SENATE JOURNAL.

SIXTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH,

1905.

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SALT LAKE CITY.
THE DESERET NEWS.
1905

MEMBERS

UTAH STATE SENATE

1905.

First District—Peter Clegg, Tooele City.
Second District—Alonzo G. Barber, Logan,
Third District—Wesley K. Walton, Woodruff.
Fourth District—David McKay, Huntsville.
Chas. R. Hollingsworth, Ogden.
Fifth District—Frederick Rasband, Park City.
Sixth District—Stephen H. Love, Forest Dale.
Samuel C. Park, Salt Lake City.
George N. Lawrence, Salt Lake City.
Wm. N. Williams, Salt Lake City.
Simon Bamberger, Salt Lake City.
Seventh District—Henry Gardner, Spanish Fork.
C. E. Loose, Provo.
Eighth District—Thomas C. Callister, Fillmore.
Ninth District—C. P. Larsen, Manti.
Tenth District—Willis Johnson, Circleville.
Eleventh District—A. B. Lewis, Frisco.
Twelfth District—Harden Bennion, Vernal.

OFFICERS

UTAH STATE SENATE

1905.

President—Stephen H. Love, Salt Lake County.
Secretary—H. L. Cummings, Salt Lake County.
Minute Clerk—Frank K. Nelson, Sanpete County.
Docket Clerk—Benjamin Backman, Utah County.
Reading Clerk—Theodosius Botkin, at large.
Engrossing Clerk—Fred Taylor, Salt Lake County.
Chaplain—H. S. Gowans, Tooele County.
Committee Clerks—H. S. Laney, Salt Lake County;
Miss Alice Crismon, Salt Lake County;
Miss Anna McKay, Weber County.
Mailing Clerk—Miss Juliette A. Marks, Weber County.
Sergeant-at-Arms—John R. Edgheill, Juab County.
Messengers—Frank Maxwell, Summit County;
C. W. Booth, Utah County.
Stenographer—Mrs. Alice R. Hamilton, Salt Lake County.
Doorekeepers—William Longhurst, Rich County;
W. S. Thorn, Salt Lake County.
Watchman—H. D. Wiley, Piute County.

STANDING COMMITTEES.

AGRICULTURE AND IRRIGATION.

McKay, Chairman; Gardner, Barber, Clegg, Walton, Larsen, Callister.

APPORTIONMENT.

Callister, Chairman; Park, Rasband, Larsen, Barber.

APPROPRIATIONS AND CLAIMS.

Williams, Chairman; Bennion, Lawrence, Gardner, Callister, Walton, Larsen.

BANKS AND BANKING.

Lewis, Chairman; Park, Hollingsworth, Loose, Bamberger.

CONTINGENT EXPENSE.

Johnson, Chairman; Bennion, Walton.

COUNTY AND MUNICIPAL CORPORATIONS.

Larsen, Chairman; Bamberger, Rasband, Clegg, Callister, Barber, Williams.

EDUCATION.

Bennion, Chairman; Johnson, Walton, Callister, Barber, Park, Lawrence.

ELECTIONS.

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ENGROSSED AND ENROLLED BILLS.

Hollingsworth, Chairman; Barber, Callister.

FEDERAL RELATIONS.

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FISH AND GAME.

Barber, Chairman; Walton, Park, Larsen, Loose, Clegg, Callister.

FORESTS AND FORESTRY.

Rasband, Chairman, McKay, Clegg, Gardner, Larsen.

HIGHWAYS AND BRIDGES.

Larsen, Chairman; Hollingsworth, Johnson.

JUDICIARY.

Lawrence, Chairman; Bennion, Hollingsworth, Johnson, Bamberger, Gardner, Walton.

LABOR.

Gardner, Chairman; Bennion, McKay, Rasband, Bamberger.

LIVE STOCK.

Clegg, Chairman; Walton, Barber.

MANUFACTURES AND COMMERCE.

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MILITARY AFFAIRS.

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PUBLIC HEALTH.

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PUBLIC INSTITUTIONS.

Hollingsworth, Chairman; Lawrence, Gardner, Bamberger, Barber, Williams, Larsen.

PUBLIC LANDS.

Walton, Chairman; Johnson, Larsen, Rasband, McKay, Clegg, Callister.

PUBLIC PRINTING.

Bamberger, Chairman; Walton, Gardner.

RAILROADS.

Loose, Chairman; Johnson, Lawrence, Larsen, Bennion, Hollingsworth, Clegg.

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Bennion, Chairman; Hollingsworth, Callister.

SALARIES.

Gardner, Chairman; Barber, Rasband Lawrence, Bamberger.

STATE AFFAIRS.

Callister, Chairman; Williams, Johnson, Larsen, Park.

WAYS AND MEANS.

Johnson, Chairman; Bamberger, Hollingsworth, Gardner, Williams.

RULES OF THE SENATE

SIXTH 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 persons 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 passsage of all bills the vote shall be by yeas and nays, upon each bill separately, and shall be entered up-

on 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 filled, 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.

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

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

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

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

PRACTICE.

