing conditions at the State Industrial School, and has appointed the following committee: Messrs. Spry, Nash, Done and McFarland, to act with a like committee from the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

House of Representatives,
Salt Lake City, March 5, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 129, by Mr. Morris, "An Act to Amend Section 13 of the Revised Statutes of Utah, 1898, Defining Estrays." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H B. No. 129 was read the first time and referred to the Committee on Livestock.

INVITATION EXTENDED.

An invitation from the National Good Roads Association for the Senate to attend its convention at St. Louis, Mo., April 27, 28, 29, was read and ordered filed.

REPORTS STANDING COMMITTEES.

Committee Room, March 5, 1903.

Mr. President:—A joint committee of the House and Senate on Public Institutions beg leave to submit the following:

They recommend eight-hour service for the guards at the State Penitentiary, and an appropriation of sixty-five thousand dollars for general maintenance, insurance, additions and repairs of the State Penitentiary.

LOOSE, Chairman.

The report was referred to Committee on Appropriations and Claims.

Committee Room, March 5, 1903.

Mr. President:—We, your Committee on Railroads, to whom was referred and subsequently recommitted S. B. No. 70, by Committee on Railroads, which is a substitute for S. B. No. 43, by Mr. Gardner, "An Act Requiring Railroad Companies to Maintain Fences and Cattle Guards, and to Repeal Chapter 86, Sections 1, 2 and 3, of the Session Laws of Utah, 1901," beg leave to report that they have again considered the substitute bill, amended the same, and recommend that the bill as amended be passed. SHERMAN, Chairman.

Report adopted.

Committee Room, March 5, 1903.

Mr. President:—Your Committee on Public Land, to whom was referred H. J. M. No. 2, "Joint Memorial Requesting the Honorable Secretary of the Interior to Restore to the Public Domain Such Lands as Have Been Temporarily Withdrawn with the View to the Creation of Forest Reserves as are not Actually Essential to the Preservation of Timber and the Conservation of Water,"

respectfully report that they have had the same under consideration and recommend that the resolution be adopted.

LARSEN (H. S.), Chairman.

Report adopted.

INTRODUCTION OF RESOLUTIONS.

S. C. R. No. 4, by Mr. McKay, regarding the good effects of female suffrage, was introduced and read the first time, and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

By the consent of two-thirds of the members of the Senate, S. B. No. 186, by Mr. Lewis, "An Act to Repeal Section 2049 of the Revised Statutes of Utah, 1898, as Amended by Chapter 130 of the Laws of Utah, 1901, Providing for an Annual Appropriation for the Utah Silk Commission," was read the first time and referred to the Committee on Manufactures and Commerce.

SPECIAL ORDERS.

S. B. No. 71, by Mr. Sherman, "An Act to Amend Section 3439, Chapter 58, Revised Statutes of Utah, 1898, Relating to Qualifications of Sureties Generally," was read the third time and the enacting clause was stricken out.

S. B. No. 182, by Committee on County and Municipal Corporations, substitute for S. B. No. 6, by Mr. McKay, came on for roll call, and the title was amended to read "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Partly Purchase and Partly Lease the Waterworks, Water Mains, Conduits or Other Means of Water Supply; or to Buy the Bonds, Stocks and Interests of Any Person or Corporation Supplying Water to Such cities and Towns, and Providing for Municipal Control Thereof," was read the third time and failed to pass by the following vote:

Ayes, 9; nays, 9.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Johnson, Larsen (C. P.), McKay, Murdock, Williams, Mr. President.

Those voting in the negative were: Barber, Gardner, Larsen (H. S.), Lawrence, Lewis, Loose, Love, Sherman, Whitmore.

Mr. Lawrence gave notice that he would move for a reconsideration of the vote, whereby S. B. No. 182 failed to pass.

THIRD READING SENATE BILL.

S. B. No. 124, by Mr. Lewis, "An Act Defining Certain Duties of the Board of County Commissioners and the County Auditor in Relation to Public Printing or Publishing," was read the third time, and on motion of Mr. Johnson the enacting clause was stricken out.

SECOND READING SENATE BILLS.

S. B. No. 120, by Mr. Lewis, "An Act to Amend Section 1134 of the Revised Statutes of Utah, 1898, Defining Certain Powers of the Board of County Commissioners as to Highways, and Prescribing a Penalty for the Injuring of Guide Posts Upon Any Public Highway in This State," was read the second time.

S. B. No. 161, by Mr. Johnson, "An Act to Amend Section 414 of the Revised Statutes of Utah, 1898, Relating to the Examination of Insurance Companies," was read the second time.

S. B. No. 159, by Mr. Gardner (by request), "An Act Providing for the Relinquishment by Special Guardian of the Inchoate Interest of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husbands' Real Estate," was read the second time.

S. B. No. 167, by Mr. Lewis, "An Act Providing a Penalty for Circulating False Statements or Rumors

Regarding, or Making Fictitious Sales of Stocks or Bonds of a Corporation or Association, and Providing a Penalty for Any Corporation or Association, or Member Thereof, Who Shall Sell or Offer to Sell the Stocks or Bonds of a Corporation or Association, Without Permission Therefor," was read the second time.

S. B. No. 183, "An Act Providing for the Incorporation of Churches and Religious Societies, and Providing for Survivorship in Certain Cases, and Repealing Chapter 80 of the Laws of 1901, Entitled 'An Act Providing for the Incorporation of Churches and Religious Societies, Approved March 14, 1901,'" was read the second time. The rules were suspended, S. B. No. 183 was read the third time. On motion of Mr. Murdock, roll-call on S. B. No. 183 was made a special order for March 6 at 3 p. m.

THIRD READING HOUSE BILLS.

H. B. No. 131, by Mr. Hawley, "An Act Providing that the County in Which a Cause of Action Arises Shall Pay the Expenses When the Case is Tried in Another County on Change of Venue," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Sherman.

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

On motion of Mr. Lawrence, Senate adjourned at 4:22 p. m.

FIFTY-FOURTH DAY.

State of Utah, Senate Chamber,
March 6, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

Mr. Johnson was excused from attendance.

The minutes of the fifty-second day's session were read and approved.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 5, 1903.

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. 101, entitled "An Act Amending Section 15 of Chapter 109 of the Session Laws of Utah, 1901, in relation to the manner of commencing actions, the issuing of summons and the form thereof in city courts."

Senate Bill No. 103, entitled "An Act authorizing a seal for city courts in cities of the first class, prescribing the design and designating the custodian thereof."

Senate Bill No. 114, entitled "An Act to Amend Section 1189 of the Revised Statutes of Utah, 1898, Providing for the Issuance of Marriage Licenses by the County Clerk, and Validating Certain Marriage Licenses Issued by any District Court, or Clerk Thereof, Within this State."

Senate Bill No. 121, entitled "An Act to Prohibit Pest Houses and Detention Hospitals in Certain Localities, and Providing a Penalty for the Violation of this Act."

Senate Bill No. 125, entitled "An Act to Amend Section 864 of the Revised Statutes of Utah, 1898, Pro-

viding for the Delivery of Election Returns, and the Payment Therefor."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 6, 1903.

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. 78, entitled "An Act to Amend Section 3284 of the Revised Statutes of Utah, 1898, relating to the form of exceptions, specifications of particulars and the evidence and documents to be incorporated in a bill of exceptions. Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 74, by Mr. Molyneux, entitled "An Act Requiring Wrappers, Packages or Boxes of High Explosives Containing Nitro-Glycerine to be Marked in a Certain Manner, Prohibiting the Sale or Use Thereof Unless So Marked, and Prescribing Penalties for Violations of the Provisions of this Act." The same is herewith transmitted to your honorable body for its action. Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 74 was read the first time and referred to the Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 40, by Mr. Bamberger, entitled "An Act Prohibiting

the Giving or Accepting of Food, Lodging or Board as part consideration for Services Performed in Underground Workings, and Providing a Penalty for a Violation of this Act." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 115, by Mr. McKinnon, entitled, "An Act to amend Section 1, Chapter 69, Session Laws of Utah, 1901, relating to duties of District Attorneys." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 115 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 151, by Mr. Hamlin, entitled, "An Act to Amend Section 1337 of the Revised Statutes of Utah, 1898, relating to eight hours in Mines and Smelters." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 151 was read the first time and referred to the Committee on Mines and Mining.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 145, by Mr. Spry, entitled, "An Act Amending Chapter 7, Title 61, Revised Statutes of Utah, 1898, Relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 145 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 64, by Mr. Smith, entitled, "An Act to Establish a State Board of Sheep Commissioners, Create the Office of State Sheep Inspector, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 64 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in

Senate amendments to H. B. No. 131, by Mr. Hawley, entitled, "An Act Providing that the County in which a Civil Cause of Action Arises shall pay the Expense when the Case is Tried in Another County on Change of Venue."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State H. B. No. 65, entitled, "An Act to amend Section 1012 of the Revised Statutes of Utah, 1898, in Relation to Reports of County Treasurers and County Auditors to the State Auditor of Certificates and Warrants Issued for Mileage and Attendance of Grand Jurors, for Mileage and Attendance of Petit Jurors Engaged in the Trial of Criminal Cases in the District Court, for Mileage and Attendange of Witnesses Summoned by or on Behalf of the State, in Criminal Cases, in the District Court, and for Salaries of County Attorney, County Treasurer and County Assessor, and the Disposition of the Funds for Payment of the Same."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 137, by Mr. Hamlin (by request), "An Act to Amend Section 3683 of the Revised Statutes of Utah, 1898, as Amended by Chapter 70 of the Laws of

Utah, 1899, Relating to Service of Summons from the Justice's Court." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk

H. B. No. 137 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 75, by Mr. Bamberger, entitled, "An Act Providing for the Establishment and Maintenance of Kindergartens in all School Districts of a Population of Two Thousand and Upwards." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 75, by Mr. Bamberger, "An Act Providing for the Establishment and Maintenance of Kindergartens in all School Districts of the Population of One Thousand and Upwards," as amended was read the first time.

The rules were suspended, S. B. No. 75 as amended was read the second and third time and passed by the following vote:

Ayes, 16; nays,

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Johnson.

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

S. B. No. 75 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 139, by Mr. Condon, entitled, "An Act Relating to the Trustees of the School for the Deaf and Dumb, Fixing Their Terms of Office, and to Amend Section 2107 of the Revised Statutes of Utah, 1898." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 139 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 135, by Mr. Done, entitled, "An Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with reference to Qualifications of Teachers in the Public Schools." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 135 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 92, by Mr. Colton, entitled, "An Act Regulating the Presence of Children Under Fourteen Years of Age upon the Streets of Cities, Towns and Villages after Certain Hours of the Night, Designating the Officers to

Enforce the Same, and Defining the Penalties for a Violation Thereof." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 92 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 173, by Mr. Hamlin, entitled, "An Act to Provide for the Purchasing or Leasing and Using of Voting Machines at Elections, and Authorizing the Counting of Votes as Shown by Voting Machines." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 173 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No. 9, by Mr. Stewart (by request), entitled, "Favoring the Election of Senators by Direct Vote of the People." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 9 was read the first time and referred to the Committee on Federal Relations.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 129, by Mr. Lawrence (by request), entitled, "An Act to Amend Section 105 of the Revised Statutes of Utah, 1898, Relative to Admission of Attorneys to the Bar." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 104, by Mr. Sherman, entitled, "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses, and Providing for Issuing Subpoenas, Compelling Attendance of Witnesses, and Administering Oaths in Such Proceedings." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 104 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 128, by Mr. Hamlin, entitled, "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities, as Amended by Chapter 131 of the Laws of Utah of 1901." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 128 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 100, by Mr. Lawrence, entitled, "An Act Amending Section 22 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees to be Collected by the Ex-Officio Clerk of City Courts." The same is herewith returned to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 100 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 112, by Mr. Williams (by request), entitled, "An Act Authorizing the Secretary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1-25." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 112 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 132, by Mr. Watts (by request), en-

titled, "An Act to Amend Section 3316 of the Revised Statutes of Utah, 1898, as Amended by Chapter 62, Laws of Utah, 1899, Relating to the Transmission of Original Papers to the Supreme Court, and the Certificate of the Clerk of the District Court upon Appeal to the Supreme Court." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 132 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 97, by Mr. Lawrence, entitled, "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to New Trials and Appeals in City Courts." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 97 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS STANDING COMMITTEES.

Committee Room, March 6, 1903.

Mr. President:—Your Committee on Public Health, to whom was recommitted S. B. No. 89, "An Act Relating to the Location of Powder Magazines and Providing a Penalty for a 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.

MURDOCK, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 6, 1903.

Mr. President:—Your Committee on Judiciary, to whom yas referred S. B. No. 119, being "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values, Providing a Penalty for Certain County Officers or County Employes who shall Divulge the Name of a Person Giving Certain Information to the Assessor or to the Board of County Commissioners; and Fixing a Punishment to Certain County Officers for a Violation of this Act," respectfully report that we have had the same under consideration, have offered certain amendments to the bill, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 5, 1903.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 142, by Larsen (C. P.), (by request), "An Act Establishing a Standard of Oils for Illuminating Purposes and Providing a Penalty for a Violation Thereof," beg to report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act be passed as amended.

LOVE, Chairman.

Report adopted.

Committee Room, March 6, 1903.

Mr. President:—Your Committee on Federal Relations, to whom was referred S. J. R. No. 4, "A Resolution Relating to the Election of Senators by Direct Vote of the People;" also S. J. R. No. 6, "A Resolution Relating to the Election of Senators by Direct Vote of the People;" also S. P. No. 1, "Relating to the Election of Senators by Popular Vote," respectfully report that they have had the same under consideration, and recom-

mend that as S. J. R. No. 6 amply covers all the provisions contained in S. J. R. No. 4, that S. J. R. No. 6 be adopted and that S. J.R. No. 4 be rejected. S. P. No. 1 is also herewith returned.

WILLIAMS, Chairman.

Report adopted.

Committee Room, March 6, 1903.

Mr. President:—Your Joint Committee on Agriculture and Irrigation, to whom was recommitted S. B. No. 181, "An Act Providing for Determining and Recording Water Rights; Regulating the Diversion, Use and Apportionment of Water; Prescribing the Manner in which Water may be Appropriated; Providing for the Appointment of a State Engineer and Prescribing His Qualifications, Powers, Duties and Compensation; Requiring Claimants to the Use of Water to File Statement of Their Claims and Declaring the Forfeiture of Rights for Failure to File Such Statements; Providing for the Taking of Testimony and the Entering of Decrees Determining Rights to the Use of Water, and Permitting Appeals; Requiring Certificates of Water Rights to be Issued, Filed and Recorded; Directing that the State Shall be Divided into Water Divisions and Districts, and that Superintendents and Supervisors shall be Appointed to Apportion the Water; Requiring Applications for the Appropriation of Water to be Filed and Permitting the Construction of Diverting Works; Providing for the Issuance and Recording of Certificates of Appropriation; Declaring Water to be Public Property, Subject to Existing Rights; Fixing Units of Measurement of Water; Establishing Basis, Measure and Limit of Right; Providing for the Abandonment of Use, Change in Manner or Place of Use, and Commingling and Recovery of Water; Defining Rights of Appropriators; Permitting Irrigation Companies to Take Stock in Similar Companies; Providing for the Acquisition of Rights of Way, and the Use and Enlargement of Existing Canals; Directing that Canals, Bridges and Crossings be Kept in Repair; Declaring when Water Rights are Appurtenant to Land, and How Transfers are to be Made and Recorded; Fixing

Penalties for Violations of this Act; Providing Legal Advisers for State Engineer; Establishing Fees and Prescribing How They shall be Collected and Paid to the State; Providing for the Payment of Fees, Costs and Expenses Under this Act; Prescribing Who may be Parties in Actions Concerning Water; Preserving the Existence and Providing for the Dissolution of Irrigation Districts; Repealing Title 33 of the Revised Statutes of Utah of 1898, on 'Irrigation and Water Rights, being Sections 1261 to 1288, Inclusive, and Chapter 125 of the Laws of Utah of 1901, Entitled '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 Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah of 1898,' Approved March 25, 1901, and all Other Laws and Parts of Laws in Conflict with the Provisions of this Act; but Preserving Vested Rights to the use of Water, and Providing that Any Right Initiated Under the Laws Repealed May be Completed and Perfected; Continuing the Term of Office of the State Engineer; Providing that Water Commissioners Heretofore Appointed Shall Continue to Perform Their Duties Until Superseded by Division Superintendents and District Supervisors, and that Similar Water Commissioners may be Appointed if Necessary," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act as amended be passed.

M'KAY, Chairman.

S. B. No. 181 was read the first and second times. On motion of Mr. Barnes, S. B. No. 181 was made a special order for 10:30 a. m., March 7.

On motion of Mr. Barnes the Senate decided that when it adjourned it would be till 10 o'clock a. m., March 7.

SECOND READING BILLS.

H. B. No. 130, by Mr. Morris, entitled "An Act to Amend Section 3942 of the Revised Statutes of Utah, 1898, Relating to Notice of Hearing Account," was read

the second time. The rules were suspended, H. B. No. 130 was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson, Love.

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

S. B. No. 72, by Mr. Barber, "An Act to Amend Sections 8, 16, 21, 22, 27 and 29 of Chapter 26, of the Session Laws of Utah, 1899, Relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26, as the Same were Amended by Chapter 133 of the Laws of Utah, 1901, Relating to Fish and Game," was read the second time.

S. B. No. 174, by Mr. McKay, An Act to Regulate the Means of Egress from Public Buildings," was read the second time.

S. B. No. 166, by Mr. Larsen (H. S.), "An Act Amending Section 1782 of the Revised Statutes of Utah, 1898, and Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Session Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers and Fixing Their Term of Office," was read the second time. The rules were suspended, S. B. No. 166 was read the third time and passed by the following vote:

Ayes, 15; nays, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Murdock.

Absent and not voting: Johnson, Love.

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

S. B. No. 70, by Committee on Railroads, substitute for S. B. No. 43, by Mr. Gardner, "An Act Amending 'An Act Requiring Railroad Companies to Fence Their Tracks,' of Session Laws, 1901," was read the second time.

H. J. M. No. 2, by Luther, entitled "Joint Memorial Requesting the Honorable Secretary of the Interior to Restore to the Public Domain Such Lands as Have Been Temporarily Withdrawn with the View to the Creation of Forest Reserves, as are not Actually Essential to the Preservation of Timber and the Conservation of Water," was read the second time.

H. B. No. 6, by Molyneux, entitled "An Act to Amend Section 1818 of the Revised Statutes of Utah, 1898, Relating to Text Books, Furniture, etc.," was read the second time.

SPECIAL ORDER.

S. B. No. 183, "An Act Providing for the Incorporation of Churches and Religious Societies, and Providing for Survivorship in Certain Cases, and Repealing Chapter 80 of the Laws of Utah, 1901, Entitled 'An Act Providing for the Incorporation of Churches and Religious Societies,' Approved March 14, 1901," came on for roll-call, was read the third time and passed by the following vote:

Ayes, 14; nays, 2.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Larsen (H. S.), Whitmore.

Absent and not voting: Barnes, Johnson.

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

SECOND READING SENATE BILLS.

S. B. No. 176, by Mr. Barber, "An Act Relating to the Making of False Statements for the Purpose of Obtaining Credit, and Providing a Penalty Therefor," was read the second time.

The vote by which S. B. No. 182, by Committee on County and Municipal Corporations, substitute for S. B. No. 6, by Mr. McKay, "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Otherwise Acquire Water, Water Supply, Bonds, Stocks or Property Connected Therewith, and Providing for Protests in Certain Cases," was defeated, was, on the motion of Mr. Lawrence, reconsidered by the following vote:

Ayes, 11; nays, 6.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Larsen (C. P.), Lawrence, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Barber, Gardner, Larsen (H. S.), Lewis, Loose, Whitmore.

Absent and not voting: Johnson.

S. B. No. 182 was then passed by the following vote:

Ayes, 12; nays, 5.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (C. P.), Lawrence, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Gardner, Larsen (H. S.), Lewis, Loose, Whitmore.

Absent and not voting: Johnson.

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

RESOLUTIONS ADOPTED.

S. C. R. No. 5, by Mr. Sherman.

"Whereas, A joint committee has been appointed by the Legislature of Utah, consisting of four members from each house, to investigate the management and conduct of the Industrial School at Ogden; now, therefore,

"Resolved, That, the House concurring, the Sergeant-at-Arms of the Senate is instructed to accompany the said committee to Ogden to arrange for comfortable quarters for members; for a room in which to hold meetings, and for the attendance of such witnesses as the committee may desire to examine; and be it further

"Resolved, That the Sergeant-at-Arms is instructed to pay out of the contingent fund authorized by S. B. No. 2, approved January 20th, 1903, the necessary expenses, including transportation, etc., of the members incurred in conducting the investigation. The services of a stenographer and per diem and mileage of witnesses, and any and all other necessary expenses authorized to be incurred by said joint committee; and be it further

"Resolved, That the aforesaid investigating committee be authorized to subpoena witnesses and administer oaths and perform every other act and thing necessary and proper to carry out the purposes for which said committee was appointed."

The resolution was read the first time, the rules were suspended and S. C. R. No. 5 was read the second and third times and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner, Johnson.

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

THIRD READING SENATE BILLS.

S. B. No. 167, by Mr. Lewis, "An Act Providing a Penalty for Circulating False Statements or Rumors Regarding, or Making Fictitious Sales of Stocks or Bonds of a Corporation or Association, and Providing a Penalty for Any Corporation or Association, or Member Thereof, Who Shall Sell or Offer to Sell the Stocks or Bonds of a Corporation or Association, Without Permission Therefor," was read the third time and failed to pass by the following vote:

Ayes, 5; nays, 11.

Absent and not voting, 2.

Those voting in the affirmative, were: Bennion Gardner, Larsen (H. S.), Lawrence, Lewis.

Those voting in the negative were: Bamberger, Barber, Barnes, Johnson, Larsen (C. P.), Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Williams, Johnson.

S. B. No. 161, by Mr. Johnson, "An Act to Amend Section 414 of the Revised Statutes of Utah, 1898, Relating to the Examination of Insurance Companies," was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson.

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

S. B. No. 120, by Mr. Lewis, "An Act to Amend Section 1134 of the Revised Statutes of Utah, 1898, Defining Certain Powers of the Board of County Commissioners as to Highways, and Prescribing a Penalty for the Injuring of Guide Posts Upon Any Public Highway in This State," was read the third time and failed to pass by the following vote:

Ayes, 6; nays, 8.

Absent and not voting, 4.

Those voting in the affirmative were: Barnes, Gardner, Lewis, Loose, McKay, Whitmore.

Those voting in the negative were: Bamberger, Barber, Bennion, Larsen (C. P.), Murdock, Sherman, Williams, Mr. President.

Absent and not voting: Johnson, Larsen (H. S.), Lawrence, Love.

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

S. B. No. 159, by Mr. Gardner (by request), "An Act Providing for the Relinquishment by Special Guardian of the Inchoate Interest of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husbands' Real Estate," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson, Loose.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 6, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, S. C. R. No. 5, by Mr. Sherman, entitled, "Joint Committee Appointed to Investigate the Management at the State Industrial School at Ogden." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. C. R. No. 5 was referred to the Committee on Engrossed and Enrolled Bills.

EXECUTIVE SESSION.

On motion of Mr. Sherman, at 4:30 the Senate went into executive session. When the doors were reopened it was announced that the following appointments of the Governor had been confirmed:

W. G. Dalrymple, of Weber County, a member of the State Board of Dental Examiners, for the term ending in 1906.

To be members of the State Board of Pharmacy: James L. Franken of Salt Lake County for the term of five years, ending January, 1908. W. W. Cook of Beaver County for the term of five years, ending January, 1908.

To be a member of the State Board of Education: William Allison of Weber County, to fill the vacancy caused by the resignation of Frank B. Cooper, whose term expires in 1905.

To be regents of the University of Utah: W. W. Riter of Salt Lake County for the term of four years, ending July 1, 1906. Waldemar Van Cott of Salt Lake County for the term of four years, ending July 1, 1906. A. H. Lund of Salt Lake County for the balance of the unexpired term of T. R. Cutler, resigned, whose term expires July 1, 1903.

Health and Vital Statistics: A. F. Doremus for the term ending December 31, 1908. Dr. S. H. Allen for the term ending December 31, 1909.

To be members of the Governing Board of the Utah Art Institute: George M. Ottinger to fill the vacancy occasioned by the resignation of J. T. Harwood. Alan A. Lovey for the term of four years. S. T. Whittaker for the term of four years. Mrs. Edna W. Sloan to fill the vacancy occasioned by the resignation of Elizabeth C. McCune.

MISCELLANEOUS BUSINESS.

On motion of Mr. Murdock, the further printing of the docket was dispensed with.

On motion of Mr. Lawrence, Senate adjourned at 5:22 p. m.

FIFTY-FIFTH DAY.

State of Utah, Senate Chamber,
March 7, 1903.

The Senate met at 10 a. m., pursuant to adjournment, President Allison presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

The reading of the minutes of the fifty-fourth day's session was omitted.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 6, 1903

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. 60, entitled, "An Act Establishing Experimental Farms to Investigate and Demonstrate the Best Methods of Reclaiming the Dry or Arid or Non-irrigated Lands of the State of Utah, and Making Appropriation Therefor."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

REPORTS STANDING COMMITTEES.

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 179, "An

Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the Preparation of Data and Records and Use of Same, and Appropriating of Money to Defray the Expenses Thereof," respectfully report that they have had the same under consideration and recommend that the act be passed. M'KAY, Chairman.

Report adopted.

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Public Lands, to whom was recommitted H. B. No. 50, "An Act Amending Section 34 of Chapter 64 of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds Derived from the Sale or Rental of the Public Lands of the State," respectfully report that they have had the same under consideration, and recommend that the act be passed. LARSEN (H. S.), Chairman.

Report adopted.

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 178, by Mr. Murdock, "An Act to Provide for a Tax on Incomes, and Providing for the Collection and Disposition of the Same," beg leave to report that they have considered the same, offered certain amendments thereto, and rcommend that the act be passed as amended.

The minority of this committee reserve the right to vote as they see fit on the floor of the Senate.

GARDNER, Chairman.

Report adopted.

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Federal Relations, to whom was referred S. C. R. No. 4, by Mr. McKay, being "A Resolution Endorsing the Enfranchise-

ment of Women," beg leave to report that they have had the same under consideration, and recommend that the same be adopted. WILLIAMS, Chairman.

Report adopted.

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 139, by Mr. Condon, "An Act Relating to the Trustees of the School for the Deaf and Dumb, Fixing Their Terms of Office, and to Amend Section 2107 of the Revised Statutes of Utah, 1898," beg leave to report that they have had the same under consideration, and recommend that the act be passed. LOOSE, Chairman.

Report adopted.

The rules were suspended and H. B. No. 139 was read the second and third times and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Bennion, Sherman.

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

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Feleral Relations, to whom was referred H. J. R. No. 9, by Mr. Stewart (by request), "Favoring the Election of Senators by Direct Vote of the People," beg to report that they have had the same under consideration, and recommend that the same be not passed, as the ground is covered by S. J. R. No. 6. WILLIAMS, Chairman.

Report adopted.

Committee Room, March 7, 1903.

Mr. President:—Your Committee on Livestock, to whom was referred S. B. No. 140, by Mr. Lewis (by request), "An Act Authorizing the Board of County Commissioners of the Several Counties of this State to Appoint Estray Commissioners, Defining Their Duties, Providing for the Disposition of Unbranded Estray Animals and the Disposition of the Moneys Received from the Sale of Such Animals," beg leave to report that they had the same under consideration, and recommend that the act be not passed. BARNES, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

By unanimous consent, S. B. No. 187, by Mr. Gardner, "An Act Amending Section 2596 of the Revised Statutes of Utah, 1898, Providing that Taxes on Personal Property shall be a Lien Upon the Realty of the Owner, and that in Certain Cases Taxes on Personal Property shall be Paid Within Ten Days, or Bond Given Therefor," was read the first time and referred to the Committee on Judiciary.

By unanimous consent, S. B. No. 188, by Mr. Lewis, "An Act Making Appropriations for General Purposes," was read the first time and referred to the Committee on Appropriations and Claims.

INTRODUCTION OF CLAIMS.

S. C. No. 24, of Edna Sherman Katz, was presented by Mr. Barber and referred to the State Board of Examiners.

SECOND READING SENATE BILLS.

S. B. No. 72, by Mr. Barber, "An Act to Amend Sections 8, 16, 21, 22, 27 and 29 of Chapter 26, of the Session Laws of Utah, 1899, Relating to Fish and Game, and

Sections 10, 12, 14, 19 and 24 of said Chapter 26, as the Same were Amended by Chapter 133 of the Laws of Utah of 1901, Relating to Fish and Game," was read the second time.

S. B. No. 142, by Mr. Larsen (C. P.), (by request), "An Act Establishing the Standard of Oils Used for Illuminating Purposes, and Providing a Penalty for a Violation Thereof," was read the second time. The rules were suspended and S. B. No. 142 was read the third time and made a special order for 2:30 p. m., March 9.

S. B. No. 119, by Mr. Lewis, "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values; Providing a Penalty for Certain County Officers or County Employes Who Shall Divulge the Name of a Person Giving Certain Information to the Assessor or to the Board of County Commissioners, and Fixing a Punishment of Certain County Officers for a Violation of This Act," was read the second time.

S. B. No. 89, by Mr. Barnes (by request), "An Act Relating to the Location of Powder Houses or Magazines, and Providing a Penalty for a Violation Thereof," was read the second time.

THIRD READING SENATE BILLS.

S. B. No. 174, by Mr. McKay, "An Act to Regulate the Means of Egress from Public Buildings," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Murdock.
The title of the bill was made the title of the act.

S. B. No. 176, by Mr. Barber, "An Act Relating to the Making of False Statements for the Purpose of Obtaining Credit, and Providing a Penalty Therefor," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.
Absent and not voting, 2.
Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.
Absent and not voting: Loose, Murdock.
The title of the bill was made the title of the act.

S. B. No. 70, by Committee on Railroads, substitute for S. B. No. 43, by Mr. Gardner, "An Act Amending an Act Entitled, 'An Act Requiring Railroad Companies to Fence Their Tracks,' Approved March 14, 1901, Being Chapter 86 of the Session Laws of Utah, 1901," was read the third time and passed by the following vote:

Ayes, 15; nays, 0.
Absent and not voting, 3.
Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.
Absent and not voting: Bennion, Larsen (C. P.), Sherman.
The title of the bill was made the title of the act.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 131, entitled, "An Act

Providing that the County in which a Civil Case of Action Arises shall pay the Expenses when the Case is Tried in Another County on Change of Venue." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 131 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 30, entitled, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah of 1901, to Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same, and Penalties for Violations Thereof." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 30 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed a conference committee, consisting of Messrs. Condon, Stoker and Merrill, to meet with a like committee from the Senate in regard to Senate Bill No. 182, by

Mr. McKay, entitled, "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Otherwise Acquire Water, Water Supply, Bonds, Stocks or Property Connected Therewith, and Providing for Protests in Certain Cases;" also H. B. No. 180, by the Judiciary Committee, entitled, "An Act to Amend Sections 3590, 3597 and 3601 of the Revised Statutes of Utah, 1898, Relating to Eminent Domain."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

The President appointed Bamberger, McKay and Love to meet a like committee from the House in consultation on S. B. No. 182 and H. B. No. 180.

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended by the conference committee, H. B. No. 56, by Mr. Smith, entitled, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901." The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 56 was read the first and second times. The rules were suspended and H. B. No. 56 was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Bamberger, Bennion, Sherman.

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

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day excused Mr. Done from the committee to investigate the Industrial Home, and that Mr. Colton has been appointed in his place.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day sustained the Governor's veto in open House on H. B. No. 16, entitled, "An Act to Provide for the Expenses of the Executive Committee of the Eleventh National Irrigation Congress to be held at Ogden, Utah, September 8th, 9th, 10th and 11th, 1903." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Consideration of the Governor's veto was laid over until March 9.

House of Representatives,
Salt Lake City, March 7, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 187, by Mr. Condon, entitled, "An Act Making an Appropriation to Assist in Defraying the Expenses of the Eleventh National Irrigation Congress, and Providing the Manner of Drawing the Same and Reporting the Expenditure Thereof." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 187 was read the first and second times, the rules were suspended and the bill was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Bennion, Sherman.

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

By request of the Committee on Public Printing, the docket clerk was instructed to have the docket printed two more times—once on March 9 and once on March 11.

On motion of Mr. Johnson, Senate adjourned at 12 noon.

FIFTY-SEVENTH DAY.

State of Utah, Senate Chamber,
March 9, 1903.

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

Roll-call; quorum present.

Prayer by Rabbi Louis G. Reynolds.

The minutes of the fifty-fourth and fifty-fifth days' sessions were read and approved.

Mr. Loose was excused from the session.

SPECIAL COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1903.

To the Senate:

In the message which I had the honor to submit to you at the opening of the present session the hope was expressed that at a date early enough to insure the most careful consideration, you would undertake the prepara-

tion of needed laws upon the great subject of irrigation. Reference was made to the imperative nature of this duty as emphasized by recent Congressional action looking generally to the reclamation of the arid lands; and it was pointed out that Utah, as the birthplace of American irrigation, ought to be the first to place herself in a position to realize the benefits of these most excellent measures.

The near approach of the end of the session impresses me with the duty of again calling your attention to the importance and urgency of this subject. Only a few days remain of the constitutional term for which you are assembled, and I am aware that a large number of measures are still to receive final action at your hands. Permit me to suggest that nothing that can come before you is of such tremendous importance as this. By reason of our past experience and present fame as a community where irrigation has been followed with the greatest success, we should take the lead in intelligent legislation upon the subject, thus maintaining our proud position and furnishing a pattern for our sister States to follow. Unfortunately, our laws at present are very imperfect, and I cannot but feel that if the current session shall close without having provided a code and remedy adequate to present conditions, our constituents will have just cause for complaint and our commonwealth will suffer a severe loss in visible benefits and in present reputation. I therefore urge upon you with all earnestness that the irrigation measures now before you receive immediate consideration—this to be continued, if necessary, to the exclusion of all other legislation—until finally disposed of. I can conceive of no other question of such absorbing and paramount interest at this time—no other so worthy of your matured thought and most careful judgment; and in taking the liberty of suggesting that you give it precedence over any and every other, I feel I am only reminding you of that which you will all agree is of first importance—neglect or ill-digested treatment of which can only result in incalculable damage and distress.

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

SPECIAL ORDERS.

S. B. No. 142, by Mr. Larsen (C. P.), (by request), "An Act Establishing the Standard of Oils Used for Illuminating Purposes and Providing a Penalty for a Violation Thereof," came on for roll-call and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose.