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

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

45. When a question has been once made and carried in the affirmative or negative, it shall be in order for a member of the majority to move for a reconsideration thereof; or give notice that he will make such motion

within the time prescribed by the rules, for which time he shall control the motion. No motion for reconsideration shall be in order, unless made within the next day of actual session of the Senate; Provided, That should the member giving notice of a motion to reconsider not make such a motion within the time prescribed by the rules, any other member voting with the majority may make such motion within the next succeeding legislative day. Such motion shall take precedence of all other questions except a motion to adjourn.

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

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

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

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

50. Any five Senators may make a call of the Senate and require absent Senators to be sent for, but a call of the Senate cannot be made after the voting has commenced and a call of the Senate being ordered, the doors shall be closed and the absentees noted, and no Senator permitted to leave the room without the consent of the President, until the report of the Sergeant-at-Arms be received and acted upon, or further proceedings in the call be suspended, or the Senate adjourn. Previous to the reception of such report, further proceeding in the call shall not be suspended, except by the vote of two-thirds of the Senators present.

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

52. The rules of parliamentary practice, comprised in Roberts' Rules of Order shall govern the Senate in all cases to which they are applicable and in which they are

not inconsistent with the standing rules and orders of the Senate.

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

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

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

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

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

58. No person, except members of the House of Representatives and their officers, members and ex-members of Congress, heads of Executive Departments of this State, Chaplains, Judges of the United States Courts, and Supreme and District Judges of this State, former Governors and ex-members of the Legislature and the Mayor and members of the City Council of Salt Lake City, and general field and staff officers of the National Guard of Utah and officers of the United States Army, and reporters of the press, shall be admitted to the floor of the Senate unless by leave of the President, or on special invitation of a member.

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

1. Roll-call.
2. Prayer of 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.

SIXTH SESSION

FIRST DAY.

Senate Chamber,
Joint City and County Building,

Salt Lake City, Utah, Jan. 9, 1905.

Pursuant to constitutional requirement, the hold over Senators and Senators-elect of the Sixth regular session of the Legislature of the State of Utah convened at 12 o'clock, noon.

The Senate was called to order by Hon. C. S. Tingey, Secretary of State, who gave the following as a list of members entitled to seats:

SENATORS.

First District, Peter Clegg, Tooele City.

Second District, Alonzo G. Barber, Logan.

Third District, Wesley K. Walton, Woodruff.

Fourth District, David McKay, Huntsville; Chas. R. Hollingsworth, Ogden.

Fifth District, Frederick Rasband, Park City.

Sixth District, Stephen H. Love, Forest Dale; Samuel C. Park, Salt Lake City; George N. Lawrence, Salt Lake City; Wm. N. Williams, Salt Lake City; Simon Bamberger, Salt Lake City.

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

Eighth District, Thomas C. Callister, Fillmore.
Ninth District, C. P. Larsen, Manti.
Tenth District, Willis Johnson, Circleville.
Eleventh District, A. B. Lewis, Frisco.
Twelfth District, Harden Bennion, Vernal.

All members but Mr. Barber responded to roll.

The oath of office was administered to all new members by Chief Justice Bartch of the Supreme Court of Utah.

Mr. Lawrence nominated Stephen H. Love for President of the Senate, which was seconded by Mr. Bamberger.

On motion of Mr. Johnson, rules were suspended and Mr. Love was elected by acclamation.

The Secretary of State appointed Messrs. Lawrence and Bamberger a committee to escort Mr. Love to the chair.

Senator Love thanked the members for the honor conferred.

S. R. No. 1, by Walton, as follows: Resolved that the following named persons be the regular officers of the Sixth State Senate:

Secretary—H. L. Cummings, Salt Lake county.
Minute Clerk—Frank K. Nelson, Sanpete county.
Docket Clerk—Benjamin Bachman, Utah county.
Reading Clerk—Theodosius Botkin, at large.
Engrossing Clerk—Fred Taylor, Salt Lake county.
Chaplain—H. S. Gowans, Tooele county.
Committee Clerks—H. S. Laney, Salt Lake county; Miss Alice Crismon, Salt Lake county; Miss Annie McKay, Weber county.
Mailing Clerk—Miss Juliette A. Marks, Weber county.
Sergeant-at-Arms—John R. Edgheill, Juab.
Messengers—Frank Maxwell, Summit county; C. W. Booth, Utah county.
Stenographer—Mrs. Alice R. Hamilton, Salt Lake county.
Doorkeepers—William Longhurst, Rich county; W. S. Thorne, Salt Lake county.
Watchman—H. D. Wiley, Piute county.

Resolution adopted.

The oath of office was administerd by Chief Justice Bartch.

Mr. Johnson moved that the Senate notify the House that the Senate is organized and prepared for business. Carried.

Mr. Lewis moved that a committee of three on Rules and Order of Business be named. Carried.

The President appointed Messrs. Lewis, Park and Hollingsworth as such committee.

Mr. Johnson moved that, pending the report of the committee on Rules and Order of Business the rules of the last Senate be adopted. Carried.

On motion of Mr. Hollingsworth, the President appointed a committee of three, Senators Bamberger, Rasband and Callister, to wait upon the Governor and inform him that the Senate is organized.

Invocation by Chaplain H. S. Gowans.

Mr. Walton moved that, out of courtesy to the senior Senator, Mr. McKay, he be permitted to select his seat; then the minority members, after which the oldest members be allowed to select theirs. Carried.

Mr. Bennion, in behalf of the Democratic members, extended thanks, for the courtesy shown.

S. R. No. 2, by Hollingsworth, as follows:

Whereas: The Senate has learned with profound sorrow of the death of Mrs Jennette McKay, wife of Senator David McKay of Weber County, Utah, Therefore;

Be it Resolved, that the sincerest sympathy of the members of the Senate be tendered to Senator McKay and his daughters and sons in their hour of such great sorrow.

We trust that the "All Wise Creator" may ever have our highly respected Senator and his family under his special care and guidance.

Mr. McKay tendered his thanks for the expression of love and sympathy.

On motion, a recess was taken, awaiting the re-

turn of the committee directed to wait upon the Governor.

Senate called to order at 12:35 p. m.

COMMUNICATIONS.

The following communications were received and filed:

House of Representatives.
Salt Lake City, Utah, January 9, 1905.

Mr. President:—I am directed by the House to inform you that the House has this day perfected an organization with the following officers:

Speaker—Thomas Hull of Salt Lake.
Chief Clerk—W. E. Vigus of Salt Lake
Minute Clerk—Charles J. Olson of Sevier.
Engrossing and Enrolling Clerk—Mrs. Elsie Barrett of Utah.
Docket Clerk—James T. Law of Cache.
Sergeant-at-Arms—Herman Snow of Utah.
Asst. Sergeant-at-Arms—John O. Carlston of San Pete.
Watchman—James Sheffield of Box Elder.
Messengers—John Ingebretsen of Weber, William J. Selly of Emery.
Chaplain—Davis Hess of Davis.
Doorkeepers—W. D. Powell of Salt Lake, C. M. Ahlstrom of Iron.
Committee Clerks—Miss Edna Wold of Morgan, Miss Angie Bickford of Salt Lake, John D. Hooper of Weber.

Respectfully,
W. E. VIGUS, Chief Clerk.

House of Representatives,
Salt Lake City, Utah, January 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has appointed a committee consisting of Representatives Wilson, Joseph and Kuchler to act with a like committee from the Senate

to wait upon the Governor of the State of Utah and inform him of its organization.

Respectfully,
W. E. VIGUS, Chief Clerk.

REPORT OF COMMITTEE.

The committee appointed to notify the Governor of the organization of the Senate reported that His Excellency would be pleased to meet with the Joint Assembly in the hall of the House tomorrow at 2 o'clock p. m.

As a further mark of respect to Senator McKay, on motion of Mr. Johnson, an adjournment was taken until tomorrow at 1:30 p. m.

SECOND DAY.

Senate Chamber,
January 10, 1905.

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

Roll call; quorum present.

Prayer by Chaplain.

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

REPORT OF SELECT COMMITTEE.

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 Fifth session be adopted without change, and that 100 copies thereof be printed for the use of the members.

Respectfully submitted,
A. B. LEWIS, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 1, by Mr. Johnson, "An act to Provide for the Regular and Contingent Expenses of the Sixth 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, 15; noes, 0; absent, 3.

Those voting in the affirmative were: Bamberger, Bennion, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Barber, Callister, Clegg.

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

S. B. No. 2, by Williams, "An Act to Provide for an Additional Experiment Station and Transfer of Southern Utah Experiment Farm," read the first time by its title and tabled, to be referred to proper committee.

Mr. Williams moved that the Senate adjourn until 2 o'clock p. m. tomorrow, and that the Senate now proceed in a body to the House of Representatives to hear the Governor's message; which carried.

JOINT SESSION.

House of Representatives,
January 10, 1905.

The Sixth Legislature of the State of Utah met in joint session at 2 p. m. President Love of the Senate presiding.

Chaplain H. S. Gowans of the Senate, in the absence of the Chaplain of the House, offered prayer.

Roll call; quorum present.

Mr. Lawrence moved that a committee of four, consisting of two members from the Senate and two members from the House, be appointed to wait upon His Ex-

cellency the Governor, and advise him that the joint assembly is now ready to listen to his message. Upon the motion carrying, the Chair appointed Senators Lawrence and Bamberger, and Representatives Austin and Stewart to act as such committee.

At 2:10 the arrival of the Governor was announced.

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

GOVERNOR'S MESSAGE.

Executive Office,
Salt Lake City, Utah, Jan. 10, 1905.

To the Legislature of the State of Utah:

I esteem it a great pleasure, as it is made my duty by constitutional requirement, to greet this honorable body in its sixth regular session, and to submit for your consideration a statement of the condition of the State of Utah, and suggestions as to needed legislation.