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

At the request of Mr. Loose, roll-call on S. B. No. 181 was deferred and made a special order for 3 p. m., March 10.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day returned without approval H. J. R. No. 12 protesting against report of Congressional Conference Committee on Indian Appropriation Bill. "Inasmuch as the Indian Appropriation Bill passed Congress and became law before this resolution reached the Governor, it would be futile to approve and forward the same to Washington."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in

Senate amendments to H. B. No. 139, by Mr. Condon, entitled, "An Act Relating to the Trustees of the School for the Deaf and Dumb, Fixing Their Terms of Office and to Amend Section 2107 of the Revised Statutes of Utah, 1898."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition at St. Louis in the Year 1904, to Define its Powers and Duties, and to Make an Appropriation Therefor," and the same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 94 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 146, by Mr. Johnson, entitled, "An Act Amending Section 335 of the Revised Statutes of Utah of 1898, Providing for Different Kinds and Classes of Capital Stock, and Voting the Same." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 146 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 126, by the Committee on Manufactures and Commerce, substitute for S. B. No. 47, by Mr. Lewis, entitled, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, at Portland, Oregon, in 1905; to Define its Duties and Powers, and to Make an Appropriation Therefor." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 126 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 162, entitled, "An Act to Amend Section 2434 of the Revised Statutes of Utah, 1898, Relating to the Accounts and Reports of the State Treasurer." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Senate concurred in the House amendments.

S. B. No. 162 was read the first and second times, and under suspension of the rules was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C.

P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose.

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

S. B. No. 162 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 152, by Mr. Bennion, entitled, "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah, 1898, Prescribing When Judgments may be Entered in District Courts, and Defining Judges' Chambers and Their Powers at Chambers." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Senate concurred in the House amendments.

S. B. No. 152 was read the first and second times, and under suspension of the rules was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose.

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

S. B. No. 152 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 68, substitute for H. B. No. 31, by Mr. Molyneux, entitled, "An Act Creating a State Board of Horticulture, Defining Their Duties, Providing for the Publication and Distribution of Their Reports, and Repealing all of Title 28 of the Revised Statutes of Utah, and Chapter 47 of the Session Laws of the Legislature of Utah for 1899." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 68, by Mr. Molyneux, was read the first time and referred to the Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected Senate Bill No. 92, by Mr. Lewis, entitled, "An Act to Tax Dogs; Defining Certain Duties of the County Assessor and County Treasurer; Prescribing a Punishment for Stealing or Killing Taxed Dogs, and Providing a Penalty for a Violation of this Act." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Lewis, Lewis, Gardner and Barnes were appointed a special conference committee to confer with a like committee from the House to consult regarding the vote whereby S. B No. 92 failed to pass the House.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No.

177, by Mr. Bennion, entitled, "An Act Amending Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and Making Exceptions in Cases of Summary Distribution." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 177 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 109, by Mr. Lawrence (by request), entitled, "An Act to Amend Section 3060, Revised Statutes of Utah, 1898, in Respect to the Granting of Injunctions and Requiring the Giving of a Bond for all Damages that may be Awarded." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 109 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 115, by Mr. Allison, entitled, "An Act Amending Section 4953 of the Revised Statutes of Utah, 1898, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for the Filing the Same." The same is herewith returned to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 115 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 67, by Mr. Lawrence (by request), entitled, "An Act to Increase the Number of Judges for the Third Judicial District, and for the Appointment of one Judge Pending the Next General Election." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 67 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 145, entitled, "An Act Amending Section 3221 of the Revised Statutes of Utah, 1898, and Providing for Arbitration of Water Rights." The same is herewith transmitted to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 145 was read the first and second times, and under suspension of the rules was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C.

P.), Larsen (H. S.), Lawrence, Lewis, Love, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, McKay.

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

S. B. No. 145 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 170, by Mr. Lawrence (by request), entitled, "An Act Relating to and Making Provisions for Family Support in Cases of Decedents, and to Amend Section 3847 of the Revised Statutes of Utah, 1898." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The House amendments to S. B. No. 170 were concurred in. S. B. No. 170, as amended, was read the first and second times, and under suspension of the rules was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion. Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose.

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

S. B. No. 170 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State H. B. No. 64, entitled, "An Act to Establish a State Board of Sheep Commissioners, Create the Office of Sheep Inspector, Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to Provide Revenue to enforce the Same." And H. B. No. 49, entitled, "An Act to Amend Section 1208 of the Revised Statutes of Utah, 1898, and Provide for Divorce Upon Grounds of Permanent Insanity." And H. B. No. 131, entitled, "An Act Providing that the County in which a Civil Cause of Action Arises shall pay the Expenses when the Case is Tried in Another County on Change of Venue."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of three, namely, Stewart, Austin and Barrett, to act with a like committee from the Senate on H. J. R. No. 9, by Mr. Stewart (by request), entitled, "Favoring the Election of Senators by Direct Vote of the People."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President appointed Bamberger, Larsen (H. S.) and Williams as a conference committee to meet a like committee from the House in consultation on H. J. R. No. 9.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 100, entitled, "An Act to Amend Section 1729, Title 52, Revised Statutes of Utah, 1898, Entitled, 'Physicians and Surgeons.'" The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 100 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, H. B. No. 20, by Mr. Hamlin, entitled, "An Act Amending Section 1336 of the Revised Statutes of Utah, 1898, as Amended by Chapter 41 of the Session Laws of Utah, 1901, Fixing Eight Hours as a Days' work in all Public Institutions, and on all Public Works, and Prescribing a Penalty for the Violation Thereof." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 20 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 187, entitled, "An Act

Making an Appropriation to Assist in Defraying the Expenses of the Eleventh National Irrigation Congress, and Providing the Manner of Drawing the Same and Reporting the Expenditure Thereof." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 187 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 9, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 130, entitled, "An Act to Amend Section 3942 of the Revised Statutes of Utah, 1898, Relating to Notice of Hearing Account." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 130 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

PRESENTATION OF CLAIMS.

Mr. McKay presented the following Senate claims:

S. C. No. 25, of Thomas D. Brown of Weber county, for refund of part price paid on school land.

S. C. No. 26, of Pehr Ogren of Weber county, for refund of part price paid on school land.

S. C. No. 27, of H. C. Hogsted of Weber county, for refund of part price paid on school land.

S. C. No. 28, of James Barnes of Weber county, for refund of part price paid on school lands.

S. C. No. 29, of Joseph Bidwell of Weber county, for refund of part price paid on school lands.

S. C. No. 30, of Moroni Chigg of Weber county, for refund of part price paid on school lands.

S. C. No. 31, of William Burnett of Weber county, for refund of part price paid on school lands.

S. C. No. 32, of William Burnett of Weber county, for refund of part price paid on school lands.

S. C. No. 33, of Mrs. William F. McEntire of Weber county, for refund of part price paid on school lands.

S. C. No. 34, of John Groberg of Weber county, for refund of part price paid on school lands.

S. C's. Nos. 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 were referred to the State Board of Examiners.

INVITATION RECEIVED.

An invitation from Mary Teasdel and others for the Senate to visit the fifth annual exhibition of paintings, etc., of the Utah Art Institute, was received and filed.

REPORTS STANDING COMMITTEES.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 157, "An Act Making an Appropriation for the Payment of Outstanding Juror and Witness Certificates Issued Between the Years 1874 and 1882 by the Clerks of the District Courts

of the late Territory of Utah, for Services of Jurors in Civil and Criminal Cases, and for Witnesses in Criminal Cases." Also Senate Petition No. 32, of George C. Lambert, asking that he be reimbursed in the sum of $314.55 for certain services performed. Also Senate Petition No. 37, asking a bounty for the killing of certain grasshoppers, respectfully report that the bill and the two petitions be first referred to the State Board of Examiners.

LEWIS, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 76, by Mr. Bamberger, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Five Persons, Their Appointment, Election, Qualification, Salary, Powers, and Duties," respectfully report that they have had the same under consideration, and offer S. B. No. 189, entitled, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Six Persons, Their Appointment, Qualifications, Salary, Powers and Duties," as a substitute therefor, and recommend that the substitute be passed.

LARSEN (C. P.), Chairman.

Report adopted.

S. B. No. 189 was read the first and second times.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 46, by Mr. Austin (by request), "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, Entitled, 'An Act to Establish a Bureau of Statistics and to Define the Duties Thereof, and Making Appropriation There-

for,' " beg to report that they have had the same under consideration and recommend that the act be passed.

LOVE, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 186, by Mr. Lewis, "An Act to Repeal Section 2049 of the Revised Statutes of Utah, 1898, as Amended by Chapter 130 of the Laws of Utah, 1901, Providing for an Annual Appropriation for the Utah Silk Commission," respectfully report that they have had the same under consideration and recommend that the act be not passed.

LOVE, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 153, by Mr. Whitmore, "An Act to Repeal Chapter 55 of the Laws of Utah, 1901, an Act Entitled, 'An Act to Establish a Bureau of Statistics, and Defining the Duties Thereof, and Making Appropriation Therefor,' " respectfully report that they have had the same under consideration, and recommend that the act be not passed.

LOVE, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—We, your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 141, by Mr. Barber, "An Act to Provide for the Organization and Government of Irrigation Districts, and to Provide for the Acquisition of Water and Other Property and for the Distribution of Water Thereby for Irrigation Purposes and for Other Similar Purposes," beg leave to

report that they have considered the same and recommend that the act be passed.

M'KAY, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 92, by Mr. Colton, "An Act Regulating the Presence of Children Under Fourteen Years of Age Upon the Streets of Cities, Towns and Villages After Certain Hours of the Night, Designating the Officers to Enforce Same and Defining the Penalties for a Violation Thereof," beg to report that they have had the same under consideration, and recommend that the act be passed.

LARSEN (C. P.), Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 135, by Mr. Done, "An Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with Reference to Qualifications of Teachers in the Public Schools," beg to report that they have had the same under consideration and recommend that the act be passed.

LOVE, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 171, by Mr. Love (by request), "An Act Authorizing Boards of County Commissioners to Establish Sidewalk Districts, and Providing the Manner of Paying Therefor," beg to report that they have had the same under consideration and recommend that the act be passed.

LARSEN (C. P.), Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. P. No. 17, of citizens of Kane County, asking for an appropriation for certain repairs to the wagon road in Kanab canyon. Also S. P. No. 38, of the citizens of Sanpete County, asking for an appropriation for repairs of certain highways, respectfully recommend that the said petitions be referred to the Committee on Highways and Bridges.

LEWIS, Chairman.

Report adopted.

Committee Room, March 9, 1903.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. C. No. 2, for half salaries of certain county officers, respectfully recommend that the said claim be referred to the Committee on Salaries. LEWIS, Chairman.

Report adopted.

COMMUNICATIONS FROM BOARD OF EXAMINERS.

Salt Lake City, March 7, 1903.

To the Senate:

I am directed by the Board of Examiners to return Senate Claim No. 18 (our No. 5033), of Rebecca Evans, for $45.38, and Senate Claim No. 19 (our No. 5034), of J. A. Stewart, for $13.72, being claims for refund of 75 per cent of money paid for tracts of land purchased in Section 36, in Township 12 North, Range 1 West, under the provisions of Chapter 88 of the Laws of 1899, and to report that the board has examined the said claims and heard the testimony introduced in support thereof; that each of the said claims has been approved with recommendation that appropriation be made therefor.

Very respectfully,

J. T. HAMMOND,

Secretary State Board of Examiners.

Communication filed and S. C. Nos. 18 and 19 were referred to the Committee on Appropriations and Claims.

Salt Lake City, March 7, 1903.

To the Senate:

I am directed by the State Board of Examiners to return the following Senate Claims, being for the refund of 75 per cent of the money paid for tracts of land in Section 16, Township 1 South, Range 1 East, under the provisions of Chapter 88 of the Laws of 1899:

Senate Claim No. 10 (our No. 5025), of Angelo Bertagnoli, for $310.50.

Senate Claim No. 13 (our No. 5028), of Luigia Bertagnoli, for $700.20.

Senate Claim No. 15 (our No. 5030), of Mrs. H. H. Harries, for $86.62.

Senate Claim No. 17 (our No. 5032), of John S. Thompson, for $419.91.

And to report that the board has examined the said claims and heard testimony introduced in support thereof; that each of the said claims has been approved with recommendation that appropriation be made therefor.

Very respectfully,

J. T. HAMMOND,

Secretary State Board of Examiners.

Communication filed and S. C. Nos. 10, 13, 15 and 17 were referred to the Committee on Appropriations and Claims.

Salt Lake City, March 7, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Claim No. 1 (our No. 5057), being claim of Lewis P. Kelsey for $1,271.06 for return of 75 per cent

of the amount paid for 10.30 acres of land in Section 16, Township 1 South, Range 1 East, and to report that the board has examined the said claim and heard testimony in support of the claim. That the testimony introduced on the part of the claimant clearly established the fact that this land was not settled upon, resided upon, occupied or cultivated prior to March 1st, 1869, and the board therefore disapproved said claim.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and S. C. No. 1 was referred to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS.

By consent of two-thirds of the members these four bills were introduced:

S. B. No. 190, by Mr. Barnes, "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 1903 and 1904," was read the first time and referred to the Committee on Ways and Means.

S. B. No. 191, by Mr. Barber, "A Bill for an Act to Amend Section 3918 of the Revised Statutes of Utah of 1898, in Relation to the Settlement of Partnership Business," was read the first time and referred to the Committee on Judiciary.

S. B. No. 192, by Mr. Barber, "A Bill for an Act Amending Section 4430 of the Revised Statutes of Utah, 1898, in Relation to Trespass and Injuries to Property," was read the first time and referred to the Committee on Judiciary.

S. B. No. 193, by Mr. Barnes (by request), "An Act to Amend Section 436 of the Revised Statutes of Utah, 1898, Relating to the Acquisition by Railroad Companies

by Purchase and Condemnation of Lands for Its Uses and for Other Purposes," was read the first time and referred to the Committee on Railroads.

THIRD READING SENATE BILLS.

S. B. No. 119, by Mr. Lewis, "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values; Providing a Penalty for Certain County Officers or County Employes Who Shall Divulge the Name of a Person Giving Certain Information to the Assessor or to the Board of County Commissioners, and Fixing a Punishment of Certain County Officers for a Violation of this Act," was read the third time and went over for roll-call on March 10.

S. B. No. 72, by Mr. Barber, "An Act to Amend Sections 8, 16, 21, 23, 27 and 29 of Chapter 26, of the Laws of Utah, 1899, Relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26, as the Same were Amended by Chapter 133 of the Laws of Utah of 1901, Relating to Fish and Game, and Providing for a Non-Resident's Gun License," was read the third time and passed by the following vote:

Ayes, 12; nays, 5.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Larsen (C. P.), Larsen (H. S.), Lawrence, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barnes, Gardner, Johnson, Lewis, Murdock.

Absent and not voting: Loose.

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

S. J. R. No. 6, by Mr. Barnes, relating to the election of United States Senators by direct vote of the people, was read the third time and passed by the following vote:

Ayes, 13; nays, 2.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, ,Johnson, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Those voting in the negative were: Gardner, Lewis.

Absent and not voting: Larsen (C. P.), Loose, Sherman.

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

S. B. No. 89, "An Act Relating to the Location of Powder Houses or Magazines and Providing a Penalty for a Violation Thereof," was read the third time and passed by the following vote:

Ayes, 14; nays, 2.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, McKay, Murdock, Whitmore, Williams, Mr. President.

Those voting in the negative were: Love, Sherman.

Absent and not voting: Johnson, Loose.

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

SECOND READING SENATE BILLS.

S. B. No. 184, by the Committee on Public Health, substitute for S. B. No. 132, "An Act Providing for the University of Utah and Agricultural College, Making Certain Analyses and Reports," was read the second time, and on request of Mr. Murdock was recommitted to the Committee on Public Health.

S. B. No. 178, by Mr. Murdock, "An Act to Provide for a Tax on Incomes, and Providing for the Collection and Disposition of the Same," was read the second time.

S. B. No. 179, by Mr. Gardner, "An Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the Preparation of Data and Records and Use of Same, and

Appropriation of Money to Defray the Expenses Thereof," was read the second time.

S. C. R. No. 4, by Mr. McKay, regarding the good effect of female suffrage, was read the second time.

THIRD READING HOUSE BILLS.

H. B. No. 6, by Mr. Molyneux, entitled, "An Act to Amend Section 1818 of the Revised Statutes of Utah, 1898, Relating to Text Books, Furniture, etc.," was read the third time, and roll-call on it was made a special order for 3:30, March 10.

H. B. No. 50, by Mr. Morris, entitled, "An Act Amending Section 34 of Chapter 64 of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds Derived from the Sale or Rental of the Public Lands of the State," 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: Bamberger, Barber, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Murdock.

Absent and not voting: Barnes, Bennion, Johnson, Loose.

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

H. J. M. No. 2, by Luther, entitled, "Joint Memorial Requesting the Honorable Secretary of the Interior to Restore to the Public Domain Such Lands as Have Been Temporarily Withdrawn with the View to the Creation of Forest Reserves, as are not Actually Essential to the Preservation of Timber and the Conservation of Water," was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Loose, Sherman.

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

PETITIONS FILED.

S. P. No. 43, from the Mayor and City Council of Provo, against S. B. No. 181, regarding irrigation, was laid on the table.

Telegraphic petition from Nephi Irrigation company against S. B. No. 181, regarding irrigation, was laid on the table.

S. P. No. 44, from W. H. Tibbals and others, was read and referred to the Committee on Mines and Mining.

On motion of Mr. Lawrence, Senate adjourned at 5:20 p. m.

FIFTY-EIGHTH DAY.

State of Utah, Senate Chamber,
March 10, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-seventh day's session were read and approved.

PETITION AND CLAIM FILED.

S. P. 45, from the Weber County Republican Club, protesting against the passage of S. B. No. 165, was read and laid on the table.

S. C. No. 35, of John I. Pyne, as presented by Mr. Lewis and referred to the State Board of Examiners.

Mr. Lawrence was granted unanimous consent to withdraw certain documents connected with Senate Claim No. 4.

REPORTS STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 10, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 165, being "An Act to Amend Section 1, Chapter 19, of the Session Laws of Utah, 1901, entitled 'An Act Providing For the Place of Trial of Civil Actions Arising Without the State,'" respectfully report that we have had the same under consideration, and herewith offer a substitute for the said measure, being S. B. No. 195, and being entitled "An Act to Amend Section 1, of Chapter 19, of the Session Laws of Utah, 1901, entitled 'An Act Providing for the Place of Trial of Transitory Civil Actions Arising Without the State,'" and we recommend that the substitute bill be passed, and that the original bill, No. 165, be rejected.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 195 was read the first time.

Committee Room, March 10, 1903.

Your Joint Conference Committee, to whom was referred H. B. No. 175, being a substitute for S. B. No. 64, beg leave to report they have had the same under con-

sideration, in connection with S. B. No. 55, and H. B. No. 123, all four of which measures offer amendments to Section 511 of the Revised Statutes of Utah, 1898, relative to the General Powers of Boards of County Commissioners, and we recommend a substitute therefor, being S. B. No. 194, and that S. B. No 55, and S. B. No. 64, and H. B. No. 123, and H. B. No. 175 be rejected and that S. B. No. 194 be passed.

LAWRENCE,
LARSEN (H. S.)
M'KAY,
For the Senate.
COLTON,
JAS. B. WILSON,
GEO. H. ADAMS,

Report adopted.

S. B. No. 194, by Joint Conference Committee, substitute for S. B. Nos. 55 and 64 and H. B. Nos. 123 and 175, "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners," was read the first time.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Livestock, to whom was referred H. B. No. 129, "An Act to Amend Section 13 of the Revised Statutes of Utah, 1898, Defining Estrays," respectfully report that they have had the same under consideration and recommend that the act be passed.

BARNES, Chairman.

Report adopted.

H. B. No. 129 was read the second time, the rules were suspended and H. B. No. 129 was read the third time and passed by the following vote:

Ayes, 15; nays, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Lar-

sen (H. S.), Lawrence, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Gardner, Lewis, Loose.

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

Committee Room, March 10, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 128, "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities as Amended by Chapter 131 of the Laws of Utah of 1901," respectfully report that they have had the same under consideration offer certain amendments thereto and recommend that the act, as amended, be passed.

LARSEN (C. P.), Chairman.

Report adopted.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 115, by Mr. Allison, "An Act Amending Section 4953 of the Revised Statutes of Utah, 1898, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for Filing the Same," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 115 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 97, by

Mr. Lawrence, "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to New Trials and Appeals in City Courts," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 97 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 170, by Mr. Lawrence (by request), "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3847 of the Revised Statutes of Utah, 1898," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 170 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 104, by Mr. Sherman, "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses, and Providing for Issuing Subpoenas, Compelling Attendance of Witnesses, and Administering Oaths in Such Proceedings," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 104 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 112, by Mr. Williams (by request), "An Act Authorizing the Secretary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes one to twenty-five Inclusive," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 112 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 145, by Mr. Johnson, "An Act Amending Section 3221 of the Revised Statutes of Utah of 1898, and Providing for the Arbitration of Water Rights," respectfully report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 145 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 100 by Mr. Lawrence, "An Act Amending Section 22, of Chapter 109 of the Session Laws of Utah, 1901, in Relation to Fees to be Collected by the ex-Officio Clerk of City Courts," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 100 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 67, by Mr. Lawrence (by request), "An Act to Increase the Number of Judges for the Third Judicial District and for the Appointment of One Judge Pending the Next General Election," respectfully report that they have carefully engrossed and enrolled the same, and herewith submit the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 67 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 10, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 94, by Mr. Sherman, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition at St. Louis, in the Year 1904; to Define its Powers and Duties, and to make an Appro-

priation Therefor," respectfully report that they have carefully engrossed and enrolled the same, and submit herewith the act to you for your singnature.

JOHNSON, Chairman.

S. B. No. 94 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

REPORTS SELECT COMMITTEES.

To the President of the Senate and Speaker of the House:

1. Your committee appointed under authority of House Concurrent Resolution No. 3, to investigate the condition of the State Industrial School at Ogden and the charges made through the public press in relation thereto, beg leave to report that on Saturday and Sunday, March 7 and 8, we made such investigation, and submit herewith our findings and conclusions, as follows:

2. We find first that the Board of Trustees of said institution are exempt from all blame, condemnation or opprobrium in the management thereof, and we desire to emphasize, as strongly as possible, our approval of the wise and careful manner in which they have conducted the affairs of the school, and the interest they have exhibited in the individual and general welfare of the inmates.

3. We desire also to fully and completely exonerate Mr. and Mrs. Allison, the Superintendent and Matron, respectively, as well as the assistants and guards, from all charges and rumors of cruelty, inefficiency and mismanagement that may have been circulated respecting them.

4. In the opinion of your committee, the charges of cruelty and harsh treatment preferred against Mr. Wal-

lace, the teacher of the boys, as reported in the public press, have been exaggerated and magnified; but while we exonerate him from any wilful or intended cruelty, we feel to condemn as unwise and unmanly, his acknowledged choking of Francis Whitecotton, even though the same was done under extreme provocation, and to say that in our opinion no person should be employed in connection with the school who has not a very patient and kindly disposition and temperament.

5. Regarding the charge of unsanitary conditions of the institution. We feel that there is a measure of just complaint, not as to the management, but on account of the fact that the buildings and accommodations are entirely inadequate and unsuited in their original construction for the purposes to which they are applied, and the requirements of their present crowded condition, and on account of the lack of facilities for a pure and wholesome water supply; your committee, therefore feels that it cannot too strongly urge upon the Legislature that provision be made and immediate steps be taken to provide an adequate supply of pure water for culinary and domestic purposes, by connecting with the Ogden waterworks system. At present the inmates of the school seem to be all well and hearty, but the typhoid epidemic of the past season, resulting no doubt from an infected water supply, is a forcible warning of the dangers from the present source. The enlargement of the present sewer system is also a pressing necessity at the present time.

6. Your committee desires to call attention to the fact that at the last preceding session of the Legislature, the school then contained less than thirty inmates, while at the present time there are seventy-one actually in confinment and about one hundred and fifty on parole, all or any of whom are subject to return and confinement at any time. We therefore wish to say as forcibly and emphatically as possible, that the buildings, equipment and number of employees are altogether inadequate to the needs and requirements of the institution, and we submit that a new main building, sufficient

and adequate to the growing needs of the school, should be immediately provided, the same to be of a capacity and design to permit of a separation of the younger members from those older in years and crime, and to further permit of a system of grading, classification and promotion. In the event that the financial condition of the State will not permit of the erection of such a building, then we recommend that the girls' cottage should be built as requested by the Board of Trustees, and that their supplemental requests for funds for library, etc., be favorably considered.

7. Your committee desires to say that it made no investigation of the attempted burning of the institution some time ago, for the reason that this matter is now legally and properly before the District Court. The parties to the attempt are in the Weber County jail, and we felt that while the case was pending the parties might very properly refuse to testify in the matter.

8. In conclusion, your committee desires to express its appreciation of the kindly and courteous manner in which it was treated by the Board of Trustees and other officials of the school, and the entire freedom with which the school was placed in its hands for investigation.

HARDEN BENNION,
Chairman Joint Committee.
DON B. COLTON,
Secretary of Joint Committee.

On motion of Mr. Bennion the report was adopted and ordered spread upon the Journal.

INTRODUCTION OF BILLS.

By unanimous consent these four bills were introduced:

S. B. No. 199, by Lawrence, "An Act Amending Sections 3, 8, 11, 18, 20 and 22 of Chapter 112, Laws of Utah, 1901, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts, Providing to

Whom Process May Run from Said Courts, Making the Code of Civil and Criminal Procedure in Justice's Courts Applicable to Municipal Courts, Fixing the Fees in Said Courts and Their Manner of Payment, and Providing That the Mayor Shall Fill any Vacancy in the Office of Municipal Judge and Shall Appoint a Judge Pro Tempore During the Absence, Sickness, or Inability to Act, of Said Municipal Judge," was read the first time and referred to the Committee on Judiciary.

S. B. No. 196, by Joint Conference Committee on H. B. 175 and S. B. 64, "An Act to Amend Section 2593 of the Revised Statutes of Utah, 1898, Relating to the Levy of Taxes for County Purposes, by Including Therein Specific Statutory Authority for the Levy of a Tax Not Exceeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent Poor," was read the first time and referred to the Committee on County and Municipal Corporations.

S. B. No. 197, by Committee on Education, "An Act to Amend Section 1913 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Board of Education of Cities of the First and Second Class," was read the first time and referred to the Committee on Education.

S. B. No. 198, by Mr. Lawrence, "An Act to Amend Chapter 107, Laws of Utah, 1901, Enumerating Precinct Officers, Providing for the Division of Counties, for the Purpose of Electing Precinct Officers, Making the Municipal Boundaries of Cities of the First Class One Precinct for the Purpose of Electing a Justice of the Peace and Constable, Making the Municipal Boundaries of Cities Having More Than Fifteen Thousand and Less Than Forty Thousand Inhabitants one Precinct, Making the Municipal Judge in Such Cities ex-Officio Precinct Justice Thereof, Abolishing the Now Existing Precincts Embraced Within Such Cities, and Making the Clerk of the Municipal Court the Custodian of the Records of the Justice of the Peace Thereof," was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM BOARD OF EXAMINERS

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return S. C. No. 14 (our No. 5029) being claim of Lawrence Scanlan for $1,902.82, for refund of 75 per cent of the amount paid for 26.55 acres of land in section 16, township 1 south, range 1 west, under the provisions of Chapter 88 of the Laws of Utah, 1899, and to report that the Board has examined said claim and heard testimony in support thereof. The evidence submitted established the fact that 10 acres of the land purchased was settled upon and cultivated prior to March 1, 1896, and, therefore, came under the privisions of the said act, and that 16.55 acres purchased were not settled upon, resided upon, occupied or cultivated prior to March 1, 1869, and, therefore, did not come under the provisions of said act. The board accordingly approved the said claim for $843.75, with recommendation that an appropriation be made therefor, being 75 per cent of the appraised valuation of the ten-acre tract.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return S. C. No. 16 (our number 5031), being claim of C. W. Morse for $1,733.10, for 75 per cent of money paid for 16.08 acres of land in Section 16, township 1 south, range 1 east, under the provisions of Chapter 88, of the Laws of Utah, 1899, and to report that the Board has examined the said claim and heard testimony in support

thereof; that the testimony submitted established the fact that 10 acres of said tract, purchased at the valuation of $1,398.85, were settled upon and cultivated prior to March 1, 1869, and the Board, therefore, approved the said claim for $1,049.13, with recommendation that an appropriation be made therefor, being 75 per cent of said appraised valuation. The testimony introduced further established the fact that 6.08 acres of said tract were not settled upon, resided upon, occupied or cultivated prior to March 1, 1869, and the Board, therefore, disapproved that part of the claim relating to said tract

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

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Claim No. 21 (our No. 5049), being claim of John E. Lewis for $128.93. This seems to be a claim growing out of a contract for erection of part of the asylum for the insane, at Provo, in the year 1890. The Territory having paid the full contract price for the erection of the building, the Board has rejected this claim for the reason that it is not a legal claim against the State.

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

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Claim No. 22 (our No. 5050), being claim of Niels Poulson for $828, for 75 per cent of the purchase

price of the northeast quarter of section 16, township 6 north, range 1 west, and to report that the Board has examined the said claim and heard testimony thereon in support of same and has approved the said claim for $828, with recommendation that appropriation be made therefor.

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

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Claim No. 11 (our No. 5026), being claim of Cesare Gine for a refund of 75 per cent of the purchase price of 4.20 acres of land in section 16, township 1 south, range 1 east, amounting to $267.75, and to report that the Board has examined the said claim and heard testimony in support thereof by the claimant. That the testimony clearly established the fact that the said land was not settled upon, resided upon, occupied or cultivated prior to March 1, 1869, and the Board, therefore, disapproved the said claim.

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

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return the following claims for 75 per cent of the money paid for land in section 16, township 1 south, range 1 east, viz:—

Senate Claim No. 12 (our No. 5027), being claim of Charles Longson for 18.59 acres of land, amounting to $1,089.56.

Senate Claim No. 23 (our No. 5051), of James E. Malin, 15.30 acres, $783.00,

And to report that the Board has examined the said claims and heard testimony thereon in support thereof; that each of said claims has been approved for the amounts as above stated, with recommendation that appropriations be made therefor.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 9, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Claim No. 20 (our No. 5048), being claim of I. C. Thoresen for $138.81 for 75 per cent of the appraised price of land in section 16, township 10 north, range 1 east, and section 16, township 12 north, range 1 east, said land having been purchased by the following named parties, viz:—

J. F. Wright, 35.51 acres of land in section 16, township 10 north, range 1 east	$97 44
E. P. Rowland, 8.50 acres in section 16, township 12 north, range 1 east	6 37
Niels C. Anderson, 20 acres in section 16, township 10 north, range 1 east	35 00

And to report that the Board has examined the said claims and heard testimony introduced in support thereof and has approved the said claim for $138.81 with recommendation that an appropriation be made therefor.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and matter referred to the Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 133, entitled "An Act to Amend Section 3286 of the Revised Statutes of Utah, 1898, relating to the Preparation, Settlement and Signing of Bill of Exceptions, Time Allowed and What the Same Shall Contain" The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 133 was read the first time and referred to the committee on Judiciary.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 150, by Mr. Childs, entitled "An Act Declaring the Taking of Personal Property of Another With Intent to Temporarily Deprive the Owner of the Possession Thereof, to be a Misdemeanor." The title of the bill is made the title of the act. The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 150 was read the first time and referred to the committee on Judiciary.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of the following: Chipman, Morris and Wilson, to confer with a like committee from the Senate on H. B. No. 50.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Bennion, the Senate decided to appoint a conference committee to meet a like committee from the House to consult on H. B. No. 50.

The President appointed Murdock, Bennion and Williams.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended in title and body, H. B. No. 142 by Mr. Condon, entitled "An Act to Amend Sections 4 and 10 of Chapter 45, of the Session Laws of Utah, 1899(and to Prohibit Vaults, Cesspools, etc., From Being Established or Placed Near Water Supplies Used for Culinary Purposes, and to Prevent the Spread of Contagious Diseases in the State." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 142 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No.

158, entitled, "An Act Making it the Duty of County Auditors to Prepare and File Statements Showing the Amount Paid for Salaries of County Assessors and County Treasurers and Their Deputies and Assistants and Providing for the Apportionment of Said Sum to the Various Taxing Funds." The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 158 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,

Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended in title and body H. B. No. 181 by Mr. Done, entitled "An Act to Amend Sections 1865 and 1936 of the Revised Statutes of Utah, 1898, as Amended in Chapters 50 and 127 of the Session Laws of Utah, 1901, Relating to School Taxes in Counties and Cities of the First Class." The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 181 was read the first time and referred to the Committee on Education.

House of Representatives,

Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of Secretary of State, H. B. No. 130, entitled "An Act to Amend Section 3942 of the Revised Statutes of Utah, 1898, Relating to Notice of Hearing Account."

H. B. No. 35, entitled "An Act to Amend Sections 1711, 1712, 1713 of the Revised Statutes of Utah, 1898, also Section 1719 as Amended in Chapter 33, Session Laws of 1899, and 1722, 1724, 1726, 1727 of the Revised Statutes of Utah, 1898, Relating to Pharmacists Acting Without Registration, Adulterated Drugs, etc."

H. B. No. 187, entitled "An Act Making Appropriation to Assist in Defraying the Expenses of the Eleventh National Irrigation Congress, and Providing the Manner of Drawing the Same and Reporting the Expenditure Thereof."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee as per your request on S. B. No. 92, consisting of the following: Wilson, Barrett and Smith, to confer with a like committee from the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 147, by Mr. Spry, entitled "An Act Fixing the Salaries of Judges of the District Court." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 147 was read the first time and referred to the Committee on Salaries.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 66, entitled "An Act to Require all property to be Assessed for General Taxes, and to Prevent the Introduction of Evidence to Recover for Property not Assessed." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 66 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 167, by Mr. Spry, entitled, "An Act Repealing Chapter 102 of the Session Laws of 1901, Relating to the Filling of Vacancies on the Board of Pardons;" also H. B. No. 146, by Mr. Spry, "An Act Fixing the Salaries of Justices of the Supreme Court." The same are herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 167 and H. B. No. 146 were read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 183, by Committee on Private Corporations, substitute for S. B. No. 107, by Mr. Williams, entitled "An Act Providing for the Incorporation of Churches and Religious Societies and Providing for Survivorship in Certain Cases, and Repealing Chapter 80 of the Laws of

1901, entitled 'An Act Providing for the Incorporation of Churches and Religious Societies,' Approved March 14, 1901." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 183 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 190, by Mr. Hamlin, entitled "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 190 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended in title and body, H. B. No. 159, entitled "An Act to Amend Sections 2688, 2689, 2690, 2691 and 2693 of the Revised Statutes of Utah, 1898, and Repealing Chapter 61, Laws of Utah, 1899, Relating to Assessing and Collecting Taxes in Cities of the First, Second and Third Class, and Incorporated Towns." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 159 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 160, by Mr. Spry, entitled "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, Relating to the Sale of Delinquent Real Estate to Pay Taxes and Costs and Requiring a Record to be Made of all Sales of Real Property." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 160 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 157, by Mr. Spry, entitled "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, Providing for the Payment of Certificates Issued to Witnesses and Jurors in Criminal Cases for Mileage and Attendance in the District Courts." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 157 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 39, by Mr. Johnson, entitled "An Act Making Coun-

ty Sheriffs Livestock Inspectors and Defining Their Duties and Regulating the Inspection and Shipment of Livestock and Providing for the Collection of a Fee for the Same." The same is herewith returned.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 10, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day instructed me to return to your honorable body, together with the conference report on H. B. No. 50, by Mr. Morris, entitled "An Act Amending Section 34, of Chapter 64, of the Laws of Utah, 1899, Relating to the Investment or Disposal of the Funds Derived From the Sale or Rental of the Public Lands of the State."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

COMMITTEE REPORT.