Since the last session of this body, a change has occurred in the position of Chief Executive of Utah. On the completion of his second term, the first Governor of our State, the Honorable Heber M. Wells, has retired from the office, leaving behind him a splendid record. The same can justly be said of all who have had part in the State administration. I am sure that the desire of every member of this Legislature is, equally with mine, that Utah's high position be maintained, and the interests of the State advanced. I know I can count on your active and intelligent co-operation in the work required to keep our State in the line of progress and prosperity.

In his last message to the Legislature, my predecessor called attention to the favorable conditions then prevailing in Utah. I am pleased to be able to state that those conditions have continued and are still prevailing. Capital is still seeking avenues of investment in Utah, and the products of the field and flock are plentiful, and command good prices. Farmers and mechanics—the bone and sinew of a community—are partaking of the benefits arising from improved markets for their produce and labor.

A notable feature of our industrial growth is seen in

the establishment of manufacturing enterprises, and the support afforded to such industries. The money kept at home by these manufactures, which would otherwise be placed in circulation elsewhere, is forming now, and will form more and more in the future, an important part of the wealth and the revenues of our State. Home production of goods, and the securing of outside markets for them, is proving a most important factor in Utah's development and wealth. It is a cause of sincere congratulation that on account of the industry and enterprise of our citizens, the products of our farms, mines, and factories are finding an ever-widening market abroad. The wise, statesmanlike policy that has secured prosperity to the nation, is giving the same boon to Utah. So far as legislation will aid in continuing this prosperity, I am sure you will keep this essential object in view in all your enactments.

As you are aware, your legislative work will consist of two parts: amending or repealing existing laws, and framing new ones. Every law should be able to stand two tests: 1, that the enactment is necessary, and 2, that the law is clear in all its terms. It is possible for a state to be overloaded with statutes. Over-legislation is fully as harmful as insufficient legislation. I trust that the members of the present Legislature will show discretion and conservatism with reference to new legislation.

Whenever laws already on the statute books have been tried and found wanting, or when the experience of our own or of other states has proved the need of amendment,—and only in such cases,—should changes be made.

ELECTION OF SENATOR.

One of your most important duties is the election of a United States Senator. In common with all the other citizens of this State, I am, of course, desirous that Utah shall be worthily represented in that exalted body. Your choice for that position should be a man of great reputation and ability. It is the highest office in the gift of the State, and the character of our citizenship will largely be judged by the manner of man you send there. Not only that, Utah's prestige and influence in the work of the Senate will depend,

in great measure, on the legislative ability of the man chosen as Senator.

Next in importance to doing this work well, is doing it without unnecessary delay.

FINANCIAL.

The report of the State Auditor, submitted herewith, shows that all the matured obligations of the State have been met, and all warrants paid when due. Owing, however, to certain appropriations out of the ordinary, there is not so much cash on hand as was the case two years ago. The most important features of the report of the State Auditor will be reviewed in brief, and recommendations made accordingly.

Following is a tabulated statement of the estimated needs of the State for the years 1905 and 1906: I wish it understood that wherever, in the following parts of this message, I indorse the recommendations for appropriations made by various boards of management of State institutions, it is merely from the standpoint of the merit of the case. It must be left to your judgment whether or not the revenues of the State will justify the appropriation asked for and indorsed.

Legislative Department	$ 36,220.00
Executive Department	22,000.00
Secretary of State	15,900.00
State Auditor	13,000.00
State Treasurer	4,800.00
Attorney General	11,000.00
Fish and Game Commissioner	12,740.00
Coal Mine Inspector	6,000.00
State Engineer	6,000.00
State Bank Examiner	3,000.00
Dairy and Food Commissioner	4,400.00
State Chemist	2,000.00
Judicial Department	218,400.00
University of Utah	335,431.00
Agricultural College	282,190.00
School for the Deaf and Dumb and the Blind	62,300.00
State Industrial School	60,000.00
State Mental Hospital	173,180.00

State Board of Corrections	111,660.00
Utah Art Institute	2,000.00
National Guard of Utah	65,140.00
Bureau of Statistics	8,000.00
State Board of Land Commissioners	39,800.00
State Board of Pardons	300.00
State Board of Equalization	13,000.00
State Board of Health	17,424.00
State Board of Horticulture	16,200.00
Deseret Agricultural and Mfg. Society	55,000.00
State Board of Education	1,850.00
State Board of Examiners	12,840.00
State Board of Loan Commissioners	72,350.00
Utah Silk Commission	7,000.00
State Board of Sheep Commissioners	5,800.00
To the several counties (Assessors' offices).	3,500.00
State's proportion certain county salaries..	55,000.00
Bounties on wild animals, etc.	35,000.00
Redemption fund to take up bond issue, '92.	50,000.00
Expense conveying convicts to State prison	2,000.00
Expense of members of state boards	500.00
Two-thirds of bounty on grasshoppers..	15,000.00
Irrigation and water rights	50,000.00
Arid Land Reclamation Fund Commission.	15,000.00
Arid Experimental Farms	15,000.00
Irrigation and Drainage	10,000.00
Total	$1,947,925.00

DEFICITS.

State's proportion of certain salaries	$ 7,500.00
Outstanding certificates for bounties	30,000.00
Deficits authorized by State Board of Examiners—	
Agricultural College	5,000.00
University of Utah	5,000.00
State Board of Corrections	5,500.00
St. Louis Exposition	10,000.00
National Guard of Utah	25,625.00
Attorney General Contingent	300.00
State Bank Examiner	50.00
Total deficits	$88,975.00
Grand total	$2,036,900.00

(This estimate does not include anything for Roads and Bridges.)

As you see from the above tabulation, the estimated needs of the State as a whole, including public institutions, heads of departments, and fixed charges provided for by enactment, are $2,036,900.00. The estimated receipts for the corresponding period, including the balance in the treasury, are only $1,587,817. It is plain that a cutting down of appropriations below the estimates will be absolutely necessary. I trust that you will use the utmost care in seeing that, so far as possible, these reductions are made where they will least hamper the progress and prosperity of the State.

Regarding the deficits enumerated above, permit me to suggest that care should be exercised by those having in hand the expenditure of public funds, appropriated by the Legislature for a certain period, to see that the expenditures are kept within the limit of the appropriation, and no deficits incurred. It is understood, when the appropriation for a certain purpose has been made by the Legislature, after due deliberation, it is all that can well be spared for the purpose, and the ones entrusted with its expenditure should not go outside the limit set.

An illustration of the creation of a deficit by the provisions of the law itself, is brought to your attention by the State Auditor's report. He reports that, after exhausting the appropriation of $20,000 made by the last Legislature, to pay bounties for the destruction of wild animals, there are certificates outstanding and unpaid, amounting to $30,000, for which the State is liable. While the law providing a bounty for the destruction of wild animals is commendable, and its enforcement has been productive of great good, the State finances will not, in my opinion, permit of so large amounts being paid for this purpose. I therefore recommend that the law be amended so as to provide that when the fund for this bounty is exhausted, the State Auditor shall be required to give public notice of that fact, and that liabilities against the State on that account shall cease from that time. It should be made impossible to create a deficit.

I am informed, also, that there is great difficulty in distinguishing between coyote and wolf scalps, and it is believed that in many instances the bounty of $5.00, al-

lowed for the killing of a wolf, is paid for a coyote. I therefore recommend that the bounty for these two animals be made uniform.

STATE AUDITOR.

The report of the State Auditor makes mention of matters which are worthy of your careful attention.

During the nine years of statehood, no increase in indebtedness has ben incurred. The total indebtedness of the State at present is represented by bond issues aggregating $900,000; and a fund of $50,000 has already been set aside to meet the first issue of bonds, to mature in 1912.

Regarding the law regulating the testing and sealing of weights and measures, the Auditor states that there is not a county in the State in which the provisions of this important law are carried out. Either the act should be repealed, or it should be made effective by an amendment making it the duty of the various county boards to see that standards are provided and properly tested, and making it obligatory upon the owners of weights, measures, scales, and beams, to have them tested and sealed by the county sealer.

In the matter of examining public accounts, I would recommend greater strictness. At present the law provides that it is the duty of the State Auditor to inspect, in his discretion, the books of any person charged with the receipt, safe-keeping, or disbursement of public moneys. Believing that this examination should occur at least once a year, I recommend that the law be amended (Section 2421, 14) by striking out the words "to inspect, in his discretion," and inserting in lieu thereof the words, "to audit at least once a year."

CARE OF PUBLIC FUNDS.

Another subject which requires the prompt and careful attention of the Legislature, is a proper system for depositing and safely keeping the public funds, whether school, city, county, or state. The Constitution provides that the officials of school districts, cities, counties, and the State, shall receive fixed and definite sums as compensation for their services, and these should be in pro-

ortion to the responsibility and work of the position. his provision carried out in its letter and spirit, gives to ıe people a knowledge of what is paid in salaries to ublic officers; it is condemnatory of any act or proceed- ıg by which, as a side issue, any public officer is able to ıcrease his compensation through the use of public ınds entrusted to his care. A system which enables ny custodian of public funds to accept employment ominally as clerk or official in some institution and re- eive a salary therefor, while the real consideration for ayment of such salary is the use of public funds, is per- ıicious in the extreme, and is violative of the spirit of he Constitution.

In conducting public business in this State, pay- ıent is made by a system of warrants. These warrants lraw interest from the public treasury under certain onditions. For illustration, if presented to a county reasurer, when drawn against a county fund, and reg- stered and stamped "not paid for want of funds," they lraw interest at 5 per cent. This makes it possible that ounty and other warrants may draw interest, when at he same time money belonging to those funds may ıave been lying in the banks. Every dollar of interest hus paid is a direct robbery of the public treasury. This ystem should not be permitted.

I realize that there is an antagonism to a change. For this reason I have dealt more fully with the subject han I would have done under other circumstances, and ıave stated the situation so clearly that I believe no member of your honorable body can fail to comprehend it. From the standpoint of a public business adminis- tration that is frank and honest with the public, whose servants and agents we are, I urge upon you prompt and efficient legislation to cover the ground indicated. Hence I recommend as to the depositing of state and other funds, that the law should provide that it be un- der a board, either of loan commissioners or otherwise as you in your wisdom may designate, who shall exer- cise discretion as to the safety of the place of deposit, and shall let the public know the terms thereof, and the benefit to go to the various funds on deposit; that in counties the power be vested directly in the boards of county commissioners; in cities in the city councils or finance committees thereof; and in school districts in

the various school boards, each to exercise its discretion and make its action a matter of public record. By this method we will safeguard the taxpayer as it is our duty to do in the judicious handling of public funds.