Salt Lake City, Utah, March 10, 1903.

Mr. President:—Your committee appointed by the House to meet with a like committee from the Senate on H. B. No. 50, by Mr. Morris, beg leave to report that it was the unanimous decision of the joint committee that the Senate withdraw their amendment on line ten after the word "district," which reads as follows: "or irrigation district."

S. C. CHIPMAN,
D. H. MORRIS,
JAS. B. WILSON,
Committee.

MURDOCK,
Chairman Senate Committee.

Report adopted.

H. B. No. 50, by Morris, entitled "An Act Amending Section 34 of Chapter 64 of the Laws of Utah of 1899, Relating to the Investment or Disposal of the Funds Derived from the Sale or Rental of the Public Lands of the State," without Senate amendments, was read the first and second times. The rules were suspended and H. B. No. 50 was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Whitmore, Williams.

Voting in the negative: Barber.

Absent and not voting: Loose, Sherman, Mr. President.

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

SPECIAL ORDER.

S. B. No. 181.

"An Act Providing for Determining and Recording Water Rights; Regulating the Diversion, Use and Apportionment of Water; Prescribing the Manner in which Water May be Appropriated; Providing for the Appointment of a State Engineer and Prescribing His Qualifications, Powers, Duties and Compensation; Requiring Claimants to the Use of Water to File Statement of their Claims and Declaring the Forfeiture of Rights for Failure to File Such Statements; Providing for the Taking of Testimony and the Entering of Decrees Determining Rights to the Use of Water, and Permitting Appeals; Requiring Certificates of Water Rights to be Issued, Filed and Recorded; Directing that the State Shall be Divided Into Water Divisions and Districts, and that Superintendents and Supervisors shall be Appointed to Apportion the Water; Requiring Applications for the Appropriation of Water to be Filed and Permitting the Con-

struction of Diverting Works; Providing for the Issuance and Recording of Certificates of Appropriation; Declaring Water to be Public Property, Subject to Existing Rights; Making Unappropriated Water Subject to Acts of Congress for Storage; Fixing Units of Measurement of Water; Establishing Basis, Measure and Limit of Right; Providing for the Abandonment of Use, Change in Manner or Place of Use, and Commingling and Recovery of Water; Defining Rights of Appropriators; Permitting Irrigation Companies to Take Stock in Similar Companies; Providing for the Acquisition of Rights of Way, and the Use and Enlargement of Existing Canals; Directing that Canals, Bridges and Crossings be Kept in Repair; Declaring When Water Rights are Appurtenant to Land, and How Transfers are to be Made and Recorded; Fixing Penalties for Violations of this Act; Providing Legal Advisers for State Engineer; Establishing Fees and Prescribing How They Shall be Collected and Paid to the State; Providing for the Payment of Fees, Costs and Expenses Under this Act; Prescribing Who May be Parties in Actions Concerning Water; Preserving the Existance and Providing for the Dissolution of Irrigation Districts; Repealing Title 33 of the Revised Statutes of Utah of 1898, on "Irrigation and Water Rights", Being Sections 1261 to 1288, Inclusive, and Chapter 125 of the Laws of Utah of 1901, Entitled, "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 Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statues of Utah of 1898," Approved March 25, 1901, and All Other Laws and Parts of Laws in Conflict with the Provisions of this Act; but Preserving Vested Rights to the Use of Water, and Providing that Any Right Initiated Under the Laws Repealed May be Completed and Perfected; Continuing the Term of Office of the State Engineer; Providing that Water Commissioners Heretofore appointed Shall Continue to Perform their Duties Until Superseded by Division Superintendents and District Supervisors, and that Similar Water Commissioners may be Appointed, if Necessary." Came on for roll-call and passed by the following vote:

Ayes, 13; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Larsen (C. P.), Lewis, Loose, Whitmore.

Absent and not voting: Bamberger.

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

S. B. No. 189, entitled, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Six Persons, Their Appointment, Qualifications, Salary, Powers and Duties," was read the third time. On motion of Mr. Barnes S. B. 189 was made a special order for 2:20 p. m. March 11.

S. B. No. 178, by Murdock, "An Act to Provide for a Tax on Incomes, and Providing for the Collection and Disposition of the Same," was read the third time. On motion of Mr. Murdock S. B. 178 was made a special order for 3 p. m. March 11.

S. B. No. 119, by Lewis, "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values; Providing a Penalty for Certain County Officers or County Employes Who Shall Divulge the Name of a Person Giving Certain Information to the Assessor or to the Board of County Commissioners, and Fixing a Punishment of Certain County Officers for a Violation of This Act," came on for roll-call. On motion of Mr. Lawrence S. B. No. 119, was recommited to the committee on ways and means.

S. B. No. 179, by Mr. Gardner, "An Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the

Preparation of Data and Records and Use of Same, and Appropriation of Money to Defray the Expenses Thereof," was read the third time and passed by the following vote:

Ayes, 14; nays, 3.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen, (H. S.), Lewis Love, McKay, Murdock, Sherman, Williams.

Those voting in the negative were: Barber, Loose, Whitmore.

Absent and not voting: Mr. President.

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

On motion of Mr. Lewis, S. B. No. 119 was recalled from the committee on ways and means. Roll-call on S. B. No. 119 was made a special order for 4 p. m. March 11.

S. C. R. No. 4 by Mr. McKay, endorsing the enfranchisement of women was read the third time and passed by the following vote:

Ayes, 15; nays, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Whitmore, Williams.

Voting in the negative: Sherman.

Absent and not voting: Loose, Mr. President.

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

SECOND READING SENATE BILLS.

S. B. No. 141, by Barber, "An Act to Provide for the Organization and Government of Irrigation Districts and to Provide for the Acquisition of Water and Other Property and for the Distribution of Water Thereby for Irrigation Purposes, and for Other and Similar Purposes," was read the second time.

S. B. No. 171, by Mr. Love (by request), "An Act Authorizing Boards of County Commissioners to Establish Sidewalk Districts, and Providing the Manner of Paying Therefor," was read the second time.

THIRD READING HOUSE BILLS.

H. B. No. 6, by Molyneux, entitled "An Act to amend section 1818 of the Revised Statutes of Utah, 1898, relating to text-books, furniture, etc.," was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams.

Absent and not voting: Barnes, Gardner, Lewis, Mr. President.

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

SPECIAL COMMITTEE REPORT.

Committee Room, March 10, 1903.

Mr. President:—Your Special committee appointed to confer with a like committee of the House on H. J. R. No. 9, "A Resolution Favoring the Election of Senators by Direct Vote of the People," respectfully report that they have had the same under considration and recommend that H.J. R. No. 9, be adopted and that S. J. R. No. 6, recommended to the senate for adoption on March 6th, be rejected.

BAMBERGER,
Chairman Senate Committee.

STEWART,
Chairman House Committee.

Report adopted.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 10th, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day adopted Joint Committee Report on H. J. R. No. 9, by Mr. Stewart, by request, entitled "An Act favoring the election of Senators by direct vote of the people," and the same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 9 was read the first and second times. The rules were suspended, H. J. R. No. 9 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: Bamberger, Barber, Bennion, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams.

The one voting in the negative was: Sherman.

Absent and not voting: Barnes, Gardner, Larsen (C. P.), Mr. President.

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

SECOND READING HOUSE BILLS.

H. B. No. 92, by Colton, entitled "The Curfew Ordinance. An Act Regulating the Presence of Children Under Fifteen Years of Age Upon the Streets of Cities, Towns and Villages After Certain Hours of the Night, Designating the Officers to Enforce the Same and Defining the Penalties for a Violation Thereof," was read the second time.

H. B. No. 46, by Austin, entitled, "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, entitled, 'An Act to Establish a Bureau of Statistics and to

Define the Duties Thereof, and Making an Appropriation Therefor,'" was read the second time.

H. B. No. 135, by Done (by request), "A Bill for An Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with Reference to Qualifications of Teachers in Public Schools," was read the second time.

On motion of Mr. Barnes, Senate adjourned at 5:30 p. m.

FIFTY-NINTH DAY.

State of Utah, Senate Chamber,
March 11, 1903.

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

Roll-call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-eighth day's session were read and approved.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 10, 1903.

To the Senate:

I have the honor to appoint the following named to be directors of the Deseret Agricultural and Manufacturing Society, each for the term of four years, and respectfully invite your advice and consent thereto:

Nelson A. Empey, John C. Cutler, Septimus W. Sears, James G. McDonald, John S. Bransford, Maurice K. Parsons, Mrs. Simon Bamberger, Mrs. Ruth M. Fox, of Salt Lake County; Wiley G. Cragun of Weber County;

Thomas H. Smith of Cache County; George Adams of Juab County; John H. Seely of Sanpete County.

Very respectfully,

HEBER M. WELLS, Governor.

Communication laid on the table to be taken up at pleasure of the Senate.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 11, 1903.

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. 129, entitled, "An Act to Amend Section 13 of the Revised Statutes of Utah, 1898, Defining Estrays."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 85, by Mr. Murdock (by request), entitled, "An Act to Define Conditions of Child Dependency, Neglect and Ill-treatment, and to Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill-treated Children Within the State of Utah, and to Prescribe Punishment for such Persons as are Responsible for the care of a Child who Neglect or Ill-treat such Child." The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Murdock, the Senate concurred in the House amendments.

S. B. No. 85, as amended, was read the first and second times. The rules were suspended and the bill as amended was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Gardner.

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

S. B. No. 85 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 181, by Mr. McKay, Joint Committee Irrigation Bill, "An Act Providing for Determining and Recording Water Rights; Regulating the Diversion, Use and Apportionment of Water; Prescribing the Manner in which Water may be Appropriated; Providing for the Appointment of a State Engineer and Prescribing His Qualifications, Powers, Duties and Compensation; Requiring Claimants to the Use of Water to File Statement of Their Claims and Declaring the Forfeiture of Rights for Failure to File Such Statements; Providing for the Taking of Testimony and the Entering of Decrees Determining Rights to the Use of Water, and Permitting Appeals; Requiring Certificates of Water Rights to be Issued, Filed and Recorded; Directing that the State Shall be Divided Into Water Divisions and Districts, and that Superintendents and Supervisors shall be Appointed to Apportion the Water; Requiring Applications for the Appropriation of Water to be Filed and Permitting the Construction of Diverting Works; Providing for the Issuance and Recording of Certificates of Appropriation; Declaring Water to be Public Property,

Subject to Existing Rights; Fixing Units of Measurement of Water; Establishing Basis, Measure and Limit of Right; Providing for the Abandonment of Use, Change in Manner or Place of Use, and Commingling and Recovery of Water; Defining Rights of Appropriators; Permitting Irrigation Companies to Take Stock in Similar Companies; Providing for the Acquisition of Rights of Way, and the Use and Enlargement of Existing Canals; Directing that Canals, Bridges and Crossings be Kept in Repair; Declaring when Water Rights are Appurtenant to Land, and how Transfers are to be Made and Recorded; Fixing Penalties for Violations of This Act; Providing Legal Advisers for State Engineer; Establishing Fees and Prescribing how They Shall be Collected and Paid to the State; Providing for the Payment of Fees, Costs and Expenses Under this Act; Prescribing who may be Parties in Actions Concerning Water; Preserving the Existence and Providing for the Dissolution of Irrigation Districts; Repealing Title 33 of the Revised Statutes of Utah of 1898, on 'Irrigation and Water Rights,' Being Sections 1261 to 1288, Inclusive, and Chapter 125 of the Laws of Utah of 1901, Entitled, '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 Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah of 1898,' Approved March 25, 1901, and all Other Laws and Parts of Laws in Conflict with the Provisions of this Act; but Preserving Vested Rights to the Use of Water, and Providing that any Right Initiated Under the Laws Repealed may be Completed and Perfected; Continuing the Term of Office of the State Engineer; Providing that Water Commissioners Heretofore Appointed shall Continue to Perform Their Duties Until Superseded by Division Superintendents and District Supervisors, and that Similar Water Commissioners may be Appointed, if Necessary."

The same is herewith transmitted to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 181 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

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. 6, entitled, "An Act to Amend Section 1818 of the Revised Statutes of Utah, 1898, Relating to Text Books, Furniture, etc."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 105, by Mr. Johnson (by request), entitled, "An Act to Amend Section 302 of the Revised Statutes of Utah, 1898, Relating to Powers of Town Boards of Trustees."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 105 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, S. B. No. 160, by Mr. Murdock, entitled, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract or Day's Labor."

The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

On motion of Mr. Murdock, the Senate concurred in the House amendments.

S. B. No. 160, as amended, was read the first and second times. The rules were suspended, S. B. No. 160, as amended, was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

S. B. No. 160 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. J. R. No. 6, by Mr. Barnes, in accordance with conference report, entitled, "A Resolution Relating to the Election of Senators by Direct Vote of the People."

The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 65, by Mr. Barber, entitled, "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections and the Term of Municipal Officers."

The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 65 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 169, by Mr. Nash, entitled, "An Act to Amend Sections 2131 and 2132 of the Revised Statutes of Utah, 1898, Relating to the Board of Control of the Industrial School of the State of Utah."

The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, 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, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State H. B. No. 30, entitled, "An Act to Amend Sections 1, 2, 4, 5, 6 and 9 of Chapter 137 of the Laws of Utah of 1901, "To Encourage the Destruction of Certain Wild Animals, and Providing Bounty for the Killing of the Same, and Penalties for Violations Thereof."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the house, H. B. No. 139, entitled, "An Act Relating to the Trustees of the School for the Deaf and Dumb, Fixing Their Terms of Office, and to Amend Section 2107 of the Revised Statutes of Utah."

The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 139 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing of the same.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 145, entitled, "An Act Amending Section 3221 of the Revised Statutes of Utah, of 1898, and Providing for Arbitration of Water Rights."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 145 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

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

signed in open session, in the presence of the House, S. B. No. 170, entitled, "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3847 of the Revised Statutes of Utah, 1898."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 170 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 104, entitled, "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses, and Providing for Issuing Subpoenas, Compelling Attendance of Witnesses and Administering Oaths in Such Proceedings."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 104 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 115, entitled, "An Act Amending Section 4953 of the Revised Statutes of Utah, 1898, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for Filing the Same."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 115 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 67, entitled, "An Act to Increase the Number of Judges for the Third Judicial District, and for the Appointment of One Judge Pending the Next General Election."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 67 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 94, entitled, "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition at St. Louis, in the Year 1904; to Define its Powers and Duties, and to Make an Appropriation Therefor."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 94 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 100, entitled, "An Act Amending Section 22, of Chapter 109, of the Session Laws of Utah, 1901, in Relation to Fees to be Collected by the Ex-Officio Clerk of City Courts."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 100 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 97, entitled, "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to New Trials and Appeals in City Courts."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 97 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 112, entitled, "An Act Authorizing the Secre-

tary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1 to 25, Inclusive."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 112 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, H. J. M. No. 2, entitled, "A Memorial Requesting the Honorable Secretary of the Interior to Restore to the Public Domain Such Lands as Have Been Temporarily Withdrawn with the View to the Creation of Forest Reserves, as are not Actually Essential to the Preservation of Timber and the Conservation of Water."

The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. J. M. No. 2 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 56, entitled, "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901."

The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 56 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 85, entitled, "An Act to Prohibit any Person Under the Age of Eighteen Years from Buying, Accepting, or Having in His Possession any Cigar, Cigarette or Tobacco in any Form, or any Opium, or any Other Narcotic in any Form."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 85 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 182, substitute for H. B. No. 197, by Mr. Peterson, entitled, "An Act Amending Section 972 of the Revised Statutes of Utah, 1898, Relating to Fees of the Clerk of the District Court."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 182 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No. 13, by Mr. Austin, entitled, "Proposing an Amendment to the Constitution of the State of Utah, Relating to the Election and Term of Office of Members of the House of Representatives."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 13 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of the following: Mrs. Coulter, Messrs. Barrett and Morris, to confer with a like committee from the Senate on S. B. No. 174.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 182, by Committee on County and Municipal Corporations, substitute for S. B. No. 6, by Mr. McKay, entitled, "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Otherwise Acquire Water, Water Supply, Bonds, Stocks or Property Connected Therewith, and Providing for Protests in Certain Cases."

The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

S. B. No. 182, as amended, was read the first and second times. The rules were suspended, S. B. No. 182, as amended, was read the third time and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Larsen (H. S.), Whitmore.

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

S. B. No. 182 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No. 7, by Mr. Condon, entitled, "Proposed Amendment to the Constitution of the State of Utah."

The same is herewith transmitted to your honorable body for its action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 7 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 180, by Committee on Public Health, substitute for S. B. No. 73, by Mr. Allison (by request), entitled, "An Act to Amend Sections 753, 754 and 757, and Repealing Section 755 of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry."

The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 180 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, H. B. No. 154, by Mr. White (by request), entitled, "An Act Relating to the Care, Custody and Control of Minor Children in the Event of Separation of Husband and Wife."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 154 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 88, by Mr. Lawrence (by request), entitled, "An Act

to Amend Sections 3747 and 3748 of the Revised Statutes of Utah, 1898, Relative to Appeals from Justice Courts."

The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 111, by Mr. Lewis, entitled, "An Act Defining Certain Duties of the Attorney General."

The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 79, entitled, "An Act Providing for the Appointment of an Inspector for Metalliferous Mines, Defining His Duties, Fixing His Salary, Providing for the Inspection of Metalliferous Mines, Providing for the Health and Safety of Persons Employed Therein, for the Protection of Property Connected Therewith, for Storing Powder and Fixing Penalties for Violation of this Act."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 79 was read the first time and referred to the Committee on Mines and Mining.

COMMUNICATIONS FROM THE STATE BOARD OF EXAMINERS.

Salt Lake City, March 10, 1903.

To the Senate:

I am directed to return Senate Claim No. 32 (our No. 5074), being claim of the Lambert Paper Co. for $314.55, an account against the Irrigation Commission for paper furnished the said commission, and interest thereon, and to report that the board has disapproved the said claim for the reason that it is not a legal charge against the State.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 10, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Petition No. 37 (our No. 5073), being claim of Sanpete County for $2000.00 as part payment of the bounty heretofore paid by said county for the destruction of grasshoppers, and to report that the board has examined the said claim and disapproved same, for the reason that it is not a legal charge against the State.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and matter referred to the Committee on Appropriations and Claims.

Salt Lake City, March 10, 1903.

To the Senate:

I am directed by the State Board of Examiners to return Senate Claim No. 24 (our No. 5061), being the

claim of Seymour B. Young for refund of 75 per cent of money paid for 10.17 acres of land in Section 16, Township 1 South, Range 1 East, amounting to $648.35.

Also Senate Claim No. 35 (our No. 5060), claim of John I. Prye for $201.82, for 75 per cent of the purchase price of Lot 1, Block 8, Section 16, Township 1 South, Range 1 East, and to report that the board has examined each of the said claims and heard testimony introduced in support thereof; that the said claims were approved by the board for the above amounts respectively, with recommendation that appropriations be made to cover same.

Very respectfully,

J. T. HAMMOND,
Secretary State Board of Examiners.

Communication filed and matter referred to the Committee on Appropriations and Claims.

SPECIAL ORDERS.

S. B. No. 189, entitled, "An Act to Provide for the Control, Management and Acquisition of the Water Supply of Cities of the First Class by a Commission Consisting of Six Persons, Their Appointment, Qualifications, Salary, Powers and Duties," came on for roll-call as a special order, and failed to pass by the following vote:

Ayes, 9; nays, 9.

Those voting in the affirmative were: Bamberger, Barber Barnes, Lawrence, Lewis, Love, Sherman, Whitmore, Mr. President.

Those voting in the negative were: Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Loose, McKay, Murdock, Williams.

Mr. Murdock gave notice that he would move a reconsideration of the vote whereby S. B. No. 189 failed to pass.

S. B. No. 178, by Mr. Murdock, "An Act to Provide for a Tax on Incomes, and Providing for the Collection and Disposition of the Same," came up and failed to pass by the following vote:

Ayes, 3; nays, 15.

Those voting in the affirmative were: Barnes, Bennion, Murdock.

Those voting in the negative were: Bamberger, Barber, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

S. B. No. 119 came on for roll-call and action on the same was deferred until 3 p. m., March 12.

THIRD READING SENATE BILLS.

S. B. No. 171, by Mr. Love (by request), "An Act Authorizing Boards of County Commissioners to Establish Sidewalk Districts, and Providing the Manner of Paying Therefor," was read the third time.

S. B. No. 141, by Mr. Barber, "An Act to Provide for the Organization and Government of Irrigation Districts, and to Provide for the Acquisition of Water and Other Property and for the Distribution of Water Thereby for Irrigation Purposes, and for Other and Similar Purposes," was read the third time.

SECOND READING SENATE BILLS.

S. B. No. 195, entitled, "An Act to Amend Section 1 of Chapter 19, of the Session Laws of Utah, 1901, entitled, 'An Act Providing for the Place of Trial of Transitory Civil Actions Arising Without the State,'" was read the second time.

S. B. No. 194, by Joint Conference Committee, substitute for S. B. Nos. 55 and 64 and H. B. Nos. 123 and 175, "An Act to Amend Section 511 of the Revised Stat-

utes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners," as amended, was read the first and second times. The rules were suspended, S. B. No. 194 was read the third time and passed by the following vote:

Ayes, 14; nays, 4.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barnes, Larsen (C. P.), Love, Murdock.

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

S. B. No. 196, by Joint Conference Committee on H. B. No. 175 and S. B. No. 64, "An Act to Amend Section 2593 of the Revised Statutes of Utah, 1898, Relating to the Levy of Taxes for County Purposes, by Including Therein Specific Statutory Authority for the Levy of a Tax Not Exceeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent Poor," was read the second time.

S. B. No. 197, by Committee on Education, "An Act to Amend Section 1913 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Board of Education of Cities of the First and Second Class," was read the second time.

THIRD READING HOUSE BILLS.

H. B. No. 92, by Colton, entitled, "The Curfew Ordinance. An Act Regulating the Presence of Children Under Fourteen Years of Age Upon the Streets of Cities, Towns and Villages After Certain Hours of the Night, Designating the Officers to Enforce the Same and Defining the Penalties for a Violation Thereof," was read the third time and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Loose, McKay.

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

H. B. No. 135, by Done (by request), "A Bill for an Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with Reference to Qualifications of Teachers in Public Schools," was read the third time.

H. B. No. 46, by Austin, entitled, "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, Entitled, 'An Act to Establish a Bureau of Statistics and to Define the Duties Thereof, and Making an Appropriation Therefor,'" was read the third time.

COMMITTEE REPORT.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 132 by Mr. Johnson (by request), "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary," beg leave to report that they have had the same under consideration and offer a substitute therefor, S. B. No. 200, "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary" and recommend that the substitute be passed and that S. B. No. 132 be rejected.

MURDOCK, Chairman.

S. B. No. 200 was read the first time.

SECOND READING HOUSE BILLS.

H. B. No. 128, by Mr. Hamlin, entitled, "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local As-

sessments in Cities, as Amended by Chapter 131 of the Laws of Utah of 1901," was read the second time.

Mr. Lawrence moved that when the Senate adjourns, it be till 10:30, March 12. Motion carried.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 11, 1903.

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. 97, entitled, "An Act Amending Section 18 of Chapter 109 of the Session Laws of Utah, 1901, in Relation to New Trials and Appeals in City Courts."

Senate Bill No. 104, entitled, "An Act to Amend Section 1247 of the Revised Statutes of Utah, 1898, Relating to Proceedings to Revoke Liquor Licenses, and Providing for Issuing Subpoenas Compelling Attendance of Witnesses, and Administering Oaths in Such Proceedings."

Senate Bill No. 112, entitled, "An Act Authorizing the Secretary of State to Purchase and Distribute One Hundred Copies of Kinney's Index Digest of the Reports of the Supreme Court of Utah for Volumes 1 to 25, Inclusive."

Senate Bill No. 115, entitled, "An Act Amending Section 4953 of the Revised Statutes of Utah, 1898, Providing for Notice of Motion Designating Grounds for New Trial in Criminal Cases, and Fixing the Time for Filing the Same."

Senate Bill No. 145, entitled, "An Act Amending Section 3221 of the Revised Statutes of Utah, 1898, and Providing for Arbitration of Water Rights."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

On motion of Mr. Bennion, Senate adjourned at 5:50 p. m.

SIXTIETH DAY—FORENOON SESSION.

State of Utah, Senate Chamber,
March 12, 1903.

The Senate met at 10:30 a. m., pursuant to adjournment, President Allison presiding.

Roll-call; quorum present.

Prayer by the Chaplain.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

To the Senate:—I have the honor to make the following named appointments, and respectfully invite your advice and consent thereto. To be members of the State Board of Sheep Commissioners, each for the term of two years:

E. J. Kearns of Sanpete County,
John C. Sharp of Salt Lake County,
John C. Mackay of Salt Lake County,
James L. Wrathall of Tooele County,
Wilford Day of Iron County.

To be State Sheep Inspector, for the term of two years, Jesse M. Smith of Davis County.

Very respectfully,
HEBER M. WELLS, Governor.

Communication laid on table to be taken up at pleasure of the Senate.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 162, by Mr. Johnson, "An Act to Amend Section 2434 of the Revised Statutes of Utah, 1898, Relating to the Accounts and Reports of the State Treasurer," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 162 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 177, by Mr. Bennion, "An Act Amending Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and Making Exceptions in Cases of Summary Distribution," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 177 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 109, by Mr. Lawrence (by request), "An Act to Amend Section 3060, Revised Statutes of Utah, 1898, in Respect to the

Granting of Injunctions, and Requiring the Giving of a Bond for all Damages that may be Awarded," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 109 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

JOHNSON, Chairman.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 146, by Mr. Johnson, "An Act Amending Section 335 of the Revised Statutes of Utah, 1898, Providing for Different Kinds and Classes of Capital Stock and for Voting the Same," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 146 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 152, by Mr. Bennion, "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah, 1898, Prescribing when Judgments May be Entered in District Courts, and Defining Judge's Chambers, and Their Powers at Chambers," beg to report that they have carefully engrossed and enrolled the same and present herewith the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 152 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 11, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 126, by Committee on Manufacture and Commerce (Substitute for S. B. No. 47, by Mr. Lewis), "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair at Portland, Oregon, in 1905; to Define its Duties and Powers, and to Make an Appropriation Therefor," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 126 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Senate Judiciary Committee Room,
March 12th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 191, being "An Act to Amend Section 3918 of the Revised Statutes of Utah, 1898, in Relation to the Settlement of Partnership Business," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 105, by Mr. Johnson, J. E., (by request), "An Act to amend Section 302 of the Revised Statutes of Utah, 1898, Relating to Powers of Town Board of Trustees," beg to report that we have had the same under consideration and recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 158, by Mr. Spry, "An Act Making it the Duty of County Auditors to Prepare and File Statements Showing the Amount Paid for Salaries of County Assessors and County Treasurers and Their Deputies and Assistants, and Providing for the Apportionment of Said Sum to the Various Taxing Funds," beg to report that they have considered the same and recommend that the act be not passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 159, by Mr. Spry, "An Act to Amend Sections 2688, 2689, 2690, 2691 and 2693 of the Revised Statutes of Utah 1898, and Repealing Chapter 61, Laws of Utah, 1899, Relating to Assessing and Collecting Taxes in Cities of the First, Second and Third Class, and Incorporated Towns," beg to report that we have considered the same, and recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 160, by Mr. Spry, "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, Relating to the Sale of Delinquent Real Estate to Pay Taxes and Costs, and Requiring a Record to be Made of All Sales of Real Property," beg to report that they have had the same under consideration, and recommend that the act be not passed.

C. P. LARSEN, Chairman.

Report not adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 111 (substitute for H. B. No. 10) by Mr. Cahoon, "An Act Providing for the Licensing, Regulating and Restricting the Sale of Intoxicating Liquors, Providing for the Granting and Remonstrances Against the Granting and the Revocation of such License, and Providing for the Enforcement of the Act and for Penalties for Violation of Same. Title 32 of the Revised Statutes of Utah of 1898, Entitled 'Intoxicating Liquors,' and Chapter 53 of the Session Laws of 1901, are hereby Repealed," beg to report that they have had the same under consideration, and recommend that the act be not passed.

C. P. LARSEN, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 12th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. J. R. No. 7, being a proposition for an "Amendment to the Constitution of the State of Utah," respectfully report that we have considered the same, and recommend that the proposed amendment be not submitted.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—We, your committee on Public Health, to whom was referred S. B. No. 185, by Mr. Love (by request), "An Act to Promote the Science of Medicine and Surgery in the State of Utah, and Designating who may Deliver and Receive Bodies for Scientific Study," beg leave to report that they have considered the same, and recommend that the act be passed.

MURDOCK, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 12th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 154, being "An Act Relating to the Care, Custody and Control of Minor Children in the Event of Separation of Husband and Wife," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 12th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 182, which is a substitute for H. B. No. 97, and being an "Act Amending Section 972 of the Revised Statutes of Utah, 1898, Relating to Fees of the Clerk of the District Court," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 12th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. J. R. No. 13, being a resolution

"Proposing an Amendment to the Constitution of the State of Utah, Relating to the Election and Term of Office of Members of the House of Representatives," respectfully report that we have had the same under consideration, and recommend that the proposed amendment be not submitted.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 193, by Mr. Barnes (by request), "An Act to Amend Section 436 of the Revised Statutes of Utah of 1898, Relating to the Acquisition by Railroad Companies by Purchase and Condemnation of Lands for its Uses and for Other Purposes," beg to report that we have had the same under consideration, and recommend that the act be passed.

SHERMAN, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 85, by Mrs. Coulter, "An Act to Prohibit Any Person Under the Age of Eighteen Years from Buying, Accepting or Having in His Possession any Cigar, Cigarette or Tobacco in Any Form, or Any Opium or Any Other Narcotic in Any Form," beg to report that they have had the same under consideration, and recommend that the act be passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, March 12th, 1903.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 169, by Mr. Nash, "An Act to Amend Sections 2131 and 2132 of the Revised Statutes of Utah, 1898, relating to the Board of

Control of the Industrial School of the State of Utah," beg leave to report that we have had the same under consideration, and recommend that the act be passed.

LOOSE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 137, being "An Act to Amend Section 3683 of the Revised Statutes of Utah, 1898, as Amended by Chapter 70 of the Laws of Utah, 1899, Relating to Service of Summons, Writs and Process from Justice's Courts," respectfully report that we have had the same under consideration, have offered an amendment to the title of the bill and certain amendments to the bill, and as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 187, being "An Act Amending Section 2596 of the Revised Statutes of Utah, 1898, providing that taxes on personal property shall be a lien upon the realty of the owner, and that in certain cases taxes on personal property shall be secured by a bond" respectfully report that we have had the same under consideration, have offered certain amendments to the title of the bill and to the bill, and as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 151, being "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing for the Fees to be Collected by the Secretary of State for Services Performed in His Office," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 133, being "An Act to Amend Section 3286 of the Revised Statutes of Utah, 1898, Relating to the Preparation, Settlement and Signing of Bill of Exceptions, Time Allowed and What the Same Shall Contain," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 108, being "An Act to Amend Section 3508 of the Revised Statutes of Utah, 1898, in Respect to Damages for Nuisance," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 66, being "An Act to Require All Property to be Assessed for General Taxes, and to Prevent the Introduction of Evidence to Recover for Property Not Assessed," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 167, being "An Act Repealing Chapter 102 of the Session Laws of 1901, Relating to the Filling of Vacancies on the Board of Pardons," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 150, being "An Act requiring Corporations to File a Certain Statement and Providing for a Penalty for the Refusal or Failure Thereof," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 150, being "An Act De-

claring the Taking of Personal Property of Another With Intent to Temporarily Deprive the Owner of the Possession Thereof, to be a Misdemeanor," respectfully report that we have had the same under consideration, and for the reason that the same measure is covered by S. B. No. 192, we recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 147, "An Act Fixing the Salaries of Judges of the District Court," respectfully report that they have had the same under consideration, and recommend that the act be passed.

JOHNSON, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 146, "An Act Fixing the Salaries of Justices of the Supreme Court," respectfully report that they have had the same under consideration, and recommend that the act be passed.

JOHNSON, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 20, "An Act Amending Section 1336 of the Revised Statutes of Utah, 1898, as Amended by Chapter 41 of the Session Laws of Utah, 1901, Fixing Eight Hours as a Day's Work in All Penal Institutions, and on All Public Works, and Prescribing a Penalty for the Violation Thereof," respectfully report that they have had the same under con-

sideration, offer certain amendments thereto, and recommend that the act be passed.

LOOSE, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred S. B. No. 128, "An Act to Prohibit Discrimination in Charges for Reducing, Refining or Smelting Ores, and Providing a Penalty for a Violation Thereof," respectfully report that they have had the same under consideration, and recommend that the act do not pass.

LEWIS, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred H. B. No. 151, "An Act to Amend Section 1337 of the Revised Statutes of Utah, 1898, Relating to eight hours in Mines and Smelters," respectfully report that they have had the same under consideration, and recommend that the act do not pass.

LEWIS, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 145, by Mr. Spry, "An Act Amending Chapter 7, Title 61, Revised Statutes of Utah, 1898, Relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane," beg to report that they have had the same under consideration, and recommend that the act be passed.

LOOSE, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—We, your Committee on County and Municipal Corporations, to whom was referred H. B. No. 109, by Mr. J. E. Johnson (by request), "An Act to Amend Section 300 of the Revised Statutes of Utah, 1898, Relating to Boards of Trustees in Towns, and Requiring Such Trustees to Give Bonds," beg leave to report that they have considered the same, and recommend that the act be passed.