STATE LANDS.

The report of the State Board of Land Commissioners is submitted for your consideration. I desire to refer to the main items set forth in full in the report.

Practically 92 per cent of the 1,524,000 acres of land granted by Congress to the State of Utah, in the Enabling Act, for the establishment of educational and charitable institutions, and the development of the resources of the State, have been selected, pro rata under the several grants. Care has been taken to see that the ratio of satisfaction among the respective grants, is maintained. Under the system adopted by the State Board, the money accruing to the several grants is divided pro rata among them. A minimum price is fixed for the lands, and the citizens are required to designate the tracts they desire to purchase, and the selecting agents designate the grant to which each list shall apply. As virtually all the lands are rated at the same price, when selected by purchasers, no grant can obtain an advantage over any other.

The indications are that the grants will be satisfied in the next two years, and after that the only land acquired from the Government will be the four sections in each township awarded to the Common Schools. The extent of this grant of school lands can not be determined with accuracy until the public surveys have been completed. While the selection of public lands for the satisfaction of these grants will necessarily cease in a short time, it will be many years before all the school lands will come into the possession of the State. Furthermore, about 200,000 acres of land designated as school lands have been disposed of by the Government under the agricultural and mineral laws, and lands in lieu of these will be chosen for the school fund. The sale of these lands will add to the school fund, and materially lessen the rate of taxation for the support of the public schools.

Not so much land as formerly has been applied for during the past two years. This is partly accounted for by the formation of forest reserves. These lands withdrawn from sale or settlement, are chiefly the valuable grazing tracts, the less desirable lands being left for purchase. It is believed, however, that many of these lands will be restored to the public domain, only those lands being permanently withdrawn from sale as seem absolutely necessary to preserve the water supply and the growth of timber.

Under the law, the State Board of Land Commissioners has control of the investment of the several land grant funds, and I am informed that the moneys have been invested very closely and with good security. The securities are principally farm mortgages and various bonds, and the loans have usually been promptly paid. In some cases there will have to be foreclosures, and to provide for the expense of such proceedings, I would suggest that a small fund be appropriated.

The amounts of the various funds at present invested are set forth below.

Agricultural College	$ 53,195.53
Deaf and Dumb Asylum	36,423.83
Insane Asylum	38,621.20
Institution for the Blind	21,435.40
Miners' Hospital	18,460.00
Normal School	26,349.75
Public Buildings	17,945.00
Reservoirs	159,473.10
Reform School	37,426.33
School	380,621.77
School of Mines	42,916.70
University	213,638.10

The experiment in sinking artesian wells, under the provision made by the fourth session of the Legislature, has not proved very satisfactory. It is questionable if the experiment should be continued.

Your attention is called to the status of the sale of the old University site to the Salt Lake City Board of Education. There still remains a payment of $50,000 to be made, and no agreement has as yet been made as to the terms of extension of time of payment.

Under a provision made by a previous Legislature, the Land Commissioners made a loan of $100,000 to the University of Utah, half of which has been paid as it became due. Through an oversight, provision was made for the payment of interest on the remaining $50,000, only to January 1, 1904. You, of course, will provide for the payment of this interest, and make arrangements with the Board of Education regarding extension of time of payment of the remainder due the Board of Regents, so that they will be able to take care of the payment of the loan to the Board of Land Commissioners.

EDUCATION.

We may justly be proud of the position of efficiency to which our schools have attained. That this proficiency has attracted favorable notice elsewhere is proved in the awards given the school exhibit of Utah at the recent St. Louis Exposition.

The duty of the State to care for the education and training of its future citizens, is now an unquestioned one. Results in states where proper care has been exercised in this regard, more than justify the labor and expenditure. This is illustrated in our own State, where the per capita of expenditure for school purposes has increased in the past fourteen years from $6.50 to $19 per school child. Educational results have increased in proportion. The value of school property per pupil is now $40, a large increase being shown during the last few years. The good results of this use of property for school purposes are seen in the fact that the illiteracy of the State has decreased in the same period from 5.6 per cent to 3 per cent.

In his biennial report, herewith submitted, the State Superintendent of Public Instruction makes several recommendations. Among them is the recommendation that a greater number of rural high schools be established as rapidly as possible. From the fact that a sufficint number of these schools have not been established, hundreds of young people are forced to leave home to secure an education higher than the grade schools provide, while thousands are deprived of the opportunity of securing that higher training.

Under the present system of examining teachers, it often happens that there is a variety of standards of excellence, differing according to the views of the various examining boards. Under this system, an applicant who has passed a good examination in one of the counties, finds on going into another county to teach, that he has not come up to the standard of efficiency required there. To obviate this difficulty, it appears that it would be well for a State Board of Examiners of Teachers to be created, whose duty it shall be to prepare examination questions, and also to grade the papers of applicants, no matter in what part of the State the examination has taken place. Such a provision would not only secure greater uniformity in the grading of the teachers, and bring about a greater efficiency in their work, but it is said would result in a saving of about $1,000 annually.

I am in favor of any legislation which will increase the efficiency of the public schools, and these suggestions of the State Superintendent are submitted to you, with the knowledge that you will give them due attention, and decide for the best interests of the schools as a whole.

UNIVERSITY OF UTAH.

There is submitted herewith the report of the Faculty and Board of Regents of the University of Utah. In connection therewith, I submit for your consideration their recommendations as to needed appropriations for the University for the work of the next two years. In order that the needs of the institution shall be fully understood, it is necessary to call attention to the fact that as at present constituted, the University consists, in effect, of four distinct schools, viz.: the University proper, or School of Arts and Sciences; The State School of Mines; The State Normal School; and The Branch Normal, at Cedar City. The needs of these different parts of the institution are segregated by the Regents, as follows:

For General Maintenance (balance)	$148,780.00
For Buildings, Supplies, etc.,—	
University proper	14,140.00
State School of Mines	62,411.00
State Normal School	15,100.00
Branch Normal School (maintenance, supplies)	40,000.00
Gymnasium Building	50,000.00
Improvement of University Grounds	5,000.00
Total appropriation needed ...	$335,431.00

By "balance" under "general maintenance" is meant that out of a total of $215,280, required for this purpose, it is estimated that $66,500 will come from interest on land fund, registration fees, and appropriation by Salt Lake City Board of Education to the Training School.

Among the items enumerated above, I wish to call your attention to the one calling for $50,000, for a gymnasium building on the University grounds. The reasons for appropriating this amount are set forth in the report.

Regarding the total appropriation asked for, it is my opinion that the amount is not by any means too large for the needs of this important institution. Your appropriating the amount asked for must, of course, be contingent on the expected revenues of the State being sufficient to meet this and other needs. But unless compelled to do so by the most urgent reasons, I believe that you should not cut down the appropriation for the University below the very conservative amount asked for by the Regents. We are proud of the growth of the State University in numbers and prestige, and it is to be hoped that its further growth will not be hampered by want of funds.

Incorporated in the report of the Regents is a comparative statement of the cost of maintaining the University of Colorado, as well as a summary of appropriations for buildings for our University during its history, and a statement of the buildings now available for the different parts of the institution. To these elements of the report, as well as to the report as a whole, your attention is especially called.

It seems to me that it would be wise to make the regular entrance fee to the State educational institutions uniform, at least $10, for the residents of the State.

The State Normal School, which is made a part of the University by law, is recognized by several of the best educators of the country, as doing most admirable work. Its exhibit at the World's Fair was awarded a gold medal. It was established and is maintained to prepare teachers for the public schools. The duty thus devolving upon this school is the greatest and the most serious of all the functions of state schools. Therefore, no effort or means within our reach should be spared to make it possible for the State Normal School to discharge its whole and great duty to the State.

Your attention is also called to the great importance of our School of Mines. Utah is pre-eminently a mining state, its mineral products for 1904 reaching beyond the enormous sum of $26,000,000. Upon this great industry our State is dependent for the greater part of its wealth. In South Dakota the metallurgical laboratories of the School of Mines are said to be the most important factor in the development of the mining industry. The material prosperity of our State at the present time, depends largely on its mineral resources and products. The success of agriculture, the fundamental industry of man, depends to a large extent upon the successful operation of our mines. It is therefore our duty to do all within our means to make the State School of Mines as efficient as possible, that the young men of the State may have the opportunity at home to become thoroughly educated in all the various operations pertaining to the mining industry.

Your attention is directed to the concentrating mill exhibited at the World's Fair, in the mineral department. This mill is not large enough for commercial purposes, but is excellent for testing small quantities of ore. It would add greatly to the efficiency of the metallurgical laboratories of the Mining School, if it could be used there when the State has no further use for it. I recommend that provision be made for such use.

It would seem advisable to do all that is possible for the maintenance and advancement of this important institution. There is a deficit of $5,000, incurred by the Regents with the consent of the State Board of Examiners. I suggest an early appropriation to cover this deficit.

THE AGRICULTURAL COLLEGE.

The report of the Board of Trustees of the Agricultural College, shows that institution to be in splendid condition. The grade of work done is higher than during any previous period of its history, and the proportion of students following the higher and technical courses, is becoming larger all the time. Recognition is being given to the work of this institution not only in Utah, but in other places; and the awarding to it of several prizes at the St. Louis Exposition, was a high distinction. This school is now recognized as one of the best of its kind in the country.

I think that you will agree with me, that the kind of work done here is indispensable to the material interests of our State, and that the position of efficiency to which the institution has arisen, should be maintained. To provide for the rapidly increasing attendance, and the growth of the school in importance, it is represented that a large increase each year will be required in the appropriation.