C. P. LARSEN, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 115, being "An Act to Amend Section 1, Chapter 69, Session Laws of Utah, 1901, Relating to the Duties of District Attorneys," respectfully report that we have had the same under consideration, have offered an amendment thereto, and, as amended, recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 156, being "An Act Amending Section 3316 of the Revised Statutes of Utah, 1898, Relating to Appeals, as Amended by Section 2, of Chapter 62, of the Session Laws of Utah for 1899," respectfully report that we have had the same under consideration, and recommend that the act be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 132, being "An Act to amend Section 3316 of the Revised Statutes of Utah, 1898, as Amended by Chapter 62, Laws of Utah, 1899, Relating to the Transmission of Original Papers to the Supreme Court, and the Certificate of the Clerk of the District Court upon Appeal to the Supreme Court," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 11th, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 192, being "An Act Amending Section 4430 of the Revised Statutes of Utah, of 1898, in Relation to Trespass and Injuries to Property," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 190, being "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 1903 and 1904," respectfully report that we have had the same under consideration, and recommend that the act be passed.

GARDNER, Chairman.

Report adopted.

Committee Room, March 11th, 1903.

Mr. President:—Your Committee on Contingent Expenses, to whom was referred H. B. No. 190, by Hamlin, "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah," beg to report that they have had the same under consideration, and recommend that the act be passed.

BENNION, Chairman.

Report adopted.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, March 11th, 1903.

Mr. President:—Your Special Committee appointed to confer with a like committee on the House on S. B. No. 92, "An Act to Tax Dogs; Defining Certain Duties of the County Assessor and County Treasurer; Prescribing a Punishment for Stealing or Killing Taxed Dogs and Providing a Penalty for a Violation of this Act," respectfully report that they have had the same under consideration, offer certain additional amendments thereto and recommend that the act, as amended, be passed.

LEWIS,
Chairman Senate Committee.

GARDNER,
BARNES.
Members Senate Committee.

WILSON,
Chairman House Committee.

BARRETT.
Member House Committee.

Report adopted.

S. B. No. 92, as amended, was read the first and second times. The rules were suspended, S. B. No. 92, as amended, was read the third time, and passed by the following vote:

Ayes, 11; nays, 3.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Larsen (C. P.), Lawrence, Loose, McKay, Sherman, Williams, Mr. President.

Those voting in the negative were: Bennion, Larsen, (H. S.), Murdock.

Absent and not voting: Whitmore, Love, Lewis, Johnson.

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

Committee Room, March 10th, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. 141, by Mr. Condon, "An Act to Provide for the Disinfection of Excreta in Cases of Typhoid Fever," beg leave to report that they have considered the same, and recommend that the act be not passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, March 10, 1903.

Mr. President:—We, your Committee on Public Health, to whom was referred H. B. No. 100, by Mr. Condon, "An Act to Amend Section 1729, Title 52, Revised Statutes of Utah, 1898, Entitled, 'Physicians and Surgeons, " beg leave to report that they have considered the same and recommend that the act be not passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, March 10, 1903.

Mr. President:—We, your Committee on Public Health, to whom was referred H. B. No. 142, by Mr. Condon. "An Act to Amend Sections 4 and 10, of Chapter 45, of the Session Laws of Utah, 1899, and to Prohibit Vaults, Cesspools, etc., from Being Established or

Placed Near Water Supplies Used for Culinary Purposes, and to Prevent the Spread of Contagious Diseases in the State," beg leave to report that they have considered the same and recommend that the act be passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 88 (substitute for H. B. No. 59), by Mr. Haslam, "An Act to Regulate the Practice of Barbering, the Registering and Licensing of Persons to Carry on Such Practice, and to Insure the Better Education of Such Practitioners, and to Insure Better Sanitary Conditions in Barber Shops, and to Prevent the Spread of Disease in the State of Utah," beg to report that we have had the same under consideration, and recommend that the act be not passed.

MURDOCK, Chairman.

Report adopted.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 131, entitled, "An Act Declaring the Practice of Osteopathy not to be the Practice of Medicine and Surgery Within the Meaning of Title 52, Revised Statutes of Utah, 1898, and regulating the practice of Osteopathy in the State of Utah." The same is herewith returned to your honorable body.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 131 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, H. B. No. 143, by Mr. Condon, entitled, "An Act to Amend Sections 1102, 1107 and 1108 of the Revised Statutes of Utah, 1898, and Prescribing Certain Duties of Secretary of Board of Health, Fixing Salary Therefor, the Abating of Nuisances, Powers, etc., of Local Boards of Health and Their Duty, Maintaining and Establishing Quarantines, Records Kept by Them, etc." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 143 was read the first time and referred to the Committee on Public Health.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 191, by Mr. Done, entitled, "A Bill for an Act to Amend Section 1764 of the Revised Statutes of Utah, 1898, Relating to the Powers of the State Board of Education to Grant Diplomas and Certificates."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 191 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B.

No. 192, by Mr. Colton, entitled, "An Act to Amend Section 1796 of the Revised Statutes of Utah, 1898, Relating to the Power of the County Superintendent to Grant Temporary and Special Certificates."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 192 was read the first time and referred to the Committee on Education.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 156, by Mr. Spry, entitled, "An Act to Amend Section 2061 of the Revised Statutes of Utah, 1898, as Amended by Chapter 47, Laws of Utah, 1901, Relating to Payment of the Salaries of County Officers."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 156 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, H. B. No. 90, by Mr. Colton, entitled, "An Act to Prevent the Incarceration of Youths, Boys and Girls in Station Houses, Jails, Work Houses, etc., with Hardened Criminals, Designating the Officers to Enforce the same, and Defining the Penalties for Violations Thereof."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 90 was read the first time and referred to the Committee on Public Institutions.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 174, by Mr. McRae, entitled, "An Act Amending Section 21, Chapter 109, of the Session Laws of Utah, 1901, in Relation to the Issuance of Executions, and Other Writs Out of the City Courts." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 174 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 11, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 186, by Mr. Roberts (by request), entitled, "An Act to Provide for the Investment of the Redemption Fund for the Redemption of the Territorial Bonds Issued Under the Provisions of Chapter 83 of the Laws of Utah, 1892."

The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 186 was read the first time and referred to the Committee on Judiciary.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a

conference committee of the following: Messrs. White, Hamlin and Smith, to confer with a like committee from the Senate on S. B. No. 39.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee of the following: Messrs. White, Condon and Richards, to confer with a like committee from the Senate on H. B. No. 141.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Whitmore, the President appointed Whitmore, Murdock and McKay as a conference committee to act with the House committee on H. B. No. 141.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 194, by Joint Conference Committee, substitute for S. B. Nos. 55 and 64 and H. B. Nos. 123 and 175, entitled, "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners."

The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Lawrence, the Senate refused to concur in the House amendments to S. B. No. 194, and Larsen (H. S.), Loose and Barber were appointed a conference committee from the Senate to meet with a like committee from the House.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee, to consist of the following: Messrs. Haslam, White and Molyneux, to confer with a like committee from the Senate on H. B. No. 88.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President appointed Bamberger, Loose and Sherman as a conference committee on H. B. No. 88.

PRESENTATION OF CLAIMS.

The following claims were presented by Mr. McKay:

S. C. No. 36, of Elizabeth Fisher of Weber County, for part price paid on school land.

S. C. No. 37, of Lorenzo Fisher of Weber County, for part price paid on school land.

S. C. No. 38, of William N. McEntire of Weber County, for part price paid on school land.

S. C. No. 39, of Joseph Chugg of Weber County, for part price paid on school land.

S. C. No. 40, of Aaron Jackson of Weber County, for part price paid on school land.

S. C. No. 41, of William A. Taylor of Weber County, for part price paid on school land.

S. Claims No. 36, 37, 38, 39, 40 and 41 were referred to the State Board of Examiners.

PRESENTATION OF RESOLUTION.

Senate Resolution No. 5, by Mr. Lawrence:

Be it resolved, That the President of the Senate is hereby authorized and directed to revise and proof read

the Journal of the Senate of the Fifth 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 be necessary, be appropriated for such purpose. The rules were suspended and S. R. No. 5 was read the first, second and third times and passed.

SIFTING COMMITTEE APPOINTED.

On motion of Mr. Love, the Senate decided to appoint a sifting committee of five members.

The President appointed Love, Lawrence, Loose, Bamberger and Bennion as such committee.

THIRD READING SENATE BILLS.

S. B. No. 171, by Mr. Love (by request), "An Act Authorizing Boards of County Commissioners to Establish Sidewalk Districts, and Providing the Manner of Paying Therefor," came on for roll-call and was passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson, Lewis, Loose.

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

S. B. No. 195, entitled, "An Act to Amend Chapter 19, of the Session Laws of Utah, 1901, Entitled, 'An Act Providing for the Place of Trial of Transitory Civil Actions Arising Without the State,'" was read the third time and passed by the following vote:

Ayes, 17; nays, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, Mc-

Kay, Murdock, Sherman, Williams, Mr. President.

Voting in the negative: Whitmore.

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

S. B. No. 119, by Mr. Lewis, "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values; Providing a Penalty for Certain County Officers or County Employes Who Shall Divulge the Name of a Person Giving Certain Information to the Assessor or to the Board of County Commissioners, and Fixing a Punishment of Certain County Officers for a Violation of This Act," came on for roll-call and passed by the following vote:

Ayes, 14; nays, 2.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Whitmore, Williams, Mr. President.

Those voting in the negative were: Murdock, Sherman.

Absent and not voting: Johnson, Loose.

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

S. B. No. 141, by Mr. Barber, "An Act to Provide for the Organization and Government of Irrigation Districts and to Provide for the Acquisition of Water and Other Property and for the Distribution of Water Thereby for Irrigation Purposes, and for Other and Similar Purposes," came on for roll-call and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson.

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

H. B. No. 135, by Mr. Done (by request), "A Bill for an Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with Reference to Qualifications of Teachers in Public Schools," came on for roll-call and passed by the following vote:

Ayes, 13; nays, 1.

Absent and not voting, 4.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, Murdock, Sherman, Williams, Mr. President.

Voting in the negative: Bamberger.

Absent and not voting: Johnson, Loose, McKay, Whitmore.

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

H. B. No. 46, by Austin, entitled, "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, Entitled, 'An Act to Establish a Bureau of Statistics and to Define the Duties Thereof, and Making an Appropriation Therefor," came on for roll-call and passed by the following vote:

Ayes, 15; nays, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Johnson, Loose.

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

PRESENTATION OF CLAIMS.

Senate Claims Nos. 42 and 43 were presented by Mr. Barber and referred to the State Board of Examiners.

CONSIDERATION OF COMMITTEE REPORT.

On motion of Mr. Bamberger, the committee report on H. B. No. 88 was reconsidered, and the President appointed Barnes, Love and Sherman as a conference committee to meet with a like committee from the House.

AFTERNOON SESSION.

The Senate resumed session at 2 p. m., President Allison presiding.

The Journal of the fifty-ninth day's session was read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee, to consist of the following: Messrs. Spry, Adams and Fishburn, to confer with a like committee from the Senate on H. B. No. 158.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Bennion the Senate decided to appoint a conference committee to meet a like committee from the House on H. B. No. 158. The President appointed Barber, Bennion and Lawrence.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee to consist of the following: Messrs. Roberts, Austin and Hall, to confer with a like committee from the Senate on H. J. R. No. 13.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Resolution referred to committee composed of Bennion, Barber and Lawrence.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee, to consist of the following: Messrs. Hamlin, Cahoon and Stewart, to confer with a like committee from the Senate on H. B. No. 111.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Bill referred to committee composed of Barber, Bennion and Lawrence.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 174, entitled, "An Act to Regulate the Means of Egress from Public Buildings." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Senate refused toconcur in House amendments, and the bill was referred to a conference committee composed of Barber, Bennion and Lawrence.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a standing conference committee, to confer with committees from the Senate, of the following: Cahoon, Austin, Spry, Merrill and Stewart.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

On motion of Mr. Bennion, House Bills Nos. 156, 158 and 159 were recommitted to the Judiciary Committee.

THIRD READING OF BILLS.

S. B. No. 202, by Mr. Johnson, "An Act to Provide for the Revision of the Tax Laws of this State, Creating a Commission Therefor and Making Appropriation for the Expenses Thereof," was read the first and second times. The rules were suspended, S. B. No. 202, as amended, was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Barber, Bennion, Lawrence, Williams.

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

S. B. No. 201, by Ways and Means Committee, "A Bill for an Act to Amend Section 2504, Revised Statutes of the State of Utah, of 1898, Relating to Taxing the Net Proceeds of all Mines and Mining Claims," was read the first and second times. The rules were suspended, S. B. No. 201 was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Johnson, Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Bennion, Larsen (C. P.), Lawrence.

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

S. B. No. 196, by Joint Conference Committee on H. B. 175 and S. B. 64, "An Act to Amend Section 2593 of the Revised Statutes of Utah, 1898, Relating to the Levy of Taxes for County Purposes, by Including Therein Specific Statutory Authority for the Levy of a Tax Not Exeeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent Poor," was read the second time.

S. B. No. 200, by Committee on Public Health, substitute for S. B. No. 132, by Mr. Johnson, "An Act to Create the Office of State Chemist, Defining His Duties and Fixing His Salary," was read the first and second times. The rules were suspended, S. B. No. 200 was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Bennion, Lawrence.

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

H. B. No. 128, by Mr. Hamlin, entitled "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to levy local assessments in Cities, as Amended by Chapter 131 of the Laws of Utah of 1901," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

To the Senate:

I have the honor to make the following named appointments, and respectfully invite your advice and consent thereto:

To be State Fish and Game Commissioner for the term of two years, John Sharp of Salt Lake county.

To be members of the State Board of Equalization, each for the term of four years: Robert C. Lund of Washington County, John J. Thomas of Salt Lake County.

To be members of the State Board of Horticulture: Joseph Hyrum Parry of Salt Lake County, who shall also act as secretary of the board, for the term of four years; Thomas Judd of Washington County for the term of four years; B. H. Bower of Utah County for the term of four years.

To be trustees of the Agricultural College of Utah, each for the term of four years: W. S. McCornick of Salt Lake County, George C. Whitmore of Juab County, Evan R. Owens of Cache County, John A. McAllister of Cache County.

Very respectfully,
HEBER M. WELLS, Governor.

Communication laid on table to be taken up at the pleasure of the Senate.

H. B. No. 147, by Spry, entitled "An Act fixing the salaries of Judges of the District Courts," was read the first time. The rules were suspended. H. B. No. 147 was read the second and third times and passed by the following vote:

Ayes, 12; nays, 2.
Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Bennion, Gardner, Johnson, Larsen, C. P., Lawrence, Lewis, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barnes, Murdock.

Absent and not voting: Barber, Larsen (H. S.), Loose, Love.

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

H. B. No. 146, by Spry, entitled "An Act fixing the salaries of Justices of the Supreme Court," was read the second time. The rules were suspended. H. B. No. 146 was read the third time and passed by the following vote:

Ayes, 13; nays, 5.

Those voting in the affirmative were: Bamberger, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barber, Barnes, Bennion, Love, Murdock.

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

H. B. No. 109, by Johnson J. E.), entitled "An Act to amend Section 300 of the Revised Statutes of Utah, 1898, relating to boards of trustees in towns and requiring such trustees to give bonds," was read the second time.

H. B. No. 115, by McKinnon, "An Act to amend Section 1, Chapter 69, Session Laws of Utah, 1901, Relating to Duties of District Attorneys," was read the second time. The rules were suspended, H. B. No. 115 was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson, Lawrence, Love.

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

SECOND AND THIRD READING BILLS.

S. B. No. 193, by Mr. Barnes (by request), "An Act to Amend Section 436 of the Revised Statutes of Utah, 1898, Relating to the Acquisition by Railroad Companies by Purchase and Condemnation of Lands for its Uses and for Other Purposes," was read the second time. The rules were suspended, S. B. No. 193 was read the third time and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Those voting in the negative were: Gardner, Whitmore.

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

S. B. No. 185, by Mr. Love (by request), "An Act to Promote the Science of Medicine and Surgery in the State of Utah, and Designating who may Deliver and Receive Bodies for Scientific Study," was read the second time.

S. B. No. 192, by Mr. Barber, "A Bill for an Act Amending Section 4430 of the Revised Statutes of Utah, 1898, in Relation to Trespass and Injuries to Property," was read the second time.

S. B No. 190, by Mr. Barnes, "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 1903 and 1904," was read the second time.

S. B. No. 187, by Mr. Gardner, "An Act Amending Section 2596 of the Revised Statutes of Utah, 1898, Providing that Taxes on Personal Property shall be a Lien Upon the Realty of the Owner, and that in Certain Cases Taxes on Personal Property shall be Paid Within Ten Days, or Bond Given Therefor," was read the second time.

H. B. No. 142, by Condon, "An Act to amend Sections 4 and 10, Chapter 45 of the Session Laws of Utah, 1899, and to prohibit vaults, cesspools, etc., from being established or placed near water supplies used for culinary purposes, and to prevent the spread of contagious diseases in the state," was read the second and third times, under suspension of the rules, and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Larsen (H. S.), Love, Sherman.

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

H. B. No. 167, by Spry, entitled "An Act repealing Chapter 102 of the Session Laws of 1901, relating to the filling of vacancies on the Board of Pardons," was read the second time. The rules were suspended, H. B. No. 167 was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Larsen (H. S.), Lewis, Loose, Love.

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

H. B. No. 132, by C. W. Watts (by request), entitled, "An Act to Amend Section 3316 of the Revised Statutes of Utah, 1898, as Amended by Chapter 62, Laws of Utah, 1899, relating to the transmission of original papers to the Supreme Court, and the certificate of the Clerk of the District Court upon appeal to the Supreme Court," was

read the second time. The rules were suspended, H. B. No. 132 as amended was read the third time and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative: Johnson, Lawrence.

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

At the request of Mr. Loose, H. B. No. 169 was recommitted to the Committee on Public Institutions.

H. B. No. 85, by Mrs. Coulter, entitled, "An Act to Prohibit any Person under the Age of Eighteen Years from Buying, Accepting or Having in His Possession any Cigar, Cigarette, or Tobacco in any Form, or any Opium or any Other Narcotic in any Form," was read the second time and the rules were suspended and 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: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Voting in the negative: Larsen (H. S.)

Absent and not voting: Larsen (C. P.)

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

INVITATION RECEIVED.

An invitation from the Utah Art Institute to the Senators to visit and inspect its art works now on exhibition was received and filed.

COMMITTEE REPORT.

Committee Room, March 12, 1903.

Mr. President:—Your committee appointed to confer with a like committee from the House on House Joint Resolution No. 13, beg leave to report that we have considered the same, and recommend that the vote by which House Joint Resolution No. 13 was rejected be reconsidered, and that said resolution be adopted or rejected by roll-call. BENNION, Chairman.

Report of committee was laid on the table.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in presence of the House, S. B. No. 152, entitled, "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah, 1898, prescribing when judgment may be entered in District Courts and defining Judges' chambers and their powers at chambers."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 152 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in presence of the House, S. B. No. 146, entitled, "An Act Amending Section 335 of the

Revised Statutes of Utah, 1898, providing for different kinds and classes of capital stock and for voting the same."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 146 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 177, entitled, "An Act Amending Section 3048 of the Revised Statutes of Utah, 1898, providing for the publication of notice to creditors of estates of decedents and making exceptions in cases of summary distribution."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 177 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in presence of the House, S. B. No. 109, entitled, "An Act to Amend Section 3060, Revised Statutes of Utah, 1898, in respect to the granting of injunctions and requiring the giving of a bond for all damages that may be awarded."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 109 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in presence of the House, S. B. No. 126, entitled, "An Act Creating a Commission to provide for the display of Utah's resources at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair at Portland, Oregon, in 1905; to define its duties and powers, and to make an appropriation therefor."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 126 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in presence of the House, S. B. No. 162, entitled, "An Act to Amend Section 2434 of the Revised Statutes of Utah, 1898, relating to the account and reports of the State Treasurer."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 162 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 154, by Mr. Whitmore, entitled, "An Act to Amend Section 3974 of the Revised Statutes of Utah, 1898, relating to the payment of estate funds held in trust by the State Treasurer and providing for final disposition of said funds at the expiration of five years after decedent's death."

The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 154 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day referred S. B. No. 174 to the House standing conference committee.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments on H. B. No. 128 by Mr. Hamlin, entitled "An Act to amend Section 273 of the Revised Statutes of Utah, 1898, concerning notice of intention

to levy local assessments in cities as amended by Chapter 131 of the Laws of Utah, 1901."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

SECOND READING HOUSE BILLS.

H. B. No. 105, by Johnson (J. E.), entitled "An Act to amend section 302 of the Revised Statutes of Utah, 1898, relating to Powers of Town Board of Trustees," was read the second time.

H. B. No. 159, by Spry, entitled "An Act to amend Sections 2688, 2689, 2690, 2691 and 2693 of the Revised Statutes of Utah, 1898, and repealing Chapter 61, Laws of Utah, 1899, relating to assessing and collecting taxes in cities of the first, second and third class and incorporated towns," was read the second time.

H. B. No. 154, by White (by request), "An Act to amend Section 1212 of the Revised Statutes of Utah, 1898, relating to the care, custody and control of minor children and their disposition and the disposition of the property of parties in the event of divorce," was read the second time. The rules were suspended, H. B. No. 154 was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Loose.

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

H. B. No. 20, by Hamlin, entitled "An Act amending Sections 1336 of the Revised Statutes of Utah, 1898, as amended by Chapter 41 of the Session Laws of Utah,

1901, Fixing Eight Hours as a Day's Work in all Penal Institutions and on all Public Works and Prescribing a Penalty for the Violation Thereof," was read the second time. The rules were suspended, H. B. No. 20 was read the third time and failed to pass by the following vote:

Ayes, 9; nays, 9.

Those voting in the affirmative were: Bamberger, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Loose, Sherman, Williams.

Those voting in the negative were: Barber, Barnes, Bennion, Lewis, Love, McKay, Murdock, Whitmore, Mr. President.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the house has this day rejected Senate Bills No. 91, by Mr. Lawrence; 113, by Mr. McKay; 137, by Mr. Love (by Request); 155, by Mr. Whitmore; 158, by Mr. Bamberger; 161, by Mr. Johnson; 176, by Mr. Barber (by Request); 50, by Mr. Johnson; 79, by Mr. Lawrence (by Request); 80, by Mr. Lawrence (by Request); and Senate Concurrent Resolution No. 4, by Mr. McKay; S. B. No. 77, by Mr. Lawrence (by Request).

The same are herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 85, by Mr. Murdock (by Request), "An Act to Define Conditions of Child Dependency, Neglect and Ill-Treatment and to

Prescribe Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill-Treated Children Within the State of Utah; and to Prescribe Punishment for Such Persons as are Responsible for the Care of a Child, Who Neglect or Ill-treat such Child," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 85 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 75, by Mr. Bamberger, "An Act Providing for the Establishment and Maintenance of Kindergartens in all School Districts of a Population of Two Thousand and Upwards," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 75 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 53, by Mr. Lawrence (by Request), "An Act to Amend Section 2980 of the Revised Statutes of Utah, 1898, Providing when a Reply to an Answer is Necessary," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 53 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. R. No. 5, by Mr. Lewis, "A Resolution Urging the County Assessors and Boards of County Commissioners to make proper assessments within their respective jurisdictions," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. JOHNSON, Chairman.

S. J. R. No. 5 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediatly before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 82, by Mr. Lawrence (by request), "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in relation to bail commissioners in cities, prescribing their oath, fixing their bond, designating the depository for fines and forfeitures coming into their hands, and enacting a new section, to be known as 'Section 249a,' more expressly defining the duties of such commissioners," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. JOHNSON, Chairman.

S. B. No. 82 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 68, by Mr. Williams, "An Act Providing for a Commission to secure to this State the benefits of the Arid Lands Reclamation Fund, provided for by the National Irrigation Law, and making an appropriation for the payment of expenses thereof," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 68 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 188, "An Act Making Appropriations for General Purposes," respectfully report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

LEWIS, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 160, by Mr. Murdock, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, relating to the erection of school houses by contract or day's labor," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature. JOHNSON, Chairman.

S. B. No. 160 was signed by the President in the presence of the Senate in open session, after the title

thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 182, by Committee on County and Municipal Corporations (substitute for S. B. No. 6, by Mr. McKay), "An Act to authorize the cities and towns of the State of Utah to purchase or lease or otherwise acquire water, water supply, bonds, stocks or property connected therewith, and providing for protests in certain cases," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 182 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 131, by Committee on Public Health (substitute for S. B. No. 51, by Mr. Bamberger, by request), "An Act declaring the practice of Osteopathy not to be the practice of medicine and surgery within the meaning of Title 52, Revised Statutes of Utah, 1898, and regulating the practice of Osteopathy in the State of Utah," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 131 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. 183, by Committee on Private Corporations (substitute for S. B. 107, by Mr. Williams), "An Act Providing for the incorporation of churches and religious societies, and providing for survivorship in certain cases, and repealing Chapter 80 of the Laws of Utah of 1901, entitled, 'An Act providing for the incorporation of churches and religious societies,' approved March 14, 1901," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. 183 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 65, by Mr. Barber, "An Act to amend Section 887 of the Revised Statutes of Utah, 1898, fixing the date of municipal elections and the term of municipal officers," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 65 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Public Institutions, to whom was recommitted H. B. No. 169, by Mr. Nash, "An Act to amend Sections 2131 and 2132 of the Revised Statutes of Utah, 1898, relating to the Board of Control of the Industrial School of the State of Utah,"

beg leave to report that we have had the same under consideration, and recommend that the act be not passed. LOOSE, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—The Conference Committee appointed from the House and from the Senate to consider H. B. No. 88, substitute for H. B. No. 59, by Haslam, entitled, "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education of such practitioners, and to insure better sanitary conditions in barber shops, and to prevent the spreading of disease in the State of Utah," respectfully report that we have considered the same, and we recommend that the said bill as amended by the House be passed.

BAMBERGER,
Chairman Senate Committee.
HASLAM,
Chairman House Committee.

On motion of Mr. Barnes, the report was rejected.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 6, entitled "An Act to Amend Section 1818 of the Revised Statutes of Utah, 1898, Relating to Text Books, Furniture, Etc," and H. B. No. 50, entitled "An Act Amending Section 34, of Chapter 64 of the Laws of Utah, of 1899, Relating to the Investment or Disposal of the Funds Derived From the Sale or Rental of the Public Lands of the State," and H. B. No. 129 entitled "An Act to Amend Section 13 of the Revised Statutes of Utah,

1898, Defining Estrays," and H. J. R. No. 9, "Resolution Favoring the election of Senators by Direct Vote of the People." The same are herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

House Bills Nos. 6, 50 and 129 and H. J. R. No. 9 were signed by the President in the presence of the Senate in open session, after the titles thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. J. R. No. 11, by Mr. Molyneux, "Appropriating $250 for the Erection of a Monument Over the Grave of Jesse Tyler, and Authorizing the Governor to Spend the Same." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 11 was read the first time and referred to the Committee on Appropriations and Claims.

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 143, by Mr. Condon, "An Act to Amend Sections 1102, 1107, and 1108, of the Revised Statutes of Utah, 1898, and Prescribing Certain Duties of Secretary of Board of Health, Fixing Salary Therefor, the Abating of Nuisances, Powers, etc., of Local Boards of Health and Their Duties, Maintaining and Establishing Quarantines, Records Kept by Them, etc., beg to report that they have had the same

under consideration and recommend that the act be passed.

MURDOCK, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Conference Committee appointed to act with a like committee from the House on H. B. No. 141, by Mr. Condon, beg to ask the unanimous consent of the Senate to recall the report on this act, and recommend that the act be passed.

MURDOCK, Chairman.

On motion of Mr. Bamberger the report was not adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 68, which is a substitute for H. B. No. 31, being "An Act Creating a State Board of Horticulture, Providing for County Boards of Horticulture, Defining Their Duties, Providing for the Publication and Distribution of Their Reports, and Repealing All of Title 28 of the Revised Statutes of Utah, and Chapter 47, of the Session Laws of the Legislature of Utah for 1899," respectfully report that they have had the same under consideration, and recommend that the act be passed.

DAVID M'KAY, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 198, by Mr. Lawrence, "An Act to Amend Chapter 107, Laws of Utah, 1901, Enumerating Precinct Officers, Providing for the Division of Counties, for the Purpose of Electing Precinct Officers, Making the Municipal Boundaries of Cities of the First Class one Precinct for the Purpose of Electing a Justice of the Peace and Constable, Making the Municipal Boundaries of Cities, Having More Than Fifteen Thous-

and and Less Than Forty Thousand Inhabitants, one Precinct, Making the Municipal Judge in Such Cities ex-Officio Precinct Justice Thereof, Abolishing the Now Existing Precincts Embraced Within Such Cities, and Making the Clerk of the Municipal Court the Custodian of the Records of the Justices of the Peace Thereof," beg to report that they have had the same under consideration, offer certain amendments thereto, and recommend that the act, as amended, be passed.

LAWRENCE, Chairman.

Report adopted.

SECOND AND THIRD READING HOUSE BILLS.

H. B. No. 145, by Spry, entitled "An Act Amending Chapter 7, Title 61, Revised Statutes of Utah, 1898, Relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane," was read the second time.

H. B. No. 66, by Anderson, entitled "An Act to Require all Property to be Assessed for General Taxes, and to Prevent the Introduction of Evidence to Recover for Property Not Assessed," was read the second time.

H. B. No. 137, by Hamlin (by request), entitled "An Act to Amend Section 3683 of the Revised Statutes of Utah, 1898, as Amended by Chapter 70 of the Laws of Utah, 1899, Relating to Service of Summons, Writs and Process from Justice Courts," was read the second time.

H. B. No. 160, entitled "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, Relating to the Sale of Delinquent Real Estate to Pay Taxes and Costs and Requiring a Record to be Made of all Sales of Real Property," was read the second time.

H. B. No. 143, by Condon, "A Bill For An Act Prescribing Certain Duties of the Secretary of Board of Health, Fixing Salary Therefor, the Abating of Nuisance, Powers of Local Boards of Health and Their Du-

ties, Maintaining and Establishing Quarantines, Records Kept by Them, etc." was read the second time. The rules were suspended and H. B. No. 143 was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Bennion, Johnson, Lawrence, Loose.

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

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

To the Senate—I have the honor to make the following named appointments, and respectfully invite your advice and consent thereto:

To be members of the State Board of Land Commissioners, each for the term of three years:

Byron Groo of Salt Lake County,
T. D. Rees of Utah County,
Herschell Bullen of Cache County,
James A. Melville of Millard County.

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed to come up at pleasure of the Senate.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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, S. B. No. 100, entitled "An Act Amending Section 22 of Chapter 109 of the Session Laws

of Utah, 1901, in Relation to Fees to Be Collected by the ex-Officio Clerk of City Courts."

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

SECOND AND THIRD READING SENATE BILL.

S. B. No. 188, by Mr. Lewis, "An Act Making Appropriations for General Purposes," was read the second time. The rules were suspended and S. B. No. 188 was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

SPECIAL COMMITTEE REPORT.

Committee Room, March 12, 1903.

Mr. President:—Your committee appointed to confer with a like committee from the House on S. B. No. 174, beg leave to recommend that the House concur in the Senate amendment in lines 4, cutting out the word "hotels" and that the Senate concur in House amendment, lines 28 and 29, striking out the words "guilty of a misdemeanor" and insert in lieu thereof the words "fined in any sum not less than $100 nor more than $1,000.

BENNION,
Chairman Senate Committee.
HAMLIN,
Chairman House Committee.

Report adopted.

S. B. No. 174, by Mr. McKay, "An Act to Regulate the Means of Egress from Public Buildings," was read the first and second times as amended. The rules were

suspended and S. B. No. 174 was read the third time and passed by the following vote:

Ayes, 15; nays, 3.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barber, Gardner, Love.

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

S. B. No. 174 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 89, by Mr. Barnes (by request) entitled "An Act Relating to Location of Powder Houses or Magazines, and Providing a Penalty for a Violation Thereof." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 89 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended in title and body, S. B. No. 168 by Mr. Lawrence (by request), entitled "An Act to Amend Sections 1 and 11 of Chapter 62 of the Laws of Utah, 1901, to Tax Gifts, Legacies and Inheritances in Certain Cases." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Senate concurred in House amendments.

S. B. No. 168 as amended was read the first and second times. The rules were suspended and S. B. No. 168 was read the third time and passed by the following vote:

Ayes, 17; nays, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Voting in the negative: Sherman.

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

S. B. No. 168 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day referred H. B. No. 20 by Mr. Hamlin, entitled "An Act to Amend Section 1336 of the Revised Statutes of Utah, 1898, as Amended in Chapter 41, Session Laws of Utah, 1901, Fixing Eight Hours as a Day's Work in all Penal Institutions and on all Public Works and Prescribing a Penalty for Violation Thereof"; and H. J. R. No. 13, by Mr. Austin, entitled "Proposing an Amendment to the Constitution of the State of Utah, Relating to the Election and Term of Office of Members of he House of Representatives."

Referred to the Conference Standing Committee to confer with a like committee from the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication laid on the table.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 173 by Mr. Sherman, entitled, "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating

to Capital Stock of Banking Corporations." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 173 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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, S. B. No. 67, entitled "An Act to Increase the Number of Judges for the Third Judicial District and for the Appointment of one Judge Pending the Next General Election."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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, S. B. No. 170, entitled "An Act Relating to and Making Provision for Family Support in Cases of Decedents, and to Amend Section 3874 of the Revised Statutes of Utah, 1898."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

To the Senate:—I have the honor to make the following named appointments and respectfully invite your

advice and consent thereto; to be members of the State Board of Sheep Commissioners, each for the term of two years:

E. J. Kearns of Sanpete County.

John C. Sharp of Salt Lake County,

John C. Mackay of Salt Lake County,

James L. Wrathall of Tooele County,

Wilford Day of Iron County.

To be State Sheep Inspector for the term of two years:

Jesse M. Smith of Davis County.

Very respectfully,

HEBER M. WELLS, Governor.

Communication laid on table to be taken up at pleasure of the Senate.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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 School for the Deaf, Dumb and the Blind:

Maud May Babcock of Salt Lake County, for the term of 6 years.

John Watson of Weber County, for the term of 6 years.

Mrs. A. B. Coray of Weber County, for the term of 4 years.

Fred W. Chambers of Weber County, for the term of 4 years.

Very respectfully,

HEBER M. WELLS, Governor.

Communication laid on table to be taken up at pleasure of the Senate.

REPORTS STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 12, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 158, being "An Act Making it the Duty of County Auditors to Prepare and File Statements Showing the Amount Paid for Salaries of County Assessors and County Treasurers and Their Deputies and Assistants and Providing for the Apportionment of Said Sum to the Various Taxing Funds," respectfully report that we have had the same under consideration, and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 12, 1903.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 157, being "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, Providing for the Payment of Certificates Issued to Witnesses and Jurors in Criminal Cases for Mileage and Attendance in the District Courts," respectfully report that we have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 131, by Committee on Public Health, (substitute for S. B. No. 51, by Mr. Bamberger, by request), "An Act Declaring the Practice of Osteopathy Not to be the Practice of Medicine and Surgery Within the Meaning of Title 52, Revised Statutes of Utah, 1898, and Regulating the Practice of Osteopathy in the State of Utah," beg to report that they have carefully engrossed and enrolled the

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

JOHNSON, Chairman.

S. B. No. 131 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 183, "An Act Providing for the Incorporation of Churches and Religious Societies, and Providing for Survivorship in Certain Cases, and Repealing Chapter 80 of the Laws of Utah, 1901, entitled, 'An Act Providing for the Incorporation of Churches and Religious Societies,'" beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 183 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 63, by Mr. Lawrence (by request) entitled "An Act Making it Unlawful to Injure, Obstruct or Destroy any Line Erected or Constructed for the Transmission of Electrical Current, or Appurtenances or Appliances Connected Therewith, or to Remove, Injure or Destroy any House, Shop, Building or Other Structure or Machinery Connected Therewith, or to Set Any Fire

That Shall Result in Such Injuries or Destruction or to Prevent the Removal of any Obstruction to Such Lines and Prescribing Punishment Therefor." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Lawrence the Senate concurred in the House amendments to S. B. No. 63.

S. B. No. 63 was read the first and second times. The rules were suspended and S. B. No. 63 was read the third time and passed by the following vote:

Ayes, 17; nays, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Voting in the negative: Sherman.

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

S. B. No. 63 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a standing conference committee of five and also ask the Senate to appoint a like committee and to notify the House of your action in the matter.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Bamberger the communication was laid on the table.

House of Representatives,
Salt Lake City, March 12, 1903.

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

standing committee to confer with a like committee from the Senate, H. B. No. 169, by Mr. Nash.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

The Senate refused to appoint a conference committee on H. B. No. 169, and the communication was laid on the table.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 194 by Joint Conference Committee, substitute for S. B's. No. 55 and 64 and H. B.'s No. 123 and 175, "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Board of County Commissioners."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 194 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 53, entitled "An Act to Amend Section 2980 of the Revised Statutes of Utah, 1898, Providing When a Reply to an Answer is Necessary." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 53 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 68, entitled "An Act Providing for a Commission to Secure to This State the Benefits of the Arid Lands Reclamation Fund, Provided for by the National Irrigation Law, and Making an Appropriation for the Payment of Expenses Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 68 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 160, entitled, "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract or Days' Labor." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 160 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 65, entitled "An Act to Amend Section 887 of the

Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections, and the Term of Municipal Officers." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 65 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 182, entitled "An Act to Authorize the Cities and Towns of the State of Utah to Purchase or Lease or Otherwise Acquire Water, Water Supply, Bonds, Stocks or Property Connected Therewith, and Providing for Protests in Certain Cases." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 182 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 85, entitled "An Act to Define Conditions of Child Dependency, Neglect and Ill Treatment and to Provide Methods for the Protection, Disposition and Supervision of Dependent, Neglected and Ill Treated Children Within the State of Utah, and to Prescribe Punishment for Such Persons as are Responsible for the Care of a Child Who

Neglect or Ill Treat Such Child." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 85 was transmitted to the Governor.

THIRD READING SENATE BILLS.

The rules were suspended, S. B. No. 185, by Mr. Love (by request) "An Act to Promote the Science of Medicine and Surgery in the State of Utah, and Designating Who May Deliver and Receive Bodies for Scientific Study," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

The rules were suspended and S. B. No. 190, by Mr. Barnes, "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 1903 and 1904," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

COMMITTEE APPOINTED.

On motion of Mr. Sherman the Senate decided to appoint a standing Conference Committee composed of five members.

The President appointed Sherman, Lawrence, Loose, Murdock and Barber.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of Secretary of State, H. J. M. No. 2, "Joint Memorial Requesting the Honorable Secretary of the Interior to Restore to the Public Domain such Lands as have been Temporarily Withdrawn with a View to the Creation of Forest Reserve, as are not Actually Essential to the Preservation of Timber and the Conservation of Water."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of Secretary of State H. B. No. 139, entitled "An Act Relating to the Trustees of the School for the Deaf and Dumb, Fixing Their Terms of Office, and to Amend Section 2107 of the Revised Statutes of Utah, 1898."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day accepted Conference Committee report on H. B. No. 88, substitute for H. B. 59, by Mr. Haslam, entitled "An Act to Regulate the Practice of Barbering, the Registering and Licensing of Persons to carry on such Practice and to Insure the better Education of such Practitioners and to Insure Better Sanitary Conditions in Barber Shops and to Prevent the Spreading of Disease in the State of Utah." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The communication was laid on the table.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day referred H. B. No. 85, entitled "An Act to Prohibit Any Person under the Age of Eighteen Years from Buying, Accepting or Having in his Possession any Cigar, Cigarette or Tobacco in Any Form, or Any Opium or Any Other Narcotic in Any Form," to the Standing Conference Committee of the House, to confer with a like committee from the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and H. B. No. 85 was referred to the Senate Conference Committee.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 128, by Mr. Bennion, entitled "An Act Providing

the Manner of Annexing part of the Territory of a County to an Adjoining County." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 128 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 183, entitled "An Act Providing for the Incorporation of Churches and Religious Societies and Providing for Survivorship in Certain Cases, and Repealing Chapter 80 of the Laws of 1901, Entitled 'An Act Providing for the Incorporation of Churches and Religious Societies,' Approved March 14, 1901." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 183 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 131, entitled "An Act Declaring the Practice of Osteopathy Not to Be the Practice of Medicine and Surgery Within the Meaning of Title 52, Revised Statutes of Utah, 1898, and Regulating the Practice of Osteopathy in the State of Utah." The same is here-

with returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 131 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. J. R. No. 5, entitled "A Resolution Urging the County Assessors and Boards of County Commissioners to Make Proper Assessments Within Their Respective Jurisdiction." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. J. R. No. 5 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 75, entitled "An Act Providing for the Establishment and Maintenance of Kindergartens in All School Districts of a Population of 2,000 and Upwards." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 75 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 82, entitled "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing their Oath, Fixing their Bond, Designating the Depository for Time and Forfeitures Coming Into their Hands and Enacting a New Section to be Known as Section 249a, More Expressly Defining the Duties of Such Commissioners." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 82 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 138 by Mr. Love (by Request) entitled "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to the Preparing and Keeping Present Ownership Maps by County Surveyor and Recorder." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. 138 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as

amended S. B. No. 142, by Mr. Larsen (C P.), (by request) entitled "An Act Establishing the Standard of Oils Used for Illuminating Purposes and Providing a Penalty for Violation thereof." The same is herewith transmitted to your honorable body for its further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 142, as amended, was read the first and second times. The rules were suspended, S. B. No. 142 was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Murdock, Sherman.

The title of the bill was made the title of the act and S. B. 142 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,

Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed. S. B No. 70, by Committee on Railroads, substitute for S. B. 43, by Mr. Gardner, entitled "An Act Amending an Act, Entitled 'An Act Requiring Railroad Companies to Fence Their Tracks,' Approved March 14, 1901, Being Chapter 86 of the Session Laws of 1901." The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 70 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 159, by Mr. Gardner (by request), entitled "An Act Providing for the Appointment of Special Guardian and the Relinquishment by Such Special Guardian of the Inchoate Interest of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husband's Real Estate." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. 159 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 179, by Mr. Gardner, entitled "An Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the Preparation of Data and Records and Use of Same and Appropriation of Money to Defray the Expenses thereof." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 179 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 193, by Mr. Barnes (by request), entitled "An Act to

Amend Section 436 of the Revised Statutes of Utah, 1898, Relating to the Acquisition by Railroad Companies by Purchase and Condemnation of Lands for Its Use and for Other Purposes." The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 193 was referred to the Committee on Engrossed and Enrolled Bills.

THIRD READING SENATE BILLS.

The rules were suspended, S. B. No. 187, by Mr. Gardner, "An Act Amending Section 2596 of the Revised Statutes of Utah, 1898, Providing that Taxes on Personal Property shall be a Lien Upon the Realty of the Owner, and that in Certain Cases Taxes on Personal Property shall be Paid Within Ten Days, or Bond Given Therefor," was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Murdock, Sherman.

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

The rules were suspended, S. B. No. 192, by Mr. Barber, "A Bill for an Act Amending Section 4430 of the Revised Statutes of Utah, 1898, in Relation to Trepass and Injuries to Property," was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lar-

sen (H. S.), Lewis, Love, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Murdock and McKay.

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

The rules were suspended, S. B. No. 196, by Joint Conference Committee on H. B. 175 and S. B. 64, "An Act to Amend Section 2593 of the Revised Statutes of Utah, 1898, Relating to the Levy of Taxes for County Purposes, by Including Therein Specific Statutory Authority for the Levy of a Tax Not Exceeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent Poor," was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Murdock, Sherman.

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

S. B. No. 197, by Committee on Education, "An Act to Amend Section 1913 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Board of Education of Cities of the First and Second Class," was read the second time. The rules were suspended and S. B. No. 197 was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Love, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Murdock, Sherman.

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

H. B. No. 145, by Spry, entitled "An Act Amending Chapter 7, Title 61, Revised Statutes of Utah, 1898, relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane," was read the third time under suspension of the rules and passed by the following vote:

Ayes, 12; nays, 0.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barnes, Bennion. Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Love, Murdock, Sherman.

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

REPORT OF STANDING COMMITTEE.

Salt Lake City, March 12, 1903.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 199, entitled "An Act Amending Sections 3, 8, 11, 18, 20 and 22 of Chapter 112, Laws of Utah, 1901, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts, Providing to Whom Process May Run from Said Courts, Making the Code of Civil and Criminal Procedure in Justices' Courts Applicable to Municial Courts, Fixing the Fees in Said Courts and Their Manner of Payment, and Providing that the Mayor Shall Fill Any Vacancy in the Office of Municipal Judge and Shall Appoint a Judge Pro Tempore During the Absence, Sickness or Inability to Act, of Said Munipical Judge," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 199 was read the second time. The rules were suspended and S. B. No. 199 was read the third time and passed by the following vote:

H. B. No. 145, by Spry, entitled "An Act Amending Chapter 7, Title 61, Revised Statutes of Utah, 1898, relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane," was read the third time under suspension of the rules and passed by the following vote:

Ayes, 12; nays, 0.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barnes, Bennion. Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Lawrence, Loose, Love, Murdock, Sherman.

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

REPORT OF STANDING COMMITTEE.

Salt Lake City, March 12, 1903.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 199, entitled "An Act Amending Sections 3, 8, 11, 18, 20 and 22 of Chapter 112, Laws of Utah, 1901, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts, Providing to Whom Process May Run from Said Courts, Making the Code of Civil and Criminal Procedure in Justices' Courts Applicable to Municial Courts, Fixing the Fees in Said Courts and Their Manner of Payment, and Providing that the Mayor Shall Fill Any Vacancy in the Office of Municipal Judge and Shall Appoint a Judge Pro Tempore During the Absence, Sickness or Inability to Act, of Said Munipical Judge," respectfully report that they have had the same under consideration and recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 199 was read the second time. The rules were suspended and S. B. No. 199 was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting, Love.

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

S. B. No. 198, by Mr. Lawrence, "An Act to Amend Chapter 107, Laws of Utah, 1901, Enumerating Precinct Officers, Providing for the Division of Counties, for the Purpose of Electing Precinct Officers, Making the Municipal Boundaries of Cities of the First Class one Precinct for the Purpose of Electing a Justice of the Peace and Constable, Making the Munipical Boundaries of Cities Having More Than Fifteen Thousand and Less than Forty Thousand Inhabitants one Precinct, Making the Municipal Judge in Such Cities ex-Officio Precinct Justice Thereof, Abolishing the Now Existing Precincts Embraced Within Such Cities, and Making the Clerk of the Municipal Court the Custodian of the Records of the Justice of the Peace Thereof," was read the second time. The rules were suspended and S. B. No. 198 was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, William, Mr. President.

Absent and not voting, Love.

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

THIRD READING HOUSE BILLS.

H. B. No. 160 by Mr. Spry, "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, relating to the sale of Delinquent Real Estate to Pay Taxes and Costs and Requiring a Record to be Made of all Sales

of Real Property," was read the third time under suspension of the rules and failed to pass by the following vote:

Ayes, 7; nays, 7.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Bennion, Larsen (H. S.), Lewis, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barnes, Gardner, Johnson, Larsen (C. P.), Loose, McKay, Sherman.

Absent and not voting: Barber, Lawrence, Love, Murdock.

H. B. No. 159, by Spry, entitled "An Act to Amend Sections 2688, 2689, 2690, 2691 and 2693 of the Revised Statutes of Utah, 1898, and Repealing Chapted 61, Laws of Utah, 1899, Relating to Assessing and Collecting Taxes in Cities of the First, Second and Third Class, and Incorporated Towns," was read the third time under suspension of the rules and failed to pass by the following vote:

Ayes, 5; nays, 7.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Bennion, Larsen (C. P.), Lewis, Mr. President.

Those voting in the negative were: Barnes, Gardner, Johnson, Larsen (H. S.), McKay, Whitmore, Williams.

Absent and not voting: Barber, Lawrence, Loose, Love, Murdock, Sherman.

H. B. No. 109, by Johnson (J. E.), entitled "An Act to amend Section 300 of the Revised Statutes of Utah, 1898, relating to Boards of Trustees in Towns and Requiring such Trustees to Give Bonds," was read the third time under suspension of the rules and passed by the following vote:

Ayes, 11; nays, 7.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lewis, McKay, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barber, Larsen (C. P.), Lawrence, Loose, Love, Murdock, Sherman.

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

H. B. No. 105, by Johnson (J. E.), entitled "An Act to amend Section 302 of the Revised Statutes of Utah, 1898, Relating to Powers of Town Board of Tustees," was read the third time and rollcall was deferred.

REPORT STANDING CONFERENCE COMMITTEE

Committee Room, March 12, 1903.

Mr. President:—Your Joint Conference Committee to whom was referred H. B. No. 169, by Mr. Nash, "An Act to amend Sections 2131 and 2132 of the Revised Statutes of Utah, 1898, relating to the Board of Control of the Industrial School of the State of Utah," beg leave to report that the House does not further present said bill for passage, and that the action of the Senate in refusing to pass said bill be sustained; also on H. B. No. 85, by Mrs. Coulter, entitled "An Act to Prohibit Any Person under the Age of 18 years from Buying, Accepting or Having in His Possession any Cigar, Cigarette or Tobacco in any form, or any Opium or any other Narcotic in any Form," report that the Senate recedes from the House amendments and that the bill be passed as received from the House; also on H. B. No. 20, by Haslam, "An Act Amending Section 1336 of the Revised Statutes of Utah, 1898, as Amended by Chapter 41 of the Session Laws of Utah, 1901, Fixing Eight Hours as a Days' Work in All Penal Institutions, and on All Public Works, and Prescribing a Penalty for a Violation Thereof," report that the Senate reconsiders its action in rejecting said bill, and that said bill be passed.

SHERMAN,
Chairman Senate Conference Committee.

The Senate adopted the committee report as to H. B. No. 169 and H. B. No. 20, but refused to adopt the report as to H. B. 85.

The rules were suspended and H. B. No. 20, by Hamlin, entitled "An Act to Amend Section 1336 of the Revised Statutes of Utah, 1898, as amended by Chapter 41 of the Session Laws of Utah, 1901, Fixing Eight Hours as a Day's Work in All Penal Institutions and on all Public Works and Prescribing a Penalty for the Violation Thereof," 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: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Williams.

Those voting in the negative were: Larsen (H. S.), Whitmore, Mr. President.

Absent and not voting: Barnes, Love.

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

H. B. No. 190, by Hamlin, "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of theLegislat ure of the State of Utah," was read the third time under suspension of the rules and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Bamberger, Love.

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

COMMITTEE REPORT.

Committee Room, March 12, 1903.

Mr. President:—Your committee on Sifting to whom was referred H. B. No. 181, "An Act to Amend Sections 1865 and 1936 of the Revised Statutes of Utah, 1898, as Amended in Chapters 50 and 127 of the Session Laws of

Utah, 1901, Relating to School Taxes in Counties and Cities of the First Class," respectfully report that they have had the same under consideration and recommend that the act be passed.

LOVE, Chairman.

Report adopted.

H. B. 181 was read the first and second times. The rules were suspended and H. B. 181 was read the third time and passed by the following vote:

Ayes, 14; nays, 3.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Loose, McKay, Murdock, Whitmore, Williams, Mr. President.

Those voting in the native were: Lawrence, Love, Sherman.

Absent and not voting: Lewis.

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

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 65, entitled "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, Fixing the Date of Municipal Elections and the Term of Municipal Officers."

Senate bill No. 152, entitled "An Act Amending Sections 681 and 682 of the Revised Statutes of Utah, 1898, Prescribing When Judgments May be Entered in District Courts, and Defining Judge's Chambers, and their Powers at Chambers."

Senate bill No. 160, entitled "An Act to Amend Section 1890 of the Revised Statutes of Utah, 1898, Relating to the Erection of School Houses by Contract or Days' Labor."

Senate bill No. 162, entitled "An Act to Amend Section 2434 of the Revised Statutes of Utah, 1898 Relating to the Account and Reports of the State Treasurer."

Senate bill No. 177, entitled "An Act Amending Section 3848 of the Revised Statutes of Utah, 1898, Providing for the Publication of Notice to Creditors of Estates of Decedents, and making Exceptions in Cases of Summary Distribution."

Very Respectfully,

HEBER M. WELLS, Governor.

Communication filed.

COMMITTEE REPORT.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 154, by Mr. Whitmore, "An Act Amending Section 3974 of the Revised Statutes of Utah, 1898, Relating to the Payment of Estate Funds Held in Trust by the State Treasurer, and Providing for Final Disposition of said Funds at the Expiration of Five Years after Decedent's Death," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 154 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

NOTICE OF RECONSIDERATION.

Mr. Bennion gave notice that he would move a reconsideration of the vote, whereby H. B. No. 66 failed to pass.

SECOND READING HOUSE BILLS.

H. B. No. 68, by Molyneux (substitute for H. B. No. 31), entitled "An Act Creating a State Board of Horticulture, Providing for County Boards of Horticulture, Defining their Duties; Providing for the Publication and Distribution of Their Reports and Repealing all of Title 28 of the Revised Statutes of Utah, and Chapter 47 of the Session Laws of the Legislature of Utah for 1899," was read the second time.

H. B. No. 157, by Spry, entitled "An Act to amend Section 1012 of the Revised Statutes of Utah, 1898, providing for the Payment of Certificates issued to Witnesses and Jurors in Criminal Cases for Mileage and Attendance in the District Courts," was read the second time.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State the following measures:

H. B. No. 129, entitled "An Act to Amend Section 13 of the Revised Statutes of Utah, 1898, Defining Estrays," and H. J. R. No. 9, "Resolution Favoring the Election of Senators by Direct Vote of the People."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House H. B. No. 190, by Mr. Hamlin, entitled "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. 190 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing threof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 197, by Committee on Education, entitled "An Act to Amend Section 1913 of the Revised Statues of Utah, 1898, relating to the Powers and Duties of the Boards of Education of Cities of the First and Second Class." The same is herewith transmitted to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day asked for a further conference on H. B. No. 141, by Mr. Condon, entitled "An Act to provide for the Disinfection of Excreta in Cases of Typhoid Fever," also on H. B. No. 88, substitute for H. B. No. 59, by Mr. Haslam, entitled "An Act to

Regulate the Practice of Barbering, the Registering and Licensing of Persons to Carry on Such Practice, and to Insure the Better Education of Such Practitioners, and to Insure Better Sanitary Conditions in Barber Shops, and to Prevent the Spreading of Disease in the State of Utah."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Senate refused to refer H. B. No. 141, by Mr. Condon, and referred H. B. No. 88 to the Standing Conference Committee.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 166, by Mr. Larsen (H. S.), entitled "An Act Amending Section 1782 of the Revised Statutes of Utah, 1898, and Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Session Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers and Fixing Their Term of Office." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 166 was referred to the Committee on Engrossed and Enrolled Bills.

THIRD READING HOUSE BILLS.

The rules were suspended and H. B. No. 158, by Spry, entitled "An Act Making it the Duty of County Auditors to Prepare and File Statements Showing the Amount Paid for Salaries of County Assessors and County Treasurers and their Deputies and Assistants, and Providing for the Apportionment of said Sum to the Various Tax-

ing Funds," was read the second and third times and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Loose, McKay, Sherman, Whitemore, Williams, Mr. President.

Absent and not voting: Lewis, Love, Murdock.

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

On motion of Mr. Bennion the Senate reconsidered the vote whereby the enacting clause was stricken out of H. B. No. 66, by Anderson, entitled "An Act to Require Property to be Assessed for General Taxes, and to Prevent the Introduction of Evidence to Recover for Property not Assessed," came up on rollcall and failed to pass by the following vote:

Ayes, 8; nays, 10.

Those voting in the affirmative were: Barnes, Bennion, Gardner, Larsen (H. S.) Lawrence, Lewis, Love and Murdock.

Those voting in the negative were: Bamberger, Barber, Johnson, Larsen (C. P.) Love, McKay, Sherman, Whitmore, Williams, Mr. President.

The rules were suspended and H. B. No. 105, by Johnson (J. E.), entitled "An Act to Amend Section 302 of the Revised Statutes of Utah, 1898, Relating to Powers of Town Board of Trustees," was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Larsen (C. P.), Lewis, Murdock.

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

The rules were suspended and H. B. No. 68, by Molyneux (substitute for H. B. No. 31), entitled "An Act Creating a State Board of Horticulture, Providing for County Boards of Horticulture, Defining Their Duties; Providing for the Publication and Distribution of Their Reports and Repealing all of Title 28 of the Revised Statutes of Utah, and Chapter 47 of the Session Laws of the Legislature of Utah for 1899," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

The rules were suspended and H. B. No. 157, by Spry, entitled "An Act to Amend Section 1012 of the Revised Statutes of Utah, 1898, providing for the Payment of Certificates Issued to Witnesses and Jurors in Criminal Cases for Mileage and Attendance in the District Courts," was read the first time and was read the second time an dwas read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Loose, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Bamberger, Lewis, Love.

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

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Manufacture and Commerce to whom was referred H. B. No. 74, by Mr. Molyneux, "An Act Requiring Wrappers, Packages or Boxes of High Explosives Containing Nitro-Glycerine to

Use Thereof Unless so Marked, and Prescribing Penalties for Violations of the Provisions of this Act," beg to report that they have considered the same, and recommend that the act be passed.

LOVE, Chairman.

Report adopted.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 180, by Committee on Public Health (substitute for S. B. 73, by Mr. Allison (by request), "An Act to Amend Sections 753, 754 and 757, and Repealing Section 755, of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry," beg to report that they have carefully engrossed and enrolled the same, and present herewith the act to you for your signature.

JOHNSON, Chairman.

S. B. 180 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 142, by Mr. C. P. Larsen (by request), "An Act Establishing Standard of Oils Used for Illuminating Purposes and Providing a Penalty for a Violation Thereof," beg to report they have carefully engrossed and enrolled the same, and present herewith the act to you for your signature.

JOHNSON, Chairman.

S. B. 142 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 174, by Mr. McKay, "An Act to Regulate the Means of Egress from Public Buildings," beg to report that they have carefully engrossed and enrolled the same, and present herewith the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 174 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 89, by Mr. Barnes (by request), "An Act Relating to the Location of Powder Houses or Magazines, and Providing a Penalty for a Violation Thereof," beg to report that they have carefully engrossed and enrolled the same, and present herewith the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 89 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 109, entitled "An Act to Amend Section 3060, Revised Statutes of Utah, 1898, in Respect to the granting of Injunctions, and Requiring the Giving of a Bond for all Damages that May Be Awarded."

Senate Bill No. 146, entitled "An Act Amending Section 335 of the Revised Statutes of Utah, 1898, Providing for Different Kinds and Classes of Capital Stock and for Voting the same."

Very Respectfully,
HEBER M. WELLS, Governor.

Communication filed.

EXECUTIVE SESSION.

At 3 p. m. the Senate went into executive session. When the doors were reopened it was announced that the Senate had concurred in the Governor's appointment as follows:

To be Directors of the Deseret Agricultural & Manufacturing Society, each for the term of four years, and respectfully invite your advice and consent thereto:

Nelson A. Empey, John C. Cutler, Septimus W. Sears, James G. McDonald, John S. Bransford, Maurice K. Parsons, Mrs. Simon Bamberger, Mrs. Ruth M. Fox of Salt Lake County, Wiley G. Cragun of Weber County Thomas H. Smith of Cache County, George Adams of Juab County, John H. Seely of Sanpete County.

To be members of the State Board of Land Commissioners, each for the term of two years:

Byron Groo of Salt Lake County,
T. D. Rees of Utah County,
Herschel Bullen of Cache County,
James A. Melville of Millard County.

To be member of the State Board of Labor, Conciliation and Arbitration: J. S. Daveler of Salt Lake County for the term of four years.

To be member of the State Board of Corrections, each for the term of four years: Charles Read, Fisher S. Harris, Elias A. Smith, all of Salt Lake County.

To be Trustees of the State Industrial School, each for the term of four years: Angus T. Wright, Richard T. Hume, both of Weber County.

To be members of the State Board of Medical Examiners, each for the term of two years:

D. C. Budge of Cache County,
A. S. Condon of Weber County,
A. C. Ewing of Salt Lake County,
Elias S. Wright of Salt Lake County,
J. C. Hanchett of Salt Lake County,
R. W. Fisher of Salt Lake County,
Briant Stringham of Davis County.

To be State Fish and Game Commissioner, for the term of two years, John Sharp of Salt Lake County.

To be members of the State Board of Equalization, each for the term of four years: Robert C. Lund of Washington County, John J. Thomas of Salt Lake County.

To be members of the State Board of Horticulture: Joseph Hyrum Parry of Salt Lake County, who shall also act as Secretary of the board, for the term of four years; Thomas Judd of Washington County, for the term of four years; B. H. Bower of Utah County, for the term of four years.

To be Trustees of the Agricultural College of Utah, each for the term of four years: W. S. McCornick of Sall Lake County, George C. Whitmore of Juab County, Evan R. Owens of Cache County, John A. McAllister of Cache County.

To be Trustees of the State School for the Deaf and Dumb and the Blind:

Maud May Babcock of Salt Lake County, for the term of six years.

John Watson of Weber County, for the term of six years.

Mrs. A. B. Coray of Weber County, for the term of four years.

Fred W. Chambers of Weber County, for the term of four years.

RESOLUTION ADOPTED.

By unanimous consent S. J. R. No. 7, by Mr. Bennion, entitled "A Resolution Regarding the Rejection of Claims to Gilsonite Lands on the Uncompahgre Indian Reservation." The rules were suspended, S. J. R. No. 7 was read the first, second and third times and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams.

Absent and not voting: Larsen (H. S.), Mr. President.

The title of the resolution was made the title of the Act.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 146, entitled "An Act Fixing the Salaries of Justices of the Supreme Court." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 146 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 128, entitled "An Act to Amend Section 273 of the Revised Statutes of Utah, 1898, Concerning Notice of Intention to Levy Local Assessments in Cities, as Amended by Chapter 131 of the Laws of Utah, of 1901." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 128 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 132, entitled "An Act to Amend Section 3316 of the Revised Statutes of Utah, 1898, as amended by Chapter 62, Laws of Utah, 1899, Relating to the Transmission of Original Papers to the Supreme Court, and the Certificate of the Clerk of the District Court Upon Appeal to the Supreme Court." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 132 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 143, entitled, "An Act to Amend Sections 1102, 1107 and 1108 of the Revised Statutes of Utah, 1898, and Prescribing Certain Duties of Secretary of Board of Health, Fixing Salary Therefor, the Abating of Nuisances, Powers of Local Boards of Health and Their Duties, Maintaining and Establishing Quarantines, Records Made by Them, etc." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 143 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 92, entitled, "An Act Regulating the Presence of Children Under Fourteen Years of Age Upon the Streets of Cities, Towns and Villages After Certain Hours of the Night, Designating the Officers to Enforce Same and Defining the Penalties for a Violation Thereof." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 92 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 46, entitled, "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, entitled 'An Act to Establish a Bureau of Statistics and Define the Duties Thereof, and Making Appropriation Therefor." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 46 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 135, entitled "An Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with Reference to Qualification of Teachers in the Public Schools." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 135 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 142, entitled "An Act to Amend Sections 4 and 10 of Chapter 45 of the Session Laws of Utah, 1899, and to Prohibit Vaults, Cesspools, etc., From Being Established or Placed Near Water Supplies Used for Culinary Purposes, and to Prevent the Spread of Contagious Diseases in the State." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 142 was signed by the President of the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 147, entitled "An Act Fixing the Salaries of Judges of the District Court." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 147 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 167, entitled "An Act Repealing Chapter 102 of the Session Laws of 1901, Relating to the Filling of Vacancies on the Board of Pardons." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 167 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 115, entitled "An Act to Amend Section 1, Chapter 69, Session Laws of Utah, 1901, Relating to Duties of District Attorneys." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 115 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

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

signed in open session in the presence of the House, H. B. No. 154, entitled "An Act to Amend Section 1212 of the Revised Statutes of Utah, 1898, Relating to the Care, Custody and Control of Minor Children in the Event of Separation of Husband and Wife." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 154 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 70, by Committee on Railroads (substitute for S. B. No. 43, by Mr. Gardner), "An Act Amending An Act Entitled 'An Act Requiring Railroad Companies to Fence Their Tracks, Approved March 14, 1901, Being Chapter 86, of the Session Laws of 1901," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 70 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 173, by Mr. Sherman, "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations," beg to report that

they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 173 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 63, by Mr. Lawrence (by request), "An Act Making It Unlawful to Injure, Obstruct or Destroy any Line Erected or Constructed for the Transmission of Electrical Current, or Appurtenances or Appliances Connected Therewith; or to Remove, Injure or Destroy any House, Shop, Building or Other Structure or Machinery Connected Therewith; or to Set any Fire that Shall Result in Such Injury or Destruction to Such Lines, and Prescribing Punishment Therefor," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 63 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 138, by Mr. Love (by request), "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps by County Surveyor and Recorder," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 138 was signed by the President in the presence of the Senate in open session, after the title thereof, had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 128, by Mr. Bennion, "An Act Providing the Manner of Annexing Part of the Territory of a County to an Adjoining County," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 128 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

THIRD READING HOUSE BILL.

The rules were suspended and H. B. No. 74, by Molyneux, entitled "An Act Requiring Wrappers, Packages or Boxes of High Explosives, Containing Nitro-Glycerine, to Be Marked in a Certain Manner; Prohibiting the Sale or Use Thereof Unless so Marked, and Prescribing Penalties for Violations of the Provisions of This Act," was read the second and third times and passed by the following vote:

Ayes, 10; nays, 7.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Love, McKay, Sherman, Williams.

Those voting in the negative were: Barber, Bennion, Gardner, Lewis, Loose, Whitmore, Mr. President.

Absent and not voting: Murdock.

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

REPORTS STANDING COMMITTEE.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 166, by Mr. Larsen (H. S.), "An Act Amending Section 1782 of the Revised Statutes of Utah, 1898, and Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Session Laws of Utah, 1901, Providing for the Elections of Certain County and Precinct Officers and Fixing Their Term of Office," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 166 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 193, by Mr. Barnes (by request), "An Act to Amend Section 436 of the Revised Statutes of Utah, 1898, Relating to the Acquisition by Railroad Companies by Purchase and Condemnation of Lands for its Uses and for Other Purposes," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signatur.

JOHNSON, Chairman.

S. B. No. 193 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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:

S. B. No. 68, entitled "An Act Providing for a Commission to Secure to the State the benefits of the Arid Lands Reclamation Fund, Provided for by the National Irrigation Law, and Making an Appropriation for the Payment of Expenses Thereof."

S. B. No. 82, entitled "An Act Amending Sections 249 and 250 of the Revised Statutes of Utah, 1898, in Relation to Bail Commissioners in Cities, Prescribing Their Oath, Fixing Their Bond, Designating the Depositary for Fines and Forfeitures Coming Into Their Hands, and Enacting a New Section to be Known as 'Section 249 a' More Expressly Defining the Duties of Such Commissioners."

S. J. R. No. 5, entitled "A Resolution Urging the County Assessors and Boards of County Commissioners to Make Proper Assessments Within Their Respective Jurisdictions."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Sifting, to whom was referred H. B. No. 191, "An Act to Amend Section 1764 of the Revised Statutes of Utah, 1898, Relating to the Powers of the State Board of Education to

Grant Diplomas and Certificates," respectfully report that they have had the same under consideration and recommend that the act be passed.

LOVE, Chairman.

Report adopted.

H. B. No. 191 was read the second time. The rules were suspended and H. B. No. 191 was read the third time and passed by the following vote:

Ayes, 11; nays, 0.

Absent and not voting, 7.

Those voting in the affirmative were: Bamberger, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Whitmore, Williams, Mr. President.

Absent and not voting: Barber, Barnes, Bennion, Johnson, Loose, Murdock, Sherman.

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

Committee Room, March 12, 1903.

Mr. President:—Your Conference Committee of the Senate beg leave to report; that we met with the Conference Committee of the House and recommend that H. B. No. 88 by Haslam, "An Act to Regulate the Practice of Barbering, etc." be not further considered by either the Senate or the House. That H. B. No. 141, by Mr. Condon, "A Bill to Provide for the Disinfection of Execreta in Cases of Typhoid Fever," be passed by the Senate.

SHERMAN, Chairman.