The College is made up of these distinct schools: School of Agriculture; School of Domestic Science and Arts; School of Engineering and Mechanic Arts; School of Commerce; School of General Science; School of Music; Summer School; and Agricultural Experiment Station. Each of these schools has its distinct work, yet all of them are interdependent, and the work of each one is supplemented by that of all the others.

Especially in the distinctive work of the institution, Agriculture, has great progress been made. The Experiment Station, with the work done on the experimental farms, and in the line of irrigation, together with the holding of farmers' institutes, has been of untold benefit to the agricultural interests of the State at large, and the inportance of the work will increase as time goes on. Public interest in this department is growing correspondingly, as the people become better acquainted with the nature and scope of the work. In all other particulars, too, the growing importance of this school is becoming apparent.

The needs of the College for the next two years, are named by the Trustees, as follows:

General Maintenance	$133,795.00
Equipment	39,630.00
Printing, Experiment Station	4,000.00
Improvements	8,765.00
Buildings	96,000.00
Total	$282,190.00

The balance of $133,795, under "general maintenance," is the amount remaining after allowance is made for the money to be received from the government, interest on land grant fund, fees and department sales, and salaries paid from Experiment Station Fund.

Under the item, "buildings," is included a building for combined armory and gymnasium, estimated to cost $60,000. The need of a suitable gymnasium is reported as being very urgent, and the reasons for the erection of such a building, are fully set forth in the report, and are worthy of close consideration. It is also represented in the report, that an armory is absolutely necessary, in order that the College may come up to the requirements of the War Department. As a matter of economy, it is proposed that one building be erected and used for the present for both these purposes.

It is my opinion that the appropriation asked for by the College is not too great for its needs, and if the revenues of the State will justify, I am strongly in favor of the amount being allowed. While proper economy should be considered in public expenditures, it is not always a matter of economy to stint a public institution in its urgent needs, especially when that institution is of so much importance as the Agricultural College. The training of our young men and women in the fundamental work of a community, agriculture, trades, domestic science, etc., is a matter of great seriousness, and worthy of our most careful consideration. It is to be hoped that not even the demands of economy will render it necessary to hamper and interrupt the work of the Agricultural College.

STATE INDUSTRIAL SCHOOL.

The report of the Board of Trustees of the State Industrial School, shows splendid progress during the past

two years. New buildings and equipment have been provided, and the methods of instruction improved. Especially is the management to be commended on the establishment of the merit system, by which each inmate receives the benefit of proper behavior.

The report of the Trustees shows that the male inmates are receiving instruction in shoemaking, carpenter work, blacksmithing, horticulture, floriculture, farming, and gardening. The girls are given instruction in sewing, fancy work, and in operating knitting machines, as well as in some lines of domestic work. The Trustees ask for additional branches of manual training, such as harness, broom, brush, and basket making, and tailoring.

They also urge the connecting of the institution with the Ogden City water system, and the purchasing of additional land for beet culture.

On January 1, of this year, there were 72 inmates, a slight increase over a year ago. I insert here the needs of the institution, for the care of these inmates for the next two years:

For general maintenance	$40,000.00
To connect with City water system	3,000.00
For purchase of farm, for improvements and library	7,000.00
For provision for manual training	10,000.00
Total	$60,000.00

I am of opinion that the amount asked for is reasonable.

STATE BOARD OF INSANITY.

The report of the State Board of Insanity, having in charge the State Mental Hospital, is submitted herewith. It shows steady improvement in the condition of the buildings and fixtures, improved methods in heating, lighting, etc.

The actual expenses of the two-year period, for all purposes, amounted to $168,470.40. This includes a large expenditure for the erection of new buildings, and the repair of old ones.

The daily per capita cost for care of patients has in-

creased during this period as compared with the preceding two-year period, from 32.7 cents, to 36.4 cents. This is due to the increased cost of provisions, material, and labor, and the greater number of attendants employed.

The following estimate of expenses for the ensuing two years is submitted by the Board:

General maintenance, including care and treatment of patients, clothing, provisions, fuel, etc.	$104,000.00
New building for men patients	39,000.00
Bath rooms, toilets, etc., for both divisions, (main building)	10,000.00
Improvements and repairs for two years...	5,000.00
Laundry and appointments	3,000.00
Porches for cottages	3,000.00
Automatic fire stokers	3,000.00
Premiums on insurance	3,000.00
Oven and appointments	2,500.00
Engineer's fitting shop	800.00
Total	$173,300.00

Among these items you will observe one for "New Building for men patients," calling for an appropriation of $39,000. Considering the present condition of the finances of the State, and the need of rigid economy in the expenditure of funds, I am of the opinion that it would not be prudent to attempt the erection of this building in the next two years. A building costing a like amount was erected last year, and it seems to me that it will be possible to dispense with the erection of another such cottage, until the Legislature meets again. It appears to me that a part of the main building could be used for the accommodation of the class of patients for which the new building would be intended. You will please take this matter under careful advisement, consulting with such officials as you think necessary. I am of the opinion that the appropriations asked for for all other purposes are reasonable and conservative.

I wish to compliment the management of this important institution for the excellent condition it is in. It is a subject of congratulation