H. B. No. 141 was read the second time. The rules were suspended and H. B. No. 141 was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Bamberger, Johnson, Larsen (C. P.), Lewis, Loose.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of Secretary of State, H. B. No. 190, entitled "An Act to Provide for the Regular and Contingent Expenses of the Fifth Session of the Legislature of the State of Utah"; and H. B. No. 6, entitled "An Act to Amend Section 1818 of the Revised Statutes of Utah, 1898, Relating to Text Books, Furniture, etc," and H. B. No. 50, entitled "An Act to Amend Section 34, of Chapter 64, of thde Laws of Utah, 1899, Relating to the Investment or Disposal of the Funds Derived from the Sale or Rental of Public Lands of the State."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 188, by Mr. Lewis, entitled "An Act Making Appropriations for General Purposes." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Senate concurred in the House amendments to S. B. No. 188, except the House amendment wherein the appropriation for the State Mental Hospital was increased from fifty-five to seventy thousand dollars; also the distribution of the appropriation for roads in Piute County, and the bill was referred to the Committee on Appropriations and Claims to confer with the Committee on Revenue and Appropriations from the House.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 199, by Mr. Lawrence, entitled, "An Act Amending Sections 3, 8, 11, 18, 20 and 22 of Chapter 112 of Laws of Utah, 1901, Relating to Change of Venue in Civil and Criminal Action in Municipal Courts, Providing to Whom Process May Run From Said Courts Making the Code of Civil and Criminal Procedure in Justices Courts Applicable to Municipal Courts, Fixing the Fees of Said Courts and Their Manner of Payment and Providing That the Mayor Shall Fill Any Vacancy in the Office of Municipal Judge and Shall Appoint a Judge Pro Tempore During the Absence, Sickness or Inability to Act of Said Municipal Judge." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 199 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 198, by Mr. Lawrence, entitled "An Act to Amend Chapter 107, Laws of Utah, 1901, Enumerating Precinct Officers, Providing for the Division of Counties for the Purpose of Electing Precinct Officers, Making the Municipal Boundaries of Cities of the First Class One Precinct, for the Purpose of Electing a Justice of the Peace and Constable, Making the Municipal Boundaries of Cities Having More Than Fifteen Thousand and Less Than Forty Thousand Inhabitants, one Precinct; Making the Municipal Judge in such Cities ex-Officio Precinct Justice Thereof; Abolishing the New Existing Precincts Embraced Within Such Cities, and making the Clerk of the Municipal Court the Custodian of the Records of the

Justice of the Peace Thereof." The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed, and S. B. 198 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 102, entitled "An Act in Relation to the Serving of Process Issued Out of City Courts, and Providing who may Serve Such Process.'

Very Respectfully,

HEBER M. WELLS, Governor.

Communication filed.

THIRD READING HOUSE BILLS.

The rules were suspended and H. B. No. 137, by Hamlin (by request), entitled "An Act to Amend Section 3683 of Chapter 74 of the Revised Statutes of Utah, 1898, as amended by Chapter 70 of the Laws of Utah, 1899, entitled 'An Act Amending Section 3683 of the Revised Statutes of Utah, 1898, relating to Service of Summons from Justice Courts," was read the third time and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Johnson, Lawrence, Lewis, Loose.

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

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Sifting Committee to whom was referred H. B. No. 186, by Mr. Roberts (by request), "An Act to Provide for the Investment of the Redemption Fund for the Redemption of the Territorial Bonds Issued Under the Provisions of Chapter 83 of the Laws of Utah, 1892," beg to report that they have considered the same and recommend that the act be passed.

LOVE, Chairman.

H. B. No. 186 was read the second time. The rules were suspended and H. B. No. 186 was read the third time and passed by the following vote:

Ayes, 13; Nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Johnson, Larsen (C P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Mr. President.

Absent and not voting: Barnes, Gardner, Loose, Murdock, Williams.

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

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 179, by Mr. Gardner, "An Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the Preparation of Data and Records and Use of Same, and Appropriation of Money to Defray the Expenses Thereof," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 179 was signed by the President in the presence of the Senate in open session, after the title thereof

had been publicly read immediately before the signing threof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 159, by Mr. Gardner (by request), "An Act Providing for the Appointment of Special Guardian and the Relinquishment by Such Special Guardian of the Inchoate of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husbands' Real Estate," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 159 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed the House Committee on Revenues and Appropriations as a Conference Committee to confer with a like committee from the Senate in regard to S. B. No. 188, entitled "An Act Making Appropriations for General Purposes."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as

amended in title and body S. B. No. 118, by Mr. Bennion, entitled "An Act Requiring the Secretary of State to Certify to the Clerk of the District Court of Each County of the State the Names of all Persons Holding Notarial Commissions Therein, the Dates of Expiration of the Same, and Requiring County Clerks to Keep Record Thereof." The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

The Senate concurred in the House amendments to S. B. No. 118.

S. B. No. 118 as amended was read the first and second times. The rules were suspended and S. B. No. 118 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: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Williams, Mr. President.

Voting in the negative, Whitmore.

Absent and not voting: Barnes, Larsen (C. P.), Lewis, Loose, Sherman.

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

S. B. No. 118 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 193, entitled "An Act to Amend Section 436 of the Revised Statutes of Utah, 1898, Relating to the Acquisition of Railroad Companies by Purchase and Condemnation of Lands for its Uses and for Other Purposes." The

same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 193 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day requested the Senate to return to the House, S. B. No. 197 for further consideration immediately.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 197 was returned to the House.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 70, entitled "An Act Amending An Act Requiring Railroad Companies to Fence Their Tracks, Approved March 14, 1901, being Chapter 86 of the Session Laws of 1901." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 70 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. R.

No. 7, by Mr. Bennion, entitled "A Resolution Regarding the Rejection of Claims to Gilsonite Lands on the Uncompahgre Indian Reservation." The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. J. R. No. 7 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. 128, entitled, "An Act Providing the Manner of Annexing part of the Territory of a County to an Adjoining County." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 128 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in the presence of the House S. B. No. 173, entitled "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 173 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

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. 174, entitled "An Act to Regulate the Means of Egress from Public Buildings." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 174 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 142, entitled "An Act Establishing the Standard of Oils Used for Illuminating Purposes and Providing a Penalty for a Violation Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 142 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

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. 89, entitled "An Act Relating to the Location of Powder Houses or Magazines and Providing a Penalty for a Violation

Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 89 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended H. B. No. 166, by Mr. Roberts, entitled "An Act Providing for the Establishment, Construction and Maintenance of a System of State Highways." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 166 was read the first and second times. The rules were suspended and H. B. No. 166 was read the third time and passed by the following vote:

Ayes, 15; nays, 1.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Murdock.

Absent and not voting: Barnes, Loose.

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

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day returned with Conference Committee report attached, H. J. R. No. 13, by Mr. Austin, entitled, "Joint Resolution Proposing an

Amendment to the Constitution of the State of Utah, Relating to the Election and Term of Office of Members of the House of Representatives." The same is herewith returned to your honorable body for action on the same.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The communication and accompanying resolution were laid on the table.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 166, entitled "An Act Amending Section 1782 of the Revised Statutes of Utah, 1898, and Section 545 of the Revised Statutes of Utah, 1898, as Amended by Chapter 111 of the Session Laws of Utah, 1901, Providing for the Election of Certain County and Precinct Officers and Fixing Their Term of Office." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 166 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 179, entitled "An Act Providing for the Encouragement of Reservoir Projects, the Selection of Two of the Most Feasible Reservoir Sites, the Preparation of Data and Records and Use of Same, and Appropriation of

Money to Defray the Expenses Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 179 was transmitted to the Governor.

CONFERENCE COMMITTEE REPORT.

Committee Room, March 12, 1903.

Mr. President:—Your Conference Committee to whom was referred H. B. No. 160, by Mr. Spry, "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, Relating to the Sale of Delinquent Real Estate to Pay Taxes and Costs and Requiring a Record to be Made of all Sales of Real Property," recommend that the Senate reconsider its action in rejecting said bill and that said bill be passed by the Senate.

SHERMAN,

Chairman Senate Committee.

Report Adopted.

On motion of Mr. Sherman the Senate requested the return from the House of H. B. No. 160.

COMMUNICATIONS FROM HOUSE.

House of Representatives,

Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day returned herewith H. B. No. 160, by Spry, entitled "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, Relating to the Sale of Delinquent Real Estate to Pay Taxes and Costs and Requiring a Record to be Made of all Sales of Real Property."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication Filed.

H. B. No. 160 came on for roll call and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock. Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Loose.

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

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 180, entitled "An Act to Amend Sections 753, 754 and 757, and Repealing Section 755 of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 180 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 154, entitled "An Act Amending Section 3974 of the Revised Statutes of Utah, 1898, Relating to the Payment of Estate Funds Held in Trust by the State Treasurer and Providing for Final Disposition of Said Funds at the Expiration of Five Years After Decedents Death."

The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 154 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 138 entitled "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps by County Surveyor and Recorder." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 138 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, S. B. No. 63, entitled "An Act Making it Unlawful to Injure, Obstruct or Destroy Any Line Erected or Constructed for the Transmission of Electrical Current or Appurtenances or Applinces Connected Therewith; or to Remove, Injure or Destroy any House, Shop, Building or Other Structure or Machinery Connected Therewith; or to Set any Fire That Shall Result in Such Injury or Destruction; or to Prevent the Removal of any Obstruction to Such Lines, and Prescribing Punishment Therefor." The

same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 63 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 159, entitled "An Act Providing for the Appointment of Special Guardian and the Relinquishment by Such Special Guardian of the Inchoate Interest of Insane, Idiotic and Otherwise Mentally Incompetent Wives in Their Husband's Real Estate." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 159 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 119, by Mr. Lewis, entitled "An Act to Amend Section 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing a Penalty for the Evasion or Misrepresentation of Property Values, Providing a Penalty for Certain County Officers or County Employees, Who Shall Divulge the Name of a Person Giving Certain Information to the Assessor or to the Board of County Commissioners; and Fixing a Punishment of Certain County Officers for a Violation of this Act," and S. B. No. 202 by Mr. Johnson, entitled "An Act to Pro-

vide for the Revision of the Tax Laws of This State, Creating a Commission Therefor and Making Appropriation for the Expenses Connected Therewith." The same are herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 202 was referred to the standing Conference Committee of the Senate.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 192, by Mr. Barber, entitled "An Act Amending Section 4430 of the Revised Statutes of Utah, 1898, in Relation to Trespass and Injuries to Property." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication Filed.

On motion of Mr. Lawrence the Senate concurred in the House amendments.

S. B. No. 192 as amended, was read the first and second times. The rules were suspended and S. B. No. 192 was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Loose, Love.

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

S. B. No. 192 was referred to the Committee on Engrossed and Enrolled Bills.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, March 12, 1903.

Mr. President:—Your special committee appointed to confer with a like committee of the House on S. B. No. 188, "An Act Making Appropriations for General Purposes." Respectfully report that they have had the same under consideration and recommend the following:

1. That the Senate agree to the House amendment of $63,000 to the State Prison.

2. As a compromise they recommend that $70,000 be appropriated to the State Insane Asylum.

3. They recommend the following to Piute County Roads:

From Marysvale to Kimberly	$1,000 00
From Marysvale to Junction	250 00
From Junction to Circleville	250 00
In Grass Valley Canyon near Otter Creek Reservoir	350 00

MERRILL,
Chairman House Committee..
LEWIS,
Chairman Senate Committee.

The report was adopted as to recommendations Nos. 1 and 3, but the Senate refused to concur in recommendation No. 2.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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, S. B. No. 183, entitled "An Act Providing for the Incorporation of Churches and Religious Societies, and Providing for Supervisorship in Certain Cases, and Repealing Chapter 80 of the Laws of 1901,

entitled "An Act Providing for the Incorporation of Churches and Religious Societies," approved March 14, 1901.

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

To the Senate:—I have the honor to make the following named appointments, and respectfully invite your advice and consent thereto:

To be State Bank Examiner, Walter J. Beatie of Salt Lake County.

To be Commissioner of the Bureau of Statistics, for the term of four years, ending in the year 1905, Charles DeMoisy, of Utah County.

To be Members of the Arid Land Reclamation Fund Commission, each for the term of two years:

Abraham F. Doremus, of Salt Lake County.
Joseph A. West, of Salt Lake County.
Harden Bennion, of Uintah County.
L. R. Anderson, of Sanpete County.
William E. White, of Piute County.

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

EXECUTIVE SESSION.

The Senate went into executive session and when the doors were reopened the President gave notice that the Senate had confirmed the following appointments of the Governor:

To be State Bank Examiner, Walter J. Beatie of Salt Lake County.

To be Commissioner of the Bureau of Statistics, for the term of four years, ending in the year 1905, Charles DeMoisy, of Utah County.

To be Members of the Arid Land Reclamation Fund Commission, each for the term of two years:

Abraham F. Doremus, of Salt Lake County.

Joseph A. West, of Salt Lake County.
Harden Bennion, of Uintah County.
L. R. Anderson, of Sanpete County.
William E. White, of Piute County.

To be Members of the State Board of Sheep Commissioners, each for the term of two years:
E. J. Kearns of Sanpete County.
John C. Sharp, of Salt Lake County.
John C. Mackay, of Salt Lake County.
James L. Wrathall, of Tooele County.
Wilford Day, of Iron County.
To be State Sheep Inspector, for the term of two years: Jesse M. Smith, of Davis County.

CONFERENCE COMMITTEE REPORT.

Committee Room, March 12, 1903.

Mr. President:—Your Joint Conference Committee, to whom was referred H. B. No. 85, by Mrs. Coulter, entitled "An Act to Prohibit any Person Under the Age of Eighteen Years From Buying, Accepting, or Having in His Possession any Cigar, Cigarette or Tobacco in any Form, or any Opium or any Other Narcotic in any Form," beg leave to report that we have considered the same and recommend that the bill do pass with the following amendments: On line 5, after the word "misdemeanor," strike out all of the following bill.

JAS. W. CAHOON,
Chairman House Committee.
SHERMAN,
Chairman Senate Committee.

Report adopted.

H. B. No. 85, as amended, was read the first and second times. The rules were suspended and H. B. No. 85 was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.),

Lawrence, Lewis, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Bennion, Loose.

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

RECONSIDERATION OF BILL.

On motion of Mr. Love the Senate reconsidered its vote whereby it adopted the conference report rejecting H. B. No. 88 and requested that the House return the bill for consideration.

REPORT STANDING COMMITTEE.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 194, "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Boards of County Commissioners," also S. B. No. 168, "An Act to Amend Sections 1 and 11 of Chapter 62 of the Laws of Utah, 1901, to Tax Gift Legacies and Inheritances in Certain Cases," respectfully report that they have carefully engrossed and enrolled the same and herewith present the acts to you for your signature.

JOHNSON, Chairman.

S. B.'s Nos. 194 and 168 were signed by the President in the presence of the Senate in open session, after the titles thereof had been publicly read immediately before the signing thereof.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day returned to the Senate as requested, H. B. No. 88, "An Act to Regulate the Practice of Barbering, the Registration and Licensing of Persons to Carry on Such practice, and to Insure the Better Education of Such Practitioners, and to In-

sure Better Sanitary Conditions in Barber Shops, and to Prevent the Spreading of Disease in the State of Utah."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

H. B. No. 88 was read the second time. The rules were suspended and H. B. No. 88 was read the third time and passed by the following vote:

Ayes, 13; nays, 4.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Larsen (C. P.), Larsen (H. S.), Lawrence, Loose, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Those voting in the negative were: Barber, Johnson, Lewis, Murdock.

Absent and not voting: Gardner.

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

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 192, by Mr. Barber, "An Act Amending Section 4430 of the Revised Statutes of Utah of 1898, in Relation to Trespass and Injuries to Property," beg to report that they have carefully engrossed and enrolled the same, and present herewith, the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 192 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. J. R. No. 7, by Mr. Bennion, "A Resolution Regarding the Rejection of

Claims to Gilsonite Lands of the Uncompahgre Indian Reservation," beg to report that they have carefully engrossed and enrolled the same, and herewith present the resolution to you for your signature.

JOHNSON, Chairman.

S. J. R. No. 7 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 118, by Mr. Bennion, "An Act Requiring the Secretary of State to Certify to the Clerk of the District Courts of Each County of the State, the Names of all Persons Holding Notarial Commissions Therein, the Dates of Expiration of Same and Requiring County Clerks to Keep a Record Thereof," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 118 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 199, by Mr. Lawrence, "An Act Amending Sections 3, 8, 11, 18, 20 and 22 of Chapter 112, Laws of Utah, 1901, Relating to Change of Venue in Civil and Criminal Actions in Municipal Courts, Providing to Whom Process May Run From Said Courts, Making the Code of Civil and Criminal Procedure in Justices Courts Applicable to Municipal Courts, Fixing the Fees of Said Courts and Their Manner of Payment, and Providing That the Mayor Shall Fill any Vacancy in the Office of Municipal Judge and Shall Appoint a Judge Pro Tempore During the Ab-

sence, Sickness or Inability to Act, of Said Municipal Judge," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 199 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 198, by Mr. Lawrence, "An Act to Amend Chapter 107, Laws of Utah, 1901, Enumerating Precinct Officers, Providing for the Division of Counties, for the Purpose of Electing Precinct Officers, Making the Municipal Boundaries of Cities of the First Class one Precinct for the Purpose of Electing a Justice of the Peace and Constable, Making the Municipal Boundaries of Cities, Having More than Fifteen Thousand and Less Than Forty Thousand Inhabitants, One Precinct, Making the Municipal Judge in Such Cities ex-Officio Precinct Justice Thereof, Abolishing the Now Existing Precinct Embraced Within Such Cities, and Making the Clerk of the Municipal Court the Custodian of the Records of the Justices of the Peace Thereof," beg to report that they have carefully engrossed and enrolled th same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 198 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—We, your Standing Conference Committee, to whom was referred S. B. No. 202, "An Act to Provide for the Revision of the Tax Laws of This State, Creating a Commission Therefor and Making Appropriation for the Expenses Connected Therewith," beg to report that we have met and conferred with a similar com-

mittee appointed by the House, and arrive at the following agreement:

1. The Senate shall amend the bill by inserting the words "or so much thereof as shall be necessary," following the figures $2,000, in the first line of Section 6 of the bill and then re-pass the amended bill.

2. Upon the receipt by the House of the bill amended as above stated, the House conferees will recommend that the bill be passed by the House.

SHERMAN,
Chairman Senate Standing Conference Committee.

Report adopted.

S. B. No. 202, as amended, was read the first and second times. The rules were suspended and S. B. No. 202 was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Bennion.

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

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Sifting, to whom was referred H. B. No. 156, "An Act to Amend Section 2061 of the Revised Statutes of Utah, 1898, as Amended by Chapter 47 of the Laws of Utah, 1901, Relating to the Payment of the Salaries of County Officers," respectfully report that they have had the same under consideration and recommend that the act be passed.

LOVE, Chairman.

Report adopted.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, H. B. No. 141, entitled "An Act to Provide for the Disinfection of Excreta in Cases of Typhoid Fever." The same is herewith transmitted to your honorable body for signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 141 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, H. B. No. 20, entitled "An Act Amending Section 1336 of the Revised Statutes of Utah, 1898, as Amended by Chapter 41 of the Session Laws of Utah, 1901, Fixing Eight Hours as a Day's Work in all Penal Institutions and on all Public Works and Prescribing a Penalty for Violation Thereof." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 20 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

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

signed in open session in presence of the House, H. B. No. 68, entitled "An Act Creating a State Board of Horticulture, Providing for County Boards of Horticulture, Defining Their Duties, Providing for the Publication and Distribution of Their Reports, and Repealing all of Title 28 of the Revised Statutes of Utah, and Chapter 47 of the Session Laws of the Legislature of Utah for 1899." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 68 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 168, entitled "An Act to Amend Sections 1 and 11 of Chapter 62 of the Laws of Utah, 1901, to Tax Gifts, Legacies and Inheritances in Certain Cases." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 168 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 194, entitled "An Act to Amend Section 511 of the Revised Statutes of Utah, 1898, Relative to the General Powers of Board of County Commissioners." The same

is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 194 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 109, entitled "An Act to Amend Section 300 of the Revised Statutes of Utah, 1898, Relating to Boards of Trustees in Towns and Requiring Such Trustees to Give Bonds." The same is herewith transmitted to your honorable body for the signature of the President.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 109 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day filed in the office of the Secretary of State H. B. No. 167, entitled "An Act Repealing Chapter 102 of the Session Laws of 1901, Relating to the Filling of Vacancies on the Board of Pardons."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved

and filed in the office of Secretary of State the following measures: H. B. No. 46, entitled "An Act to Amend Sections 7, 8 and 9, Chapter 55, Laws of Utah, 1901, entitled 'An Act to Establish a Bureau of Statistics and to Define the Duties Thereof and Making Appropriation Therefor' "; H. B. No. 92, entitled "An Act Regulating the Presence of Children Under Fourteen Years of Age Upon the Streets of Cities, Towns and Villages After Certain Hours of the Night, Designating Officers to Enforce Same and Define Penalties for Violation Thereof"; H. B. No. 146, entitled "An Act Fixing the Salaries of Justices of the Supreme Court"; H. B. No. 142, entitled "An Act to Amend Sections 4 and 10, of Chapter 45, of the Session Laws of Utah, 1899, and to Prohibit Vaults, Cesspools, etc., from Being Established or Placed Near Water Supplies Used for Culinary Purposes and to Prevent the Spread of Contagious Diseases in the State"; H. B. No. 135, entitled "An Act to Amend Sections 1765, 1795, 1798 and 1921 of the Revised Statutes of Utah, 1898, with Reference to Qualifications of Teachers in Public Schools"; H. B. No. 147, entitled "An Act Fixing the Salaries of Judges of the District Court."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

HOUSE BILLS REJECTED.

H. B. No. 156, by Spry, entitled "An Act to amend Section 2061 of the Revised Statutes of Utah, 1898, as amended by Chapter 47, Laws of Utah, 1901, relating to payment of salaries of county officials," was read the second time.

On motion of Mr. Barnes the enacting clause of H. B. No. 156 was stricken out.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, March 12, 1903.

Mr. President:—Your Conference Committee to whom was referred H. B. No. 159, "An Act to amend Sections

2688, 2689, 2690, 2691 and 2693 of the Revised Statutes of Utah, 1898, and repealing Chapter 61, Laws of Utah, 1899, Relating to Assessing and Collecting Taxes in Cities of the First, Second and Third Class and Incorporated Towns," respectfully report that they have had the same under consideration and recommend that the act be passed.

BENNION, Chairman.

Report not adopted.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 183, by Mr. McRae, entitled "An Act to Amend Section 3508 of the Revised Statutes of Utah, 1898, in Respect to Damages for Nuisance." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 183, by Mr. McRae, was read the first time and referred to the Committee on Mines and Minerals.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and S. B. No. 39, by Mr. Johnson, entitled "An Act Making County Sheriffs Livestock Inspectors and Defining Their Duties, and Regulating the Inspection nad Shipment of livestock, and Providing for the Collection of a Fee for the same." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The Senate concurred in the House amendments.

S. B. No. 39, as amended, was read the first and second time. The rules were suspended and S. B. No. 39

was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber. Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

S. B. No. 39 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House H. B. No. 74, entitled "An Act Requiring Wrappers, Packages, or Boxes of High Exlosives Containing Nitro-Glycerine to be Marked in a Certain Manner, Prohibiting the Sale or Use Thereof Unless so Marked, and Prescribing Penalties for Violation of the Provisions of this Act." The same is herewith transmitted to your honorable body for the signatures of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 74 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House H. B. No. 145, entitled "An Act Amending Chapter 7, Title 61, Revised Statutes of Utah, 1898, Relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane." The

same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 145 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 141, by Mr. Barber, entitled "An Act to Provide for the Organization and Government of Irrigation Districts and to Provide for the Acquisition of Water and Other Property, and for the Distribution of Water Thereby for Irrigation Purposes, and for other and Similar Purposes." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 200, substitute for S. B. No. 132, by Mr. Johnson (by request), entitled "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 200 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 197, by Committee on Education, entitled "An Act to Amend Section 1913 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Board of Education of Cities of the First and Second Class." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

The Senate concurred in House amendments.

S. B. No. 197, as amended, was read the first and second times. The rules were suspended and S. B. No. 197 was read the third time and passed by the following vote:

Ayes, 15; nays, 0.

Absent and not voting, 3.

Those voting in the affirmative were: Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Bamberber, Lawrence, Sherman.

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

S. B. No. 197 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 187, by Mr. Gardner, entitled "An Act Amending Section 2596 of the Revised Statutes of Utah, 1898, Providing that Taxes and Personal Property Shall be a Lien Upon the Realty of the Owner, and that in Certain Cases Taxes on Personal Property Shall be Secured by a Bond." The

same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 187 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 196, by Joint Conference Committee on H. B. No. 175 and S. B. No. 64, entitled "An Act to Amend Section 2593 of the Revised Statutes of Utah, 1898, Relating to the Levy of Taxes for County Purposes by Including Therein Specific Statutory Authority for the Levy of a Tax not Exceeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent poor." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

S. B. No. 196 was read the first and second times. The rules were suspended and S. B. No. 196 was read the third time and passed by the following vote:

Ayes, 16; nays, 0.

Absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lewis, Loose, Love, McKay, Murdock, Whitmore, Williams, Mr. President.

Absent and not voting: Lawrence, Sherman.

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

S. B. No. 196 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, S. B. No. 195, substitute for S. B. No. 165, by Mr. McKay, entitled "An Act to amend Chapter 19 of the Session Laws of Utah, 1901, entitled 'An Act Providing for the Place of Trial of Transitory Civil Actions Arising Without the State.'" The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments to S. B. No. 195. S. B. No. 195 was read the first and second times. The rules were suspended and S. B.No. 195 was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber. Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Williams, Mr. President.

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

S. B. No. 195 was referred to the Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 137, by Mr. Hamlin (by request), entitled "An Act to amend Section 3683 of the Revised Statutes of Utah, 1898, as Amended by Chapter 70 of the Laws of Utah, 1899, Relating to Service of Summons, Writs and Process from the Justices' Courts."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 72, by Mr. Barber (re-printed), entitled "An Act to amend Sections 8,16,21,22,23,27 and 29 of Chapter 26, of the Session Laws of Utah, 1899, Relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26, as the Same Were Amended by Chapter 133 of the Laws of Utah, 1901, Relating to Fish and Game, and Providing for a Non-Residents' Gun License." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

The Senate refused to concurr in the House amendments.

On motion of Mr. Sherman the Senate referred S. B. No. 72 to a Special Conference Committee to meet a like Committee from the House.

The President appointed Love, Larsen (H. S.), Barber as such Committee.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 88, substitute for H. B. No. 59, by Mr. Haslam, entitled "An Act to Regulate the Practice of Barbering, the Registering and Licensing of Persons to Carry on such Practice, and to Insure the Better Education of such Practitioners, and Insure Better Sanitary Conditions in Barber Shops and to Prevent the Spreading of Disease in the State of Utah."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended by Conference Committee, S. B. No. 188, by Mr. Lewis, entitled "An Act Making Appropriations for General Purposes." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

S. B. No. 188, as amended, was read the first and second times. The rules were suspended and S. B. No. 188 was read the third time and passed by the following vote:

Ayes, 17; nays, 0.

Absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Barnes, Bennion, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Loose, Love, McKay, Murdock, Sherman, Whitmore, Mr. President.

Absent and not voting: Williams.

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

S. B. No. 188 was referred to the Committee on Engrossed and Enrolled Bills.

On motion of Mr. Whitmore S. B. No. 155 was referred to the Standing Conference Committee.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 185, by Mr. Love (by request), entitled "An Act to Promote the Science of Medicine and Surgery in the State of Utah, and Designating Who May Deliver and Receive Bodies for Scientific Study." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

S. B. No. 185 was referred to the Standing Conference Committee.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 69, by Mr. Bennion, entitled "An Act to amend Sections 322, 324, 327, 330, 338, 339 and 368 of the Revised Statutes of Utah, 1898, Relating to the Corporation of Their Powers, Powers of Boards of Directors and Their Place of Meeting, the Removal of Officers Thereof, the Transfer of Stock, Amendments to Articles of Incorporation and Evidence Thereof, Effect of Sale of Stock to the Corporation for Delinquent Assessment and Providing for the Disposition of Stock so Purchased, as well as All Other Stock held by the Corporation." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 69 was referred to the Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred H. B. No. 183, "An Act to amend Section 3508 of the Revised Statutes of Utah, 1898, in Respect to Damages for Nuisance," respectfully report that they have had the same under consideration and recommend that the act do not pass.

LEWIS, Chairman.

Report adopted.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 200, by Mr. Johnson (by request), "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary," beg to report that they have carefully engrossed

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

JOHNSON, Chairman.

S. B. No. 200 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 187, by Mr. Gardner, "An Act amending Section 2596 of the Revised Statutes of Utah, 1898, Providing that Taxes on Personal Property Shall be a Lien Upon the Reality of the Owner, and that in Certain Cases Taxes on Personal Property shall be Secured by a Bond," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to your for your signature.

JOHNSON, Chairman.

S. B. No. 187 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 196, by Joint Conference Committee, on H. B. No. 175 and S. B. No. 64, "An Act to amend Section 2593 of the Revised Statutes of Utah, 1898, Relating to the Levy of Taxes for County Purposes by Including Therein Specific Statutory Authority for the Levy of a Tax Not Exceeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent Poor," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 196 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 39, by Mr. Johnson, "An Act Making County Sheriffs Livestock Inspectors and Defining their Duties, and Regulating the Inspection and Shipment of Livestock, and Providing for the Collection of a Fee for the Same," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 39 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 118, entitled "An Act Requiring the Secretary of State to Certify to the Clerk of the District Courts of Each County of the State the Names of all Persons Holding Notarial Commissions Therein, the Dates of Expiration, of the Same and Requiring County Clerks to Keep a Record Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 118 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 198, entitled "An Act to amend Chapter 107, Laws of Utah, 1901, Enumerating Precinct Officers, Providing for the Division of Counties for the Purpose of Electing Precinct Officers, Making Municipal Boundaries of Cities of the First Class One Precinct, for the Purpose of Electing a Justice of the Peace and Constable, Making the Municipal Boundaries of Cities Having More Than Fifteen Thousand and Less than Forty Thousand Inhabitants One Precinct; Making the Municipal Judge in Such Cities ex-Officio Precinct Justice Thereof, Abolishing the Now Existing Precincts Embraced Within Such Cities and Making the Clerk of the Municipal Court the Custodian of the Records of the Justice of the Peace Thereof." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 198 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House S. B. No. 199, entitled "An Act amending Sections, 3, 8, 11, 18, 20 and 22 of Chapter 112, Laws of Utah, 1901, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts; Providing to Whom Processes may run from said Courts; Making the Code of Civil and Criminal Procedure in Justices' Courts Applicable to Municipal Courts, Fixing the Fees of said Courts and their manner of Payment, and Providing that the Mayor shall fill any Vacancy in the office of Municipal Judge, and shall ap-

point a Judge Pro Tempore during the Absence, Sickness or Inability to act of said Municipal Judge." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 199 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 192, entitled "An Act amending Section 4430 of the Revised Statutes of Utah, of 1898, in Relation to Trespass and Injuries to Property." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 192 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. J. R. No. 7, entitled "Regarding the Rejection of Claims to Gilsonite Lands on the Uncompahgre Indian Reservation." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk

Communication filed and S. J. R. No. 7 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed at your request a Conference Committee consisting of Messrs. Wilson, Haslam and Luther, to consider S. B. No. 72.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day vetoed H. B. No. 56, relating to the Powers of City Councils, etc., and the House has sustained the veto.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 171, by Mr. Love (by request), entitled "An Act Authorizing Boards of County Commissioners to Establish Sidewalk Districts, and Providing for the Manner of Paying Therefor." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

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

signed in open session in presence of the House S. B. No. 187, entitled "An Act amending Section 2596 of the Revised Statutes of Utah, 1898, Providing that the Taxes on Personal Property shall be a Lien upon the Realty of the Owner, and that in Certain Cases Taxes on Personal Property shall be Secured by a Bond." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 187 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended in title and body, H. B. No. 188, by Mr. J. E. Johnson, entitled "An Act to amend Sections 139, 140 141, 142 and 143 of the Revised Statutes of Utah, 1898, and Enacting three new Sections to be known as 142a, 142b, 142c, Relating to the Protection, Inspection and Encouragement of the Bee Industry." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 188 was read the first time and referred to the Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in the presence of the House S. B. No. 39, entitled "An Act making County Sheriffs Livestock Inspectors, and Defining their duties, and Regulating the Inspection and Shipment of Livestock, and Providing for the Col-

lection of a Fee for the Same." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 39 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 196, entitled "An Act to amend Section 2593 of the Revised Statutes of Utah, Relating to the Levy of Tax for County Purposes by Including Therein Specific Statutory Authority for the Levy of a Tax not exceeding One Mill for the Purpose of Creating a Fund for the Care, Maintenance and Relief of the Indigent Sick and Otherwise Dependent Poor." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 196 was transmitted to the Governor.

Salt Lake City, March 12, 1903.

Mr. Speaker:—I am directed to inform your honorable body that the Senate has this day rejected S. B. No. 201, by Ways and Means Committee, entitled "A Bill for an Act to amend Section 2504, Revised Statutes of the State of Utah, 1898, relating to Taxing the Net Proceeds of all Mines and Mining Claims." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 201 was referred to the Standing Conference Committee.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 200, entitled "An Act Creating the Office of State Chemist, Defining his Duties and Fixing his Salary." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 200 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred with Senate amendments H. B. No. 85, by Mrs. Coulter, entitled "An Act to Prohibit any Person under the Age of Eighteen Years from Buying, Accepting or Having in His Possession any Cigar, Cigarette or Tobacco in any form, or any Opium or any other Narcotic in any form."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day requested that the Senate return S. B. No. 201, for further consideration.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 201 was returned to the House.

REPORT STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 197, "An Act to amend Section 1913 of the Revised Statutes of Utah, 1898, relating to the Powers and Duties of the Boards of Education of Cities of the First and Second Class," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 197 was signed by the President in the presence of the Senate in open session, after the title thereof had bee npublicly read, immediately before the signing thereof.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, March 12, 1903.

Mr. President:—Your Special Committee appointed to confer with a like Committee of the House on S. B. No. 72, "An Act to amend Sections 8, 16, 21, 22, 23, 27 and 29 of Chapter 26 of the Session Laws of Utah, 1899, Relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26, as the same were amended by Chapter 133 of the Law of Utah, of 1901, Relating to Fish and Game, and Providing for a Non-Residents' Gun License," respectfully report that they have had the same under consideration and recommend as follows: That all amendments to the act be agreed upon except as to House amendment in Section 2, which they recommend that the House recede from, so as to leave the Section as originally amended by the Senate.

LOVE,
LARSEN (H. S.)
Senate Conference Committee.
WILSON,
LUTHER,
HASLAM.
House Conference Committee.

Report adopted.

Salt Lake City, March 12, 1903.

Mr. President:—Your Standing Conference Committee beg leave to report that they have conferred with a like Committee from the House and agreed to recommend that no further action be taken on S. B. No. 185, "An Act to Promote the Science of Medicine and Surgery in the State of Utah, and Designing who may Deliver and Receive Bodies for Scientific Study."

Respectfully,

SHERMAN,
Chairman Senate Committee.

Report adopted.

Salt Lake City, March 12, 1903.

Mr. President:—Your Standing Conference Committee beg leave to report that they have conferred with a like committee from the House regarding S. B. No. 155, "An Act amending Sections 1372 and 1386, Revised Statutes of Utah, 1898, relating to Mechanics' Liens, and Requiring Material Men to Notify Owners of Buildings of Material Furnished," and by a vote of 6 to 4 recommending that the House rescind its action and pass the bill.

Respectfully,

SHERMAN,
Chairman Senate Committee.

Report adopted.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day asked for the return of S. C. R. No. 4.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

S. C. R. No. 4 was returned to the House.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House H. B. No. 157, entitled "An Act to amend Section 1012 of the Revised Statutes of Utah, 1898, providing for the Payment of Certificates Issued to Witnesses and Jurors in Criminal Cases for Mileage and Attendance in the District Courts." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 157 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session H. B. No. 166, entitled "An Act providing for the Establishment, Construction and Maintenance of a System of State Highways." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 166 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

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. 186, entitled "An Act to Provide for the Investment of the Redemption Fund for the Redemption of the Territorial Bonds Issued under the Provisions of Chapter 83 of the Laws of Utah, 1892." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 186 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House H. B. No. 158, entitled "An Act Making it the Duty of County Auditors to Prepare and file Statements Showing the Amount Paid for Salaries of County Assessors and County Treasurers, and their Deputies and Assistants, and Providing for the Apportionment of said sum to the various Taxing Funds." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 158 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

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

signed in open session in the presence of the House H. B. No. 105, entitled "An Act to amend Section 302 of the Revised Statutes of Utah, 1898, relating to Powers of Town Board of Trustees." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

H. B. No. 105 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

REPORT STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Manufactures and Commerce to whom was referred H. B. No. 188, by Mr. J. E. Johnson, "An Act to amend Sections 139, 140, 141, 142 and 143 of the Revised Statutes of Utah, 1898, and Enacting Three New Sections to be Known as 142a, 142b, 142c, Relating to the Protection, Inspection and Encouragement of the Bee Industry," beg to report that they have had the same under consideration, and recommend that the act with amendment be passed.

LOVE, Chairman.

Report adopted.

H. B. No. 188 was read the second time. The rules were suspended and H. B. No. 188 was read the third time and passed by the following vote:

Aves, 11; nays, 0.

Absent and not voting, 7.

Those voting in the affirmative were: Bamberger, Barnes, Gardner, Johnson, Larsen (C. P.), Larsen (H. S.), Love, McKay, Sherman, Williams, Mr. President.

Absent and not voting: Barber, Bennion, Lawrence, Lewis, Loose, Murdock, Williams.

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

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills to whom was referred S. B. No. 181, by Mr. McKay, entitled "An Act Providing for Determining and Recording Water Rights; Regulating the Diversion, Use and Apportionment of Water; Prescribing the Manner in Which Water May be Appropriated; Providing for the Appointment of a State Engineer and Prescribing His Qualifications, Powers, Duties and Compensation; Requiring Claimants to the Use of Water to File Statement of Their Claims and Declaring the Forfeiture of Rigts for Failure to File Such Statements; Providing for the Taking of Testimony and the Entering of Decrees Determining Rights to the Use of Water, and Permitting Appeals; Requiring Certificates of Water Rights to be Issued, Fild and Recorded; Directing that the State Shall be Divided into Water Divisions and Districts, and that Suerintendents and Supervisors Shall be Appointed to Apportion the Water; Requiring Applications for the Appropriation of Water to be Filed and Permitting the Construction of Diverting Works; Providing for the Issuance and Recording of Certificates of Approriation; Declaring Water to be Public Property, Subject to Existing Rights; Fixing Units of Measurement of Water; Establishing Basis, Measure and Limit of Right; Providing for the Abandonment of Use, Change in Manner or Place of Use, and Commingling and Recovery of Water; Defining Rights of Appropriators; Permitting Irrigation Companies to Take Stock in Similar Companies; Providing for the Acquisition of Rights of Way, and the Use and Enlargement of Existing Canals; Directing that Canals, Bridges, and Crossings be Kept in Repair; Declaring when Water Rights are Appurtenant to Land, and how Transfers are to be Made and Recorded; Fixing Penalties for Violations of This Act; Providing Legal Advisers for State Engineer; Establishing Fees and Prescribing How they shall be Collected and Paid to the State; Providing for the Payment of Fees, Costs and Expenses Under This Act; Prescribing Who May be Parties in Actions Concerning Water; Preserving the Existence and Providing for the Dissolution of Irrigatio

Districts; Repealing Title 33 of the Revised Statutes of Utah of 1898, on 'Irrigation and Water Rights,' being Sections 1261 to 1288, Inclusive, and Chapter 125 of the Laws of Utah of 1901, Entitled, '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 Reclamation of Stored Water, and Repealing Chapter 8, Title 63, Revised Statutes of Utah, 1898,' Approved March 25, 1901, and All Other Laws and Parts of Laws in Conflict with the Provisions of This Act; but Preserving Vested Rigts to the Use of Water, and Providing that Any Right Initiated Under the Laws Repealed May be Completed and Perfected; Continuing the Term of Office of the State Engineer; Providing that Water Commissioners Heretofore Appointed Shall Continue to Perform Their Duties Until Superseded by Division Superintendents and District Supervisors, and That Similar Water Commissioners May Be Appointed, if Necessary," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 181 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 69, by Mr. Bennion, "An Act to Amend Sections 322, 324, 330, 338, 339 and 368 of the Revised Statutes of Utah, 1898, Relating to Corporations, Their Powers, Powers of Boards of Directors and Their Place of Meeting, the Removal of Officers Thereof, the Transfer of Stock, Amendments to the Articles of Incorporations for Delinquent Assess-

ment, and Providing For the Disposition of Stock so Purchased as Well as all Other Stock Held by the Corporation," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 69 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 188, "An Act Making Appropriations for General Purposes," respectfully report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 188 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 195, by Judiciary Committee (substitute for S. B. No. 165, by Mr. McKay), "An Act to Amend Chapter 19 of the Session Laws of Utah, 1901, entitled, 'An Act Providing for the Place of Trial of Transitory Civil Actions Arising Without the State," beg to advise that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 195 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 201, by Ways and Means Committee, entitled "A Bill for An Act to Amend Section 2504, Revised Statutes of the State of Utah, 1898, Relating to Taxing the Net Proceeds of all Mines and Mining Claims." The same is herewith returned to your honorable body.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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:

S. B. No. 89, entitled "An Act Relating to the Location of Powder Houses or Magazines, and Providing a Penalty for a Violation Thereof."

S. B. No. 154, entitled "An Act Amending Section 3974 of the Revised Statutes of Utah, 1898, Relating to the Payment of Estate Funds Held in Trust by the State Treasurer, and Providing for Final Disposition of Said Funds at the Expiration of Five Years After Decedents Death."

S. B. No. 173, entitled "An Act to Amend Section 375 of the Revised Statutes of Utah, 1898, Relating to the Capital Stock of Banking Corporations."

S. B. No. 180, entitled "An Act to Amend Sections 753, 754 and 757 and Repealing Section 755 of the Revised Statutes of Utah, 1898, Regulating the Practice of Dentistry."

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATIONS FROM HOUSE.

House of Representatives,

Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 197, entitled "An Act to Amend Section 1913 of the Revised Statutes of Utah, 1898, Relating to the Powers and Duties of the Boards of Education of Cities of the First and Second Class." The same is herewith returned to your honorable body for the transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 197 was transmitted to the Governor.
ident.

House of Representatives,

Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 181, entitled "An Act Providing for the Determining and Recording Water Rights Regulating the Diversion, Use and Apportionment of Water, Prescribing the Manner in Which Water May be Appropriated, etc., and Relating to a System of Irrigation." The same is herewith

returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 181 was transmitted to the Governor.

Senate Chamber,
Salt Lake City, March 12, 1903.

Mr. Speaker:—I am directed to inform your honorable body that the Senate has this day passed H. B. No. 193, by Mr. Smith, entitled "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils as Amended by Chapter 124 of the Laws of Utah, 1901." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Secretary.

H. B. No. 193 was read the first time and referred to the Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day requested that S. B. No. 201 be returned to the House for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. B. No. 201 was returned to the House.

House of Representatives,
Salt Lake City, March 12, 1903.

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

signed in open session in presence of the House, S. B. No. 188, entitled "An Act Making Appropriations for General Purposes." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 188 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 72, entitled, "An Act to Amend Sections 8, 16, 21, 22, 23, 27 and 29 of Chapter 26, of the Session Laws of Utah, 1899, Relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26, as the same were Amended by Chapter 133 of the Laws of Utah, 1901, Relating to Fish and Game, and Providing for a Non-Resident's Gun License." The same is herewith returned to your honorable body for further action.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

S. B. No. 72 was read the first and second times. The rules were suspended and S. B. No. 72 was read the third time and passed by the following vote:

Ayes, 12; nays, 0.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Love, McKay, Sherman, Whitmore, Mr. President.

Absent and not voting: Barnes, Larsen (C. P.), Lewis, Loose, Murdock, Williams.

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

S. B. No. 72 was referred to the Committee on Engrossed and Enrolled Bills.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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:

S. B. No. 70, entitled "An Act Amending An Act Entitled 'An Act Requiring Railroad Companies to Fence Their Tracks,' Approved March 14, 1901, Being Chapter 86 of the Session Laws of 1901."

S. B. No. 138 entitled, "An Act Amending Section 1 of Chapter 43, Session Laws of Utah, 1899, as Amended by Chapter 99 of the Session Laws of the State of Utah, 1901, Relating to Preparing and Keeping Present Ownership Maps by County Surveyor and Recorder."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. C. R. No. 4, by Mr. McKay, entitled "A Resolution Endorsing the Enfranchisement of Women." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

S. C. R. No. 4, as amended, was read the first and second times. The rules were suspended and S. C. R. No. 4 was read the third time and passed by the following vote:

Ayes, 10; nays, 2.

Absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (H. S.), Love, McKay, Whitmore, Williams.

Those voting in the negative were: Sherman, Mr. President.

Absent and not voting: Barnes, Larsen (C. P.), Lawrence, Love, Whitmore, Williams.

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

S. C. R. No. 4 was referred to the Committee on Engrossed and Enrolled Bills.

REPORT OF STANDING COMMITTEE.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Counties and Municipal Corporations, to whom was referred H. B. No. 193, by Mr. Smith "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124 of the Laws of Utah, 1901," respectfully report that they have considered the same and recommend that the bill be passed.

LARSEN (C. P.), Chairman.

H. B. No. 193 was read the second time. The rules were suspended, H. B. No. 193 was read the third time and passed by the following vote:

Ayes, 13; nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Larsen (C. P.), Lewis, Loose, Murdock.

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

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day signed and filed in the office of Secretary of State H. B. No. 109, entitled "An Act to Amend Section 300 of the Revised Statutes of Utah, 1898, Relating to Boards of Trustees in Towns and Requiring Such Trustees to Give Bonds" and H. B. No. 141, entitled "An Act to Provide for the Disinfection of Excreta in Cases of Typhoid Fever," and H. B. No. 154, entitled, "An Act to Amend Section 1212 of the Revised Statutes of Utah, 1898, Relating to the Care, Custody and Control of Minor Children in the Event of Separation of Husband and Wife."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed S. B. No. 69, entitled "An Act to Amend Sections 322, 324, 327, 330, 338, 339 and 368 of the Revised Statutes of Utah, 1898, Relating to Corporations, Their Powers, Powers of Board of Directors and Their Place of Meeting, the Removal of Officers Thereof, the Transfer of Stock, Amendments to the Articles of Incorporation and Evidence Thereof, Effect of Sale of Stock to the Incorporation for Delinquent Assessment, and Providing for the Disposition of the Stock so Purchased as Well as all Other Stock Held by the Corporation." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 69 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed S. B. No. 195, entitled "An Act to Amend Chapter 19 of the Session Laws of Utah, 1901, entitled "An Act Providing for the Place of Trial of Transitory Civil Actions Arising Without the State." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 195 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in Senate amendments to H. B. No. 188, by Mr. Johnson (J. E)., entitled "An Act Relating to the Protection, Inspection and Encouragement of the Bee Industry, and Providing for the Appointment of an Inspector for the Same and Repealing Sections 139, 140, 141, 142 and 143 of the Revised Statutes of Utah, 1898."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No. 14, by Mr. Spry (by request), entitled "Joint Resolution Providing When Certain Appropriations Shall Take Effect." The same is herewith transmitted to your honorable body for its action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 14 was read the first and second times. The rules were suspended, H. J. R. No. 14 was read the third time and passed by the following vote:

Ayes, 13, nays, 0.

Absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Gardner, Johnson, Larsen (H. S.), Lawrence, Love, McKay, Sherman, Whitmore, Williams, Mr. President.

Absent and not voting: Barnes, Larsen (C. P.), Lewis, Loose, Murdock.

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

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day signed and filed in the office of Secretary of State H. B. No. 115, entitled, "An Act to Amend Section 1, Chapter 69, Session Laws of Utah, 1901, Relating to the Duties of District Attorneys.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, H. B. No. 160, entitled "An Act Amending Section 2621 of the Revised Statutes of Utah, 1898, relating to the sale of Delinquent Real Estate to Pay Taxes and Costs and Requiring a Record to be Made of all Sales of Real Property." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 160 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 193, entitled "An Act to Amend Section 206 of the Revised Statutes of Utah, 1898, Relating to the Powers of City Councils as Amended by Chapter 124 of the Laws of Utah, 1901." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 193 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House, H. B. No. 88, entitled "An Act to Regulate the Practice of Barbering, the Registering and Licensing of Persons to Carry on Such Practice, and to Insure the Better Education of Such Practitioners, and to Insure Better Sanitary Conditions in Barber Shops and to Prevent the Spreading of Disease in the State of Utah." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 88 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. J. R. No. 14, entitled "Joint Resolution Providing When Certain Appropriations Shall Take Effect." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. J. R. No. 14 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 190 by Mr. Barnes, entitled "An Act to Provide Revenue for the Support of the Government of the State and of the Several Counties and District and County Schools, for the Fiscal Years Nineteen Hundred and Three and Nineteen Hundred and Four." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

S. B. No. 190 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 85, entitled "An Act to Prohibit Any Person Under the Age of Eighteen Years From Buying, Accepting or Having in His Possession any Cigar, Cigarette or Tobacco in any Form or any Opium or any Other Narcotic in any Form." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 85 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 137, entitled "An Act to Amend Section 3683 of the Revised Statutes of Utah, 1898, as Amended by Chapter 70 of the Laws of Utah, 1899, Relating to Service of Summons, Writs and Process from Justice's Courts." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 137 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 188, entitled "An Act Relating to the Protection, Inspection and Encouragement of the Bee Industry and Providing for the Appointment of an Inspector for the Same and Repealing Sections 139, 140, 141, 142, and 143 of the Revised Statutes of Utah, 1898." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 188 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 191, entitled, "A Bill for An Act to Amend Section 1764 of the Revised Statutes of Utah, 1898, Relating to the Power of the State Board of Education to Grant Diplomas and Certificates." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 191 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in presence of the House H. B. No. 181, entitled "An Act to amend Sections 1865 and 1936 of the Revised Statutes of Utah, 1898, as Amended in Chapters 50 and 127 of the Session Laws of Utah, 1901, Relating to School Taxes in Counties and Cities of the First Class." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 181 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 201, by Ways and Means Committee, entitled "A Bill for an Act to amend Section 2504 of the Revised Statutes of Utah, 1898, relating to Taxing the Net Proceeds of all Mines and Mining Claims." The same is herewith returned to your honorable body for further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

S. B. No. 201 was referred to Committee on Engrossed and Enrolled Bills.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 166, entitled "An Act amending Section 1782 of the Revised Statutes of Utah, 1898, and Section 545 of the Revised Statutes of Utah, 1898, as amended by Chater 111 of the Session Laws of Utah, 1901, providing for the Election of Certain County and Precinct Officers and Fixing Their Term of Office."

Senate Bill No. 192, entitled "An Act amending Section 4430 of the Revised Statutes of Utah, of 1898, in relation to Trespass and Injuries to Property."

Senate Bill No. 193, entitled "An Act to amend Section 436 of the Revised Statutes of Utah, 1898, relating to the Acquisition by Railroad Companies by Purchase and Condemnation of Lands for its Uses and for other Purposes."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 94, entitled "An Act Creating a Commission to Provide for the Display of Utah's Resources at the Louisiana Purchase Exposition, at St. Louis, in the Year 1904; to Define its Powers and Duties, and to Make an Appropriation Therefor."

Senate Bill No. 126, entitled "An Act Creating a Commission to Provide for the Display of Utah's resources at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair at Portland, Oregon in 1905; to Define its Duties and Powers, and to Make an Appropriation Therefor."

Senate Bill No. 200, entitled "An Act Creating the Office of State Chemist, Defining His Duties and Fixing His Salary."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 168, entitled, "An Act to Amend Sections 1 and 11 of Chapter 62 of the Laws of Utah, 1901, to tax gifts, legacies and inheritances in certain cases."

Senate Bill No. 182, entitled, "An Act to authorize the cities and towns of the State of Utah to purchase or lease or otherwise acquire water, water supply, bonds, stocks or property connected therewith, and providing for protests in certain cases."

Senate Bill No. 174, entitled, "An Act to regulate the means of egress from public buildings."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

To the Senate:

I have the honor to inform you that I have this day appointed Herman Harms, of Salt Lake County, State Chemist, for the term of two years from this date, and respectfully invite your advice and consent thereto.

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

To the Senate:

I have the honor to make the following named appointments, and respectfully invite your advice and consent thereto:

To be members of the Louisiana Purchase Exposition Commission: Hoyt Sherman of Salt Lake County, Samuel Newhouse of Salt Lake County, L. W. Shurtliff of Weber County, Willis Johnson of Piute County.

To be members of the Lewis and Clark Centennial Exposition Commission: Hiram B. Clawson of Salt Lake County, George P. Holman of Salt Lake County, A. B. Lewis of Beaver County, Fred J. Kiesel of Weber County.

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

EXECUTIVE SESSION.

The Senate, on motion of Mr. Bennion, went into executive session. When the doors were reopened the President announced that the following confirmations had been made by the Senate:

To be State Chemist, Herman Harms.

To be members of the Louisiana Purchase Exposition Commission: Hoyt Sherman, Samuel Newhouse, L. W. Shurtliff and Willis Johnson.

To be members of the Lewis and Clark Centennial Exposition Commission: Hiram B. Clawson, George P. Holman, A. B. Lewis and Fred J. Kiesel.

REPORTS STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 201, by Committee on Ways and Means, "An Act to amend Section 2504, Revised Statutes of the State of Utah, of 1898, relating to taxing the net proceeds of all mines and mining claims," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 201 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 190, by Mr. Barnes, "An Act to provide for the support of the government of the State, and of the several counties of the State, and districts and county schools, for the fiscal years Nineteen Hundred and Three and Nineteen Hundred and Four," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

S. B. No. 190 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing threof.

Committee Room, March 12th, 1903.

Mr. President—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 72, being "An Act to amend Sections 8, 16, 21, 22, 23, 27 and 29 of Chapter 26 of the Session Laws of Utah, 1899, relating to fish and game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26, as the same were amended by Chapter 133 of the laws of Utah of 1901 relating to fish and game and providing for a non-resident's gun license," respectfully report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

JOHNSON, Chairman.

S. B. No. 72 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

Committee Room, March 12th, 1903.

Mr. President—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. C. R. No. 4, being a "Resolution endorsing the enfranchisement of women," respectfully report that they have carefully engrossed and enrolled the same and herewith present the said Resolution to you for your signature.

JOHNSON, Chairman.

S. C. R. No. 4 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

PRESENTATION OF RESOLUTIONS.

On motion of Mr. Bennion, this resolution was unanimously adopted:

"Resolved, That the thanks of the members and employes of the Senate are hereby extended to the Rocky Mountain Bell Telephone company for the free use of its line and splendid service during the session."

On motion of Mr. Bamberger, this resolution was unanimously adopted:

"Resolved, That we, the members of the 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."

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State, H. B. No. 68, entitled "An Act creating a State Board of Horticulture providing for County Boards of Horticulture, defining their duties, providing for the publication and distribution of their reports, and repealing all of Title 28 of the Revised Statutes of Utah, and Chapter 47 of the Session Laws of the Legislature of Utah, 1899," and

H. B. No. 143, entitled "An Act to amend Sections 1102, 1107 and 1108, of the Revised Statutes of Utah, 1898, and prescribing certain duties of the Secretary of Board of Health, fixing salary therefore, the abating of nuisances, powers, etc., of local boards of health and their duties, maintaining and establishing quarantines, records kept by them, etc.," and

H. B. No. 186, entitled "An Act to provide for the investment of the redemption fund for the redemption of the territorial bonds issued under the provisions of Chapter 83 of the Laws of Utah, 1892."

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed.

COMMUNICATIONS FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

To the Senate:

I herewith return, without my approval, S. B. No. 131, entitled "An Act declaring the practice of Osteopathy not to be the practice of medicine and surgery within the meaning of Title 52, Revised Statutes of Utah, 1898, and regulating the practice of Osteopathy in the State of Utah."

The saving of human life, whether by means looking to the prevention of disease, or by means calculated to cure disease already established, will be admitted without question to be the proper climax of professional ambition as well as the highest humanitarian desire of legislative enactment. In both these directions the State of Utah, by vigorous sanitary laws and by strict requirements as to the quality of medical practitioners, stands well in the forefront of enlightened and progressive commonwealths. Only after thorough conviction should we venture to weaken in any degree these safeguards which experience and observation have proved to be beneficent and satisfactory.

Whatever the terms or nature of the tenets of the particular school which this bill aims to recognize, its practice must, it seems to me, be considered a branch of the science of medicine. After all, the physician, of whatsoever school or designation, has to deal with the same physiology, the same conditions, the same laws of cause and effect in health and disease. All practitioners may not have the same knowledge and the same

skill; yet our statutes have wisely provided as a matter of public policy and protection, that a certain amount of skilled knowledge all of them must have. It requires considerable honesty in any practitioner to admit that a case in hand is beyond his powers. His training may be limited, his pretensions modest; but the results of his lack of knowledge, or the consequences of his weakness in refusing to concede it, are equally dangerous. The natural treatment of any physical disorder is necessarily determined by a diagnosis of the case—a preliminary of first and absolute importance. To do the wrong thing by performing dangerous manipulation, or to do nothing at all—either of which courses is easily open to the unskilled—may be equally fatal. The peril is not lessened if the physician, perhaps by happy accident or coincidence, has discovered the true condition. He may be manly enough to confess inability to suggest proper remedies, or reckless enough to attempt treatment of his own altogether without reason or applicability, or indifferent enough, as already suggested, to do nothing at all. In either case the patient suffers the risk. Is not human life too precious to be thus trifled with?

The foregoing suggests that the treatment of disease should not be permitted to be a matter of mere experiment; and inasmuch as the authority to practice presupposes an acquaintance with the science as recognized by all the regular schools, any knowledge short of that should be deemed insufficient. I consider it unfair and dangerous, therefore, to allow the adherence of osteopathy or of any other school to practice without undergoing the ordinary tests to which other practitioners have to submit. The specialist may go as far as his talents and inclination may carry him, and the public be benefited by his advancement; but the fundamental and essential knowledge which every physician ought to have cannot safely be waived or ignored.

Science is progressive; advancement cannot be stayed—in the art of healing least of all; and the dogmatism of disputants, whether in medicine or anything else, must soon yield to the light of truth and reason. Whatever merits osteopathy may have will assuredly find recognition. My present contention is that in the

bill before me the necessary requirements and safeguards with which the law surrounds the physically afflicted are thrown down and swept away. To this I am unwilling to consent. No practitioner of this school who posseses the qualifications required of the practitioners of other schools needs such a law. I deem it unwise to enact it for the benefit of those who have not those qualifications. Whenever all who seek to engage in the healing art shall be equally recognized as competent under the regulations now generally established, one medical law will be sufficient. This condition complied with, it would give me sincere pleasure to name as a member of our State Board of Medical Examiners an adherent of the very school in whose behalf this piece of legislation is proposed. Very respectfully,

HEBER M. WELLS, Governor.

To the President's query, "Shall Senate Bill No. 131 become a law, notwithstanding the Governor's veto?" the Senate decided that S. B. No. 131 should not become a law by the following vote:

Ayes, 5; nays, 11.

Those voting for the bill to become a law, notwithstanding the Governor's veto were: Barber, Barnes, Johnson, Larsen (C. P.), Whitmore.

Those voting against were: Bamberger, Bennion, Gardner, Larsen (H. S.), Lawrence, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Absent and not voting: Loose, Lewis.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 118, entitled, "An Act requiring the Secretary of State to certify to the Clerk of the District Court of each county of the State the names of all per-

sons holding notarial commissions therein, the dates of expiration of the same, and requiring county clerks to keep a record thereof."

Senate Bill No. 128, entitled, "An Act Providing the manner of annexing part of the territory of a county to an adjoining county."

Senate Bill No. 159, entitled, "An Act providing for the appointment of special guardian and the relinquishment by such special guardian of the inchoate interests of insane, idiotic, and otherwise mentally incompetent wives in their husbands' real estate."

Senate Bill No. 195, entitled, "An Act to amend Chapter 19 of the Session Laws of Utah, 1901, entitled, 'An Act providing for the place of trial of transitory civil actions arising without the State.'"

Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATIONS FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 201, entitled, "An Act to amend Section 2504, Revised Statutes of Utah, 1898, relating to taxing the net proceeds of all mines and mining claims." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 201 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day approved and filed in the office of the Secretary of State H. B. No. 20, entitled, "An Act amending Section 1333 of the Revised Statutes of Utah, 1898, as amended by Chapter 41 of the Session Laws of Utah, 1901, fixing eight hours as a day's work in all penal institutions and on all public works, and prescribing a penalty for violation thereof," and H. B. No. 105, entitled, "An Act to amend Section 302 of the Revised Statutes of Utah, 1898, relating to the powers of town boards of trustees."

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in presence of the House, S. B. No. 190, 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 Three and Nineteen Hundred and Four." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 190 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

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

signed in open session, in presence of the House, S. B. No. 72, entitled, "An Act to amend Sections 8, 16, 21, 22, 23, 27 and 29 of Chapter 26 of the Session Laws of Utah, 1899, relating to Fish and Game, and Sections 10, 12, 14, 19 and 24 of the said Chapter 26 as the same were amended by Chapter 133 of the Laws of Utah, 1901, relating to Fish and Game, and providing for a non-resident gun license." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. B. No. 72 was transmitted to the Governor.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. C. R. No. 4, "Resolution Relating to Woman's Suffrage." The same is herewith returned to your honorable body for transmission to the Governor.

Respectfully,

H. L. CUMMINGS, Chief Clerk.

Communication filed and S. C. R. No. 4 was transmitted to the Governor.

PRESENTATION OF GAVEL.

Mr. Bennion, on behalf of the Senators and Officers presented President Allison with a gavel.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

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, S. B. No. 69, entitled "An Act to amend Sections 322, 324, 327, 330, 338, 339 and 368 of the Revised Statutes of Utah, 1898, relating to corporations, their powers, power

of board of directors and their place of meeting, the removal of officers thereof, the transfer of stock, amendments to the articles of incorporation and evidence thereof, effect of sale of stock to the corporation for delinquent assessment, and providing for the disposition of stock so purchased as well as all other stock held by the corporation."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

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, S. C. R. No. 4, relating to woman suffrage.

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

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, S. B. No. 181, entitled:

"An Act providing for determining and recording water rights, regulating the diversion, use and apportionment of water, prescribing the manner in which water may be appropriated; providing for the appointment of a State Engineer and prescribing his qualifications, powers, duties and compensation; requiring claimants to the use of water to file statement of their claims and declaring the forfeiture of right for failure to file such statement; providing for the taking of testimony and the entering of decrees determining rights to the use of water, and permitting appeals; requiring certifi-

cates of water rights to be issued, filed and recorded; directing that the State shall be divided into water divisions and districts, and that superintendents and supervisors shall be appointed to apportion the water; requiring applications for the appropriation of water to be filed and permitting the construction of diverting works; providing for the issuance and recording of certificates of appropriation; declaring water to be public property, subject to existing rights; fixing units of measurement of water; establishing basis, measure and limit of right; providing for the abandonment of use, change in manner or place of use, and commingling and recovery of water; defining rights of appropriators; permitting irrigation companies to take stock in similar companies; providing for the acquisition of rights of way and the use and enlargement of existing canals; directing that canals, bridges and crossings be kept in repair; declaring when water rights are appurtenant to land, and how transfers are to be made and recorded; fixing penalties for violations of this act; providing legal advisers for State Engineer, establishing fees and prescribing how they shall be collected and paid to the State; providing for the payment of fees, costs and expenses under this act; prescribing who may be parties in action concerning water; prescribing the existence and providing for the dissolution of irrigation districts; replacing Title 33 of the Revised Statutes of Utah of 1898 on 'Irrigation and water rights,' being Sections 1261 to 1288, inclusive, and Chapter 125 of the Laws of Utah of 1901, entitled '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 reclamation of stored water, and repealing Chapter 8, Title 63, Revised Statutes of Utah of 1898,' approved March 25, 1901, and all other laws and parts of laws in conflict with the provisions of this act; but preserving vested rights to the use of water, and providing that any rights initiated under the laws repealed may be completed and perfected; continuing the term of office of the State Engineer; providing that water commissioners heretofore appointed shall continue to perform their duties until superceded by di-

vision superintendents and district supervisors, and that similar water commissioners may be appointed, if necessary." Very respectfully,

HEBER M. WELLS, Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Claim No. 9, of Lee Baker, to amount of fine imposed by the court and paid to the State of Utah by the defendant in the case of the State of Utah vs. Lee Baker. The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

On motion of Mr. Whitmore, the Senate allowed House Claim No. 9 by unanimous vote.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day passed House Claim No. 27, of A. A. Hinckley, ex-collector of Millard County, for $68.93, overpaid taxes in 1895 and 1896. The same is herewith transmitted to your honorable body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

RECONSIDERATION OF HOUSE BILLS.

On motion of Mr. Lewis the Senate decided to reconsider the vote by which the enacting clause was stricken

from H. B. No. 156, by Mr. Spry, entitled, "An Act to amend Section 2061 of the Revised Statutes of Utah, 1898, as amended by Chapter 47, Laws of Utah, 1901, relating to payment of salaries of county officials."

On motion of Mr. Lewis, the Senate decided to reconsider the vote whereby H. B. No. 159, by Mr. Spry, entitled, "An Act to amend Sections 2688, 2689, 2690, 2691 and 2693 of the Revised Statutes of Utah, 1898, and repealing Chapter 61, Laws of Utah, 1899, relating to assessing and collecting taxes in cities of the first, second and third class and incorporated towns," was defeated.

The Senate requested the return of H. Bills 156 and 159 for further consideration.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day returned, pursuant to your request, H. B. No. 156 and H. B. No. 159.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 156 was read the first and second times. The rules were suspended, H. B. No. 156 was read the third time and passed by the following vote:

Ayes, 11; nays, 0.

Absent and not voting, 7.

Those voting in the affirmative were: Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Williams, Mr. President.

Absent and not voting: Bamberger, Barber, Barnes, Johnson, Loose, Murdock, Whitmore.

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

H. B. No. 159 was read the first and second times. The rules were suspended, H. B. No. 159 was read the third time and passed by the following vote:

Ayes, 11; nays, 0.

Absent and not voting, 7.

Those voting in the affirmative were: Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Sherman, Williams, Mr. President.

Absent and not voting: Bamberger, Barber, Barnes, Johnson, Loose, Murdock, Whitmore.

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

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Governor has this day vetoed H. B. No. 181, entitled, "An Act to amend Sections 1865 and 1936 of the Revised Statutes of Utah, 1898, as amended in Chapters 50 and 127 of the Session Laws of Utah, 1901, relating to school taxes in counties and cities of the first class." Enclosed veto message of Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12, 1903.

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. 201, entitled, "An Act to amend Section 2504, Revised Statutes of the State of Utah of 1898, relating to taxing the net proceeds of all mines and mining claims."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

PRESENTATION OF RESOLUTION.

By unanimous consent, S. J. R. No. 8, by Mr. Love, authorizing the Governor to appoint a Tax Commission to draft a bill to revise the tax laws of the State, was introduced. The rules were suspended and S. J. R. No. 8 was read the first, second and third times and passed by the following vote:

Ayes, 14; nays, 0.

Absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barnes, Bennion, Gardner, Larsen (C. P.), Larsen (H. S.), Lawrence, Lewis, Love, McKay, Murdock, Sherman, Williams, Mr. President.

Absent and not voting: Barber, Johnson, Loose, Whitmore.

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

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed a conference committee, composed of Barrett, Richards and Stoker, to act with a like committee from the Senate to wait on the Governor to ascertain his wishes as to the final adjournment of the Fifth session of the Legislature.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

The President appointed Barnes, Lawrence and McKay to act with a like committee from the House to wait on the Governor to ascertain his wishes regarding adjournment.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed H. B. No. 159, by Mr. Spry, entitled, "An Act to amend Sections 2688, 2689, 2691 and 2693 of the Revised Statutes of Utah, 1898, and repealing Chapter 61, Laws of Utah, 1899, relating to assessing and collecting taxes in cities of the first, second and third class and incorporated towns." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 159 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed H. B. No. 156, by Mr. Spry, entitled, "An Act to amend Section 2061 of the Revised Statutes of Utah, 1898, as amended by Chapter 47, Laws of Utah, 1901, relating to payment of the salaries of county officers." The same is herewith transmitted to your honorable body for the signature of the President of the Senate.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

H. B. No. 156 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read immediately before the signing thereof.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President—I am directed to inform your honorable body that the house has this day passed S. J. R. No. 8, by Mr. Love.

The same is herewith transmitted to your Honorable Body for its further action.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. J. R. No. 8 was referred to the committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12th, 1903.

Mr. President—Your Committee on Enrolled and Engrossed Bills, to whom was referred S. J. R. No. 8, by Mr. Love, "providing for the compilation of a law on taxes, etc.," report that they have correctly engrossed and enrolled the same and herewith present the same for your signature.

JOHNSON, Chairman.

S. J. R. No. 8 was signed by the President in the presence of the Senate in open session, after the title thereof had been publicly read, immediately before the signing thereof.

COMMUNICATION FROM HOUSE.

House of Representatives,
Salt Lake City, March 12, 1903.

Mr. President—I am directed to inform your honorable body that the Speaker of the House has this day signed in open session S. J. R. No. 8, relating to a tax

commission. The same is herewith returned for transmission to the Governor.

Respectfully,
H. L. CUMMINGS, Chief Clerk.

Communication filed and S. J. R. No. 8 was transmitted to the Governor.

COMMUNICATION FROM GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

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, S. B. No. 190, 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 three and nineteen hundred and four."

Very respectfully,
HEBER M. WELLS, Governor.

Communication filed.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 12, 1903.

Mr. President:—Your Committee on Contingent Expenses respectfully report that they have carefully examined the attached vouchers, viz:

For contingent expenses, stamps, stationery, etc. .....$	$ 369 00
For expenses investigation Industrial School at Ogden	62 20
R. M. Johnson, for raising flag during session of Legislature	20 00
For printing of Senate docket	307 00
Extra services of employees as follows:	

A. W. Jensen, secretary.....	12 00	
Geo. Crosby, Jr., minute clerk.....	12 00	
B. Bachman, docket clerk	12 00	
F. J. Hendershot, engrossing clerk..	12 00	
C. E. Layne, sergeant-at-arms	12 00	
L. C. Johnson, committee clerk.....	12 00	
Walter Wilding, committee clerk...	12 00	
Miss Carrie Keate, stenographer...	12 00	
Thomas B. Jones, messenger	12 00	
George M. Beebe, messenger	12 00	
William L. Wight, doorkeeper.....	12 00	
Hans Christopherson, watchman....	12 00	
Miss Priscilla Smith, mailing clerk..	12 00	
E. W. Tatlock, committee clerk....	12 00	
		$ 168 00
Anna McKay, services for engrossing	24 00	
N. M. McLeod, services for engrossing	12 00	
A. L. Williams, services for engrossing	4 00	
		$ 40 00
John J. Hessler, for janitor services	$ 20 00	
William Langenbacker, services to Legislature	10 00	
John Lawrence, services to Legislature	10 00	
		$ 40 00
		$1,006 20

and recommend the same be paid.

BENNION, Chairman.

Report adopted and vouchers filed with the secretary.

Committee Room, March 12, 1903.

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 not passed:

S. B. No. 7, by Larsen (H. S.), "An Act creating Senatorial and Representative Districts in this State and numbering the same, and prescribing the number of Senators and Representatives, respectively, to be elected to the Legislature from each of said districts."

S. B. No. 9, by Mr. Lewis, "An Act making appropriation for an additional building and equipment to the branch State Normal School at Cedar City, Utah."

S. B. No. 13, by Mr. Love (by request), "An Act to provide for the enlargement of the State Fish Hatchery, to equip and maintain the same, and to make an appropriation therefor."

S. B. No. 18, by Mr. Lewis, "An Act making an appropriation to the Experiment Farm in Washington County, Utah."

S. B. No. 31, by Mr. McKay, "An Act extending the time limit for the expenditure of appropriation for general maintenance of the School for the Deaf and Dumb and the Blind, etc."

S. B. No. 32, by Mr. Larsen (C. P.), "An Act establishing an Experiment Farm in Sanpete County, Utah."

S. B. No. 49, by Mr. McKay, "An Act to amend Section 2062 of the Revised Statutes of Utah, 1898, providing for the payment of compensation to deputy county officials."

S. B. No. 86, by Mr. Barnes, "An Act establishing an Experiment Farm in the southern portion of this State."

S. B. No. 87, by Larsen (H. S.), "A Bill for an Act to protect trade and commerce against unlawful restraints and monopolies, and to prohibit the giving or receiving of rebates on the transportation of property."

S. B. No. 117, by Mr. McKay, "An Act to provide for the establishment and maintenance of a school for deficient youth."

S. B. No. 175, by Mr. McKay, "An Act to make an appropriation for the erection and equipment of a school building of domestic science and home making, and to provide for its control, etc."

H. B. No. 61, by Mr. McKinnon, "An Act relating to jurors in justices' courts, per diem and mileage.

H. B. No. 79, by Brink, "An Act providing for the appointment of an inspector of metalliferous mines, etc."

H. B. No. 90, by Colton, entitled, "An Act to prevent the incarceration of youths, boys and girls in station houses, jails, workhouses, etc., with old and hardened criminals, designating the officers to enforce the same and defining the penalties for a violation thereof."

H. B. No. 125, substitute for H. B. No. 84, by Mr. Done (by request), entitled, "An Act amending Section 1667 of the Revised Statutes of Utah, 1898, relating to oaths, bonds, etc., of notaries public."

H. B. No. 133, by Mr. Watts (by request), entitled, "An Act to amend Section 3286 of the Revised Statutes of Utah, 1898, relating to the preparation, settlement and signing of bill of exceptions, time allowed and what the same shall contain."

H. B. No. 173, by Hamlin, entitled, "An Act to provide for the purchasing or leasing and using of voting machines at elections and authorizing the counting of votes as shown by voting machines."

H. B. No. 174, by McRae, entitled, "An Act amending Section 21 of Chapter 109 of the Session Laws of Utah, 1901, in relation to the issuance of executions and other writs out of city courts."

H. B. No. 182 (substitute for H. B. No. 97, by Peterson), entitled, "An Act amending Section 972 of the Revised Statutes of Utah, 1898, relating to fees of the clerk of the district court."

H. B. No. 192, by Mrs. Coulter, "An Act relating to the power of the county superintendent to grant temporary and special certificates."

LOVE, Chairman.

Report adopted.

The committee appointed to wait upon the Governor returned and the following message was presented:

State of Utah, Executive Office,
Salt Lake City, March 12th, 1903.

To the Senate:

I beg to tender you my hearty congratulations upon the energy, the prudence, the sincerity and the wisdom which have characterized your labors during the legislative session now about to close. Your duties have been conscientiously performed, and the result of your work, as manifested in time to come, will, I am sure, redound not less to your credit than to the welfare of those whose representatives you are. This should be the full measure of official ambition, and it is a pleasure to testify that in no respect have you fallen short of it. For personal courtesy and consideration shown to myself I am profoundly grateful. For careful examination of State affairs, and for wholesome laws looking to the public weal, you are entitled to the respect and thanks of your constituents.

In now informing you that I have no further official communication to make to you, and in bidding you farewell, I trust that health and prosperity may attend you continually, and that your paths may ever be those of happiness and peace. I have the honor to be,

Very respectfully and truly yours,
HEBER M. WELLS, Governor.

Minutes of the sixtieth day's session were approved.

On motion of Mr. Lawrence, the Senate adjourned sine die.

CERTIFICATION.

We, E. M. Allison, Jr., President, and A. W. Jensen, 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 Fifth regular session of the Legislature of the State of Utah, held at Salt Lake City, Utah, commencing on the 12th day of January, 1903, and ending on the 12th day of March, 1903.

E. M. ALLISON, Jr.,
President.

A. W. JENSEN,
Secretary.

INDEX OF SENATE BILLS.

Number.	SUBJECT OF TITLE.	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
1	Prohibiting Sale of Liquor near Grading Camps .	54	59	114		125	130	131			177	177	190	190	203	241
2	Regular and Contingent Expenses of Legislature	54				55	55	55			57	57		56	56	63
3	Duties of Secretary of State Board of Land Commissioners	55	59	65		75	79	79		149	109	117			149	
			149								287				199	304
4	Land Non-Taxable while Title is in State .	55	59	65		75	78	78		149	109	117	111	112	149	304
			149													
5	Treatment and Cure of Habitual Drunkards .	55	59	88		103	173		173	181						
			118	156					210							
6	Pure and Wholesome Water for Cities and Towns .	55	59	171												
			282		330				330							
7	Creating Senatorial and Representative Districts .	60	60						681							
8	Storage of Powder in Mines	60	60	92					92							
9	Appropriation for Building Branch State Normal School. .	60	60						681							
10	Amending Section 2039, Chap. 1, Title 59, R. S. 1898 .	60	60	62		67	75	75			85		141	169	175	188
				99		136	136	136			136					
11	No Mileage where Passes are Used	60	60	77		83	86	86			104					
12	To Encourage Destruction of Grasshoppers, etc .	61	61	84		90	102	102			162	162	169	170	175	214
						162	162	162								
13	Enlargement of State Fish Hatchery . . .	61	61						681							
14	To License Dogs. Damages Sustained, etc.	61	61	84		90	103		103							
15	Salaries of Justices of the Supreme Court	66	66	88	88											
16	Metric System of Weights and Measures	70	70	172												

Number.	SUBJECT OF TITLE.	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action.
17	Providing for Dairy and Food Commissioner, etc.	70	71	138		146	174	196			268	268	296	297	321	339
18	Experimental Farm in Washington County	71	71						681							
19	Desecration of the Flag of the United States	71	71	143		161	174	174			272	272	315	316	327	376
20	District Attorney Duties, Powers and Salary	71	71	93					93							
21	District Attorney Duties in Extradition Cases	71	71	93					94							
22	Powers and Duties of Grand Juries, etc	71	71	94					94							
23	Powers and Duties of District Attorneys, etc.	71	71	95					95							
24	Notice of Application for Bail	71	71	95					95							
25	Dismissal of Criminal Actions in District Courts, etc	72	72	96					96							
26	Application for Bench Warrant	72	72	96					97							
27	Conditional Examination of Witnesses	72	72	97					97							
28	Defining a Subpœna, etc.	72	72	97					98							
29	Defining an Information, etc.	72	72	98					98							
30	Repealing Chapter 42, Laws of Utah, 1901	72	72	99					99							
31	Extending Certain Appropriations	77	77						681							
32	Experimental Farm in Sanpete County	77	78						681							
33	Inspection of Metalliferous Mines	78	78	208					208							
34	Payment of Messengers Delivering Election Returns	78	78	217	217				217							
35	Stenographer of the Supreme Court	78	78	88		103	107	107			136	136	142	169	175	188
36	Salaries of Judges of the District Court	78	78		88											
37	Transfer of Articles of Incorporation from State Auditor's Office	78	78	84		90	90	90			116	116	120	120	127	137
38	Noxous Fume Consumers for Smelting Works	82	82	142					142							

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Number	SUBJECT OF TITLE.	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
39	Making County Sheriffs Live Stock Inspectors	82	82	87		103	107	125			462	•				
						620	621	621			620	621	630	630	635	*
40	Accepting Board for Services in Underground Works	82	82	300		108	133	321			388					
			133													
41	Nine hours a day's Work for Motormen and Conductors	82	82	157												
42	Contracting and Procuring of Stationery, etc.	82	82	142					158							
43	Railroad Companies to Maintain Fences	82	82	121	121				121							
44	Rules of Negligence where Live Stock are Killed	82	82	143		161	176		210							
45	Damage Caused by Fire from Locomotives	82	83	114					115							
46	Initiative and Referendum	86	86	218					218							
47	Lewis and Clark Centennial Exposition Commission	86	86	217					218							
48	Substitute for S. B. No. 15 and S. B. No. 36	88		88		103	107	107								
49	Compensation to Deputy County Officials	89	89						681							
50	Expenses of District Judges and District Attorneys	89	89	122		131	132	132			532					
51	Board of Osteopathic Registration and Examination	89	89	138	247	148	161									
			161	247												
52	Guardians to Lease Mining Claims, etc.	89	89	122		131	131	131			176	177	191	191	204	241
53	Amending Section 2380, R.S	90	90	155		179	179	179			367	367	533	534	551	*
54	Amending Chapter 28, Laws of Utah, 1899	101	101	250					250							
55	General Powers of the Board of County Commissioners	101	102	154		292	292									
			179	275	441		308	308	442							
56	Fixing Rate of City Taxes, Time of	102	102	123		130	130	130			202	202	206	207	214	241

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Number.	SUBJECT OF TITLE.	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
57	Relating to the Mayor's Veto	102	102	123		130	139	139			220	220	243	243	252	254
58	Claims against Incorporated Cities and Towns	102	102	123		132	140	140			200	200	215	216	233	254
59	Time for commencement of Actions against County, Etc.	102	102	124		130	130	130			200	200	206	206	214	254
60	Experiment Farms.	106	106	158		179	187	210			351				381	408
						352	352	352				352	368	369		
61	Convention for Adoption of Text Books. Sub. for H.B. 19.	106	106			112	118	118			149	149	157	170	176	189
62	Semi-Annual Financial Statements by Mining Companies	106	106	207					207							
63	Damage to Electric Line.	106	106	144		165	165	165			549	550				
						550	550	550					587	587	660	*
64	General Powers of Boards of County Commissioners	106	107	122	288	132	132	132	442							
65	Fixing Dates of Municipal Elections and Terms of Officers	107	107	156		179	211	211			474	475	537	537	553	569
66	Publication of Summons and other Legal Notices	112	112	124		132	133	133			356					
67	Increasing Number of Judges in Third Judicial District.	115	115	193		210	210	279			425	425	446	446	478	546
68	To secure benefits of Reclamation Fund	115	115	170		181	181	181			255	256	535	535	552	590
			269	298		299	299	299			269					
						349	349	349			348	349				
69	Relating to Corporations. Their Powers, Etc.	115	116	315		353	373	373			628	628	643	644	651	670
70	Substitute for S. B. 43, Railroad Fences	121		121		131										
			131	383		402	413	413			560	560	586	586	598	649
71	Qualifications of Sureties Generally	124	124	245		264	280		384							
72	Relating to Fish and Game	125	125	370		401	411	437			626					
			626	637		648	648	648			648	648	663	663	670	*
73	To Insure better Education in Dental Surgery	125	125	302	303											

Number	SUBJECT OF TITLE.	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
74	Fixing the Judicial Districts of the State	128	128	274					274							
75	Establishment and Maintenance of Kindergartens	128	128	285		307	307	307			392		533	533	558	*
						392	392	392				392				
76	Water Supply for Cities .	126	128	244	431	264	280									
			371	431												
77	Taking of Depositions Without the State .	128	128	193		209	222	222			532					
78	Form of Exceptions, Etc . .	128	128	155		179	180	180			319	320	368	369	380	388
79	Referees Appointed by Courts	129	129	245		264	264	264			532					
80	Practice upon Instructions	129	129	155		180	180	180			532					
81	Restrictions as to the Sale of Liquor	139	139	192					192							
			206	330					330							
82	Bail Commissioners in Cities .	139	139	194		211	223	223			859		534	534	559	590
						360	360	360				360				
83	Change of Venue in City Courts	139	139	156		180	180	180			283	287	312	313	328	363
85	Defining Conditions of Child Dependency	144	144	246		265	280	335			470		532	533	554	*
						471	471	471				471				
86	Establishing an Experiment Farm in Southern Portion of State	145	145						681							
87	To Protect Trade and Commerce .	145	145						681							
88	Appeals from Justices' Courts	145	145	246		265	280	280			484					
89	Location of Powder Houses or Magazines .	145	145	216		237										
			237	397		412	438	438			544	544	577	577	601	645

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90	Fees of County Auditors	145	145	184		187	197	197			291	291	303	304	320	338
91	Prohibiting Judges from Practicing Law	145	145	185		187	197	197			532					
92	Duties of County Assessor	145	145	191		211	219	219			423					
			423	507		507	507	507								
93	Appointment and Duties of Bank Examiner	145	145	284					284							
94	Utah Display at Louisiana Purchase Exposition	146	146	191		212	219	237			420	420	446	447	478	659
95	Disposition of Fines Imposed by District Courts	158	159	192		212	220	220			290	290	304	304	318	363
						291	291	291								
96	Fees, Fines and Costs Collected in City Courts	159	159	195		212	221	221			291	292	303	303	319	363
97	New Trials and Appeals in City Courts	159	159	194		212	221	221			397	397	443	444	479	491
98	Proceedings against Corporations, etc	159	159	186		187	198	198			294	295	312	313	329	343
99	District Court Procedure in Criminal Cases	159	159	183		187	198	198			290	290	312	313	328	344
100	Fees to be collected by Ex-officio Clerk of City Courts	159	159	194		212	222	222			396	396	446	446	479	542
101	Manner of Commencing Actions, Etc.	159	159	185		187	200	200			324	325	368	369	382	387
102	Serving Process Issued out of City Courts	160	160	184		187	204	204			339	340	368	369	380	594
103	Seal for City Courts, etc	160	160	184		187	204	204			324	324	368	369	579	387
104	To revoke Liquor Licenses	160	160	245		265	265	265			395	395	444	445	477	491
105	Streets, Alleys, Etc, within Cities and Towns	160	160	260					260							
106	Additional Shaft, Etc., in Certain Mines	160	160	301		322	337		337							
107	Incorporation of Churches and Religious Societies	160	160	345	345				345							
108	Damages for Nuisances	160	160	501					501							
109	Granting of Injunctions	160	161	261		281	292	292			424	424	493	494	529	577

Number	SUBJECT OF TITLE	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
110	Bringing Paupers into the State	172	172	243					243							
111	Duties of the Attorney General	172	172	192		212	212	212			485					
112	Kinney's Index Digest	172	172	217		237	237	263			396	396	445	445	480	491
			237	248												
113	Classification of Counties	172	172	244		265	280	281			532					
114	Issuance of Marriage Licenses	172	172	193		212	213	213			314	314	368	369	380	387
115	Grounds for New Trial in Criminal Cases	173	173	246		265	266	266			424	425	443	443	478	491
116	Present Ownership Maps	178	178	284					284							
117	School for Deficient Youth	186	186						682							
118	Notarial Commissions Certified to County Clerks	195	195	260		281	281	281			596		613	613	630	667
						597	597	597				597				
119	Publication of Assessment Rolls	195	195	398		412	437	516			606					
			465									466				
120	Defining Certain Powers of County Commissioners	196	196	348		385	405		405							
121	Pest Houses and Detention Hospitals	196	196	235		252	252	252			320		368	369	381	387
						320	320	320								
122	Election of County and Precinct Officers	209	209	244		266	266		280							
123	Insurance of Children under Fifteen Years	209	209	347					347							
124	Duties of Boards of County Commissioners	209	209	332		358	385		385							
125	Substitute for S. B. No. 34. Election Returns	217		217		237	237	237			356	356	369	369	379	387
126	Substitute for S. B. No. 47 (Lewis and Clark Exp.)	218		218		238	238	238			421	421	495	495	529	660
127	Substitute for S.B. No. 46 (Initiative and Referendum)	218		218		239	251									
			263	332					335							

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128	Manner of Annexing Part of one County to Another County	219	219	314		353	373	373			556	557	588	588	599	667
129	Admission of Attorneys to the Bar	219	219	246		266	266	266			395					
130	Amending Section 324, Chap. 1, Title 2, R. S. 1898	219	219	313					313							
131	Substitute for S. B. No. 51, (Osteopathy) .	247		247		281	337	337			509	509	536	536	558	667
132	Creating office of State Chemist	236	236	351	490				351							
133	Licensing and Regulating Sale of Liquors .	248	248	329					329							
134	Recovery of Money Lost in Gambling . .	249	249	370					370							
135	Service of Summons in Civil Actions .	249	249	301					301							
136	Form of Summons in Civil Actions .	249	249	302					302							
137	Property Exempt from Execution	249	249	274		292	292	354			532					
			308	313												
138	Present Ownership Maps	249	249	284		308	309	309			559	559	587	588	605	649
139	Damage for Death Caused by Neglect of Another . .	249	250	302		322			337							
140	Authorizing Appointment of Estray Commissioners	251	251	259												
			260	411					411							
141	Irrigation and Water Rights	251	251	432		466	488	516			622					
142	Standard of Purity of Oils for Illuminating Purposes .	251	251	398		412	412	419			559	560	576	576	600	*
						560	560	560								
143	Shooting of Geese, Ducks, Snipes, Brants and Swans .	251	251	361												
144	Irrigation and Water Rights	261	261													
145	Arbitration of Water Rights .	261	261	286		309	309	309			425	426	445	445	476	492
						425	425	425								
146	Kinds and Classes of Capital Stock, Etc.	261	261	286		309	309	309			420	420	494	494	528	577

Number	SUBJECT OF TITLE.	Introduced	Referred or Recommited	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
147	County Sheep Inspector.	262	262	360												
148	License for Manufacture and Sale of Liquor	262	262			358	374		374							
149	Garnishment and Exemptions Therefrom .	262	262	299					299							
150	Corporations to File a Certain Statement .	262	262	502					502							
151	Fees to be Collected by Secretary of State	262	262	501					501							
152	When Judgments may be Entered	262	262	*85		310	310	310			422	422	494	495	527	569
						422	422	422								
153	To Establish Bureau of Statistics .	262	262	298					432							
			298	432												
154	Payment of Estate Funds Held in Trust	263	263	315		355	355	355			530	530	570	570	605	645
155	Relating to Mechanic's Liens	263	263	314		355	355	372			532					
				638												
156	Relating to Appeals	263	263	505					505							
157	Payment of Outstanding Juror and Witness Certificates	263	263	431												
158	Taking School Census in Cities	267	267	332		358	358	358			532					
159	Inchoate Interest of Insane, Etc. Wives in Real Estate	276	276	346		385	406	406			561	561	596	596	606	667
160	Erection of School Houses by Contract or Day's Labor .	276	276	302		322	338	338		342	473		535	535	552	570
								342								
						474	474	474				474				
161	Examination of Insurance Companies . .	276	276	347		385	405	405		532						
162	Accounts and Reports of State Treasurer .	276	276	299		322	338	338			421		493	493	530	570
						421	421	421				421				
163	Bank Officers Borrowing Money from the Bank	276	276	370					370							

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Number	SUBJECT OF TITLE.	Introduced	Referred or Recommitted	Reported	Substitute Reported	Second Reading	Third Reading	Passed	Lost or Rejected	Reconsidered	Received from House	Further Action	Enrolled	Signed by President	Further Action	Final Action
164	Appointment and Duties of Bank Examiner .	276	276	369					369							
165	Trial of Transitory Civil Actions .	276	276	298												
			323	441	441				441							
166	Election of County and Precinct Officers	276	277	370		401	401	401			573	573	589	589	602	659
167	Fictitious Sales of Stocks or Bonds	277	277	345		385	405		405							
168	To Tax Gifts, Legacies, and Inheritances .	277	277	332		359	359	359			544	544	611	611	617	660
						544	544	545								
169	To Prohibit Certain Consolidations between Corporations.	277	277	300		323			372							
			340	46												
170	Family Support in Cases of Decedents .	277	277	297		323	340	340			426	426	444	444	477	546
						426	426	426								
171	County Commissioners to Establish Sidewalk Districts .	277	277	433		467	488	515			633					
172	To Prohibit Discrimination in Smelting Charges .	277	277	504					504							
173	Capital Stock of Banking Corporations .	278	278	300		323	340	340			545	545	587	587	599	645
174	Means of Egress from Public Buildings	278	278	369		401	412	412			519	544	577	577	600	660
			519	543		543	544	544								
175	Erection of School Buildings for Domestic Science	278	278						682							
176	Making False Statements for Obtaining Credit .	278	278	371		403	413	413			532					
177	Publication of Notice to Creditors of Estate	282	282	299		323	341	341			423	424	493	493	528	570
178	Tax on Incomes	288	288	409		438	465		488							
179	Encouragement of Reservoir Projects . . .	288	288	408		438	465	466			561	561	595	595	603	*
180	Substitute for S.B. No. 73 (Dental Surgery)	303		303		353	374	374			484	484	576	576	604	646

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181	Irrigation and Water Rights .	306	307	351		400		464			471	472	642	643	647	671
			376	399									536	536	553	660
182	Substitute for S. B. No. 6 (Pure Water, Etc) .	330		330		360	384	403	384	403	482					
						483	483	483				483				
183	Substitute for S.B. No. 107 (Religious Societies) .	345		345		386	386	402			459	460	537	537	557	608
184	Substitute for S.B. No. 132 (State Chemist) .	351		351		438										
			438													
185	Promotion of Science of Medicine and Surgery .	373	373	498		524	554	554			627					
			627	638												
186	Appropriation for Utah Silk Commission .	384	384	432					432							
187	Taxes on Personal Property .	411	411	500		524	562	562			623	624	629	629	634	†
188	General Appropriations .	411	411	535		543	543	543			592					
			592	608		627	627	627				627	644	644	648	*
		431		431		431	465		487							
189	Substitute for S. B. No. 76 (Pure Water for Cities) .	436	436	506			554	554			655	655	662	663	669	679
190	Revenue Bill	436	436	495					495							
191	Settlement of Partnership Business .	436	436	506		524	562	562			607	607	612	612	632	659
192	Trespass and Injury to Property					607	607	607								
		436	437	499		524	524	524			561	562	589	589	598	659
193	Acquisition of Lands by Railroad Companies . .	442	513	442		488	489	489			513	551	611	611	618	*
194	General Powers Boards of County Commissioners . .	441		441		488	515	515			625					
195	Substitute for S.B. No. 165 (Civil Actions Transient)					625	625	625				625	644	644	652	667

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196	Maintenance and Relief of Indigent Poor	450	450			489										
						521	563	563			624	624	629	630	635	*
						624	624	624								
197	Boards of Education Cities of First and Second Class .	450	450			489	563	563			572	623				
						623	623	623			623	624	637	637	646	*
198	Enumerating Precinct Officers, Etc . .	450	450	540		565	565	565			593	593	614	614	631	*
199	Change of Venue in Municipal Courts	449	450	564		564	564	564			593	593	613	614	632	*
200	Creating Office of State Chemist	490		490		521	521	521			622	622	628	629	636	660
201	Taxing Net Proceeds of Mines and Mining Claims	520				520	520	520			635					
			635								645	658	662	662	668	675
202	Commission for Revision of Tax Laws	520				520	520	520			606					
			607	614		615	615	615								

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1	Regular and Contingent Expenses of Legislature	56	62	65						65			
3	Storage of Powder in Mines	80	81	92			108	112		112	119	165	169
		127	119	128				140	140				
4	Officers Not Entitled to Witness Fees	81	81	92			108	133	133			162	169
6	Relating to Text Books, Furniture, etc.	182	182				402	439	467			538	539
13	Penalty for Grand Larceny	85	85	93			108	117	117			129	129
16	Expenses for National Irrigation Congress .	100	100	283			283	283	283			364	364
												416	
17	Extending Time Limit of Certain Appropriations	100	100	105			108	108	108			202	203
19	Convention for Adoption of Text Books . . .	101	101	105	105								
20	Eight Hours a Days Work in Penal Institutions	428	428	503			531	532		532		616	616
				567				568	568				
24	U. S. Jurisdiction over Lands Ceded in Utah	110	110	144			152	161	161			202	202
26	Obtaining Food under False Pretenses .	104	104	138			146	146	146			163	169
28	Burial of Honorably Discharged Soldiers .	147	147	207			223	223	223			258	258
29	To Exempt Soldiers from Poll Tax	174	174	207			224	224	224			270	270
30	Encouraging Destruction of Certain Wild Animals	137	137	185			188					414	414
			204	275			293	311	311				
		377					378	378	378				
34	Compensation to Certain Deputy County Officials	168	168	195			213	220	221			235	271
		242						242	242				
35	Penalties Acting without Registration. Adulterated Drugs Etc.	151	152	243			266	282	288			364	364

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46	Bureau of Statistics	257	258	431			468	490	517			583	583
49	Divorce for Permanent Insanity	234	234	274			293	310	310			365	365
50	Investment or Disposal of Public Land Funds .	148	148	301			323	355	439			538	539
			355	409				439	463				
							463	463					
56	Powers of City Councils	238	238	324			358	358	358			480	481
							415	415	415				
58	Notice of Sale of Trespassing Animals	168	168	216			239	239	239			271	271
61	Jurors in Justices' Courts	177	178	260						682		304	
64	State Board of Sheep Commissioners	257	257	273			293	310	353			390	390
65	Reports of County Treasurers, etc. to State Auditor	167	167	273			293	311	311			365	366
66	All Property to be Assessed for General Taxes, etc	459	459	502			541			574	574		
68	Substitute for H. B. No. 31 (Board of Horticulture)	423	423	540			571	575	575			616	617
71	Relating to Marks and Brands	201	201	216			239	239	239			272	272
74	Marking of High Explosives . .	388	388	575			588	588	588			621	621
79	Inspector for Metalliferous Mines .	485	485							682			
85	Anti-Cigarette Act .	481	481	499			526	526	526				
			556	567			610	610	610			656	656
88	Substitute for H. B. No. 59 (Regulate Barbering)	366	367	509						509	611		
				538		556	612	612	612			654	655
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90	Incarceration of Youth with Hardened Criminals .	511	512							682			

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92	Curfew Law	393	394	433			468	489	489			582	582
100	Physicians and Surgeons	428	428	508						508			
105	Powers of Town Boards of Trustees . . .	473	473	496			531	567	574			640	641
109	Relating to Boards of Trustees in Towns . .	295	296	505			523	566	566			618	618
111	Substitute for H. B. No. 10. (Sale of Liquors.)	344	344	497						497			
115	Duties of District Attorneys	389	389	505			523	523	523			585	585
125	Oaths and Bonds of Notaries Public	336	336	346						682			
128	Notice of Intention to Levy Local Assessments .	395	396	443			490	521	521			581	581
129	Defining Estrays	382	382	442			442	442	442			538	539
130	Notice of Hearing Account	336	336	347			400	401	401			429	429
131	Expenses when Case is Tried in Another County .	295	295	314			357	386	386			413	414
132	Transmission of Original Papers to Supreme Court	396	397	506			525	526	526			581	581
133	Bill of Exceptions	455	455	501						682			
135	Qualifications of Teachers in the Public Schools	393	393	433			469	490	517			583	583
137	Relating to Service of Summons	390	391	500			541	594	594			656	656
139	Trustees for School for the Deaf and Dumb .	393	393	410			410	410	410			476	476
141	Disinfection in Typhoid Fever Cases .	367	367	508			591	591	591	508		540	616
142	Prevent Spread of Contagious Diseases	456	456	508			525	525	525			584	584
143	Duties Secretary of Board of Health	510	510	539			541	542	542			582	582
145	Care and Treatment of the Insane .	390	390	504			541	564	564			621	622
146	Salaries Justices of Supreme Court . .	459	459	503			523	523	523			580	580
147	Salaries of Judges of District Courts	458	458	503			522	522	522			584	584

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150	Temporarily Depriving Owners of Personal Property	455	455	502						502			
151	Eight Hours a Day's Work in Mines and Smelters	389	389	504						504			
154	Custody of Minor Children	484	484	498			531	531	531			586	587
156	Salaries of County Officers	511	511				619						
			520	615			674	674	674	619	673	677	677
157	Witnesses and Jurors in Criminal Cases	461	461	548			571	575	575			639	639
158	Duties of County Auditors	456	457	496			573	574	574			640	640
			520	548									
159	Assessing and Collecting City Taxes	460	460	496			531	566		566	674		
				619			674	674	674			677	677
160	Sale of Delinquent Real Estate	461	461	497			541	565	604	566	603	653	654
166	System of State Highways	601					601	601	601			639	639
167	Vacancies on Board of Pardons	459	459	502			525	525	525			585	585
169	Board of Control of Industrial School	475	475	499									
				537						538			
				567									
173	Voting Machines at Elections	394	394							682			
174	Executions Out of City Courts	512	512							682			
175	Substitute for S. B. No. 64 (County Commissioners)	288	297	441	442					442			
181	School Taxes in Counties and Cities of First Class	457	457	568			569	569	569			658	658
182	Fees of Clerk of District Court	481	481	498						682			
183	Damages for Nuisance	620	620	628									

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186	Investment of Redemption Fund	512	512	595			595	595	595			639	640
187	Appropriation for Irrigation Congress .	416					417	417	417			428	429
188	Encouragement of Bee Industry	634	634	641			641	641	641			657	657
190	Regular and Contingent Expenses of Legislature	460	460	507			568	568	568			572	572
191	Powers of State Board of Education . . .	510	510	590			591	591	591			657	657
192	County Superintendent to Grant Certificates .	511	511							682			
193	Powers of City Councils	647	647	650			650	650	650			654	654
197	Fees of Clerk of District Court	481											

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Number	SUBJECT.	Introduced	Referred	Reported	Second Reading	Third Reading	Passed	Returned from House	Further Action	Signed	Further Action
1	Appointment of Messenger to the Governor	59	62	65	60	60	60	62		65	67
1	Prohibiting Introduction of Bills after Fortieth Day of Session .	133					140	147	147		163
2	Inviting Idaho Legislature to visit the Capital of Utah	218	218	232	232	232	232	242	242	253	258
3	University of Utah and Agricultural College	275	275								
4	Good Effects of Female Suffrage . .	384	384	409	439	466	466	532			
					649	649	649	649	650	663	670
5	State Industrial School Investigation	403			404	404	404	406	406		

SENATE JOINT RESOLUTIONS.

Number	SUBJECT OF TITLE.	Introduced	Referred	Reported	Second Reading	Third Reading	Passed	Returned from House	Further Action	Signed by President	Further Action	
2	Louisiana Purchase Exposition Appropriation . . .	66	76	235								
3	Annexation of Arizona Lands North of Colorado River	115							126			
4	Election of U S. Senators by Direct Vote	208	209	398					398			
5	Assessment of Taxable Property	240			253	253	253	368	368	534	558	590
6	Election of U. S. Senators by Direct Vote of the People	261	261	398	437	437	474					
7	Rejection of Claims to Gilsonite Lands.	580			580	580	580	598	599	612	632	
8	Tax Commission .	676			676	676	676	678	678	678	679	

SENATE JOINT MEMORIALS.

Number.	SUBJECT OF TITLE.	Introduced	Referred	Reported	Second Reading	Third Reading	Passed	Returned from House	Further Action	Signed	Further Action
1	Memorialzing Congress to Compel the Southern Pacific R. R. Co. to place Suitable Draw Bridges along its Proposed Line Across the Great Salt Lake .	68	79 104	115 143					104	143	
2	Memorializing Congress to Pass the Omnibus Statehood Bill .	83	83	88	88	88	88	104		110	116

HOUSE JOINT RESOLUTIONS IN THE SENATE.

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4	Fixing Date for taking Vote for U. S. Senator.	64						76	
5	Resolution of Thanks to the National Irrigation Congress .	81	81	87	90	103	103		113
7	Proposed Amendment to Constitution of Utah .	483	483	497					
8	Commission to Visit Legislature of Arizona . .	118	118	121	122	122	122		129
9	Election of Senators by Direct Vote of the People	394	394	410				410	
				467	468	468	468		539
11	Monument over Grave of Jesse Tyler	539	539						
12	Protesting against Report of Cong. Conf. Com. on Indian Appropriation Bill .	352			352	352	352		379
13	Amendment to State Constitution - House Members	482	482	498					
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14	When Certain Appropriations shall Take Effect	652			653	653	653		655

HOUSE JOINT MEMORIALS.

Number	SUBJECT OF TITLE.	Received from House	Referred or Recommitted	Reported	Second Reading	Third Reading	Passed	Rejected	Signed by President
1	To the President and Congress—Asking Appropriation for Irrigation Investigations .	109	110	157	182	182	182		235
2	Secretary of the Interior to Restore Certain Lands to the Public Domain . .	256	257	383	402	439	439		450
3	Annexation to Utah of Arizona Land North of Colorado River	269			270	270	270		296

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1	Joint Committee to Visit Branch Normal School at Cedar City	201	201				
2	Inviting Idaho Legislature to Visit Capital of Utah . .	234		234	234	234	234
3	Joint Committee to Investigate State Industrial School .	376			376	376	376

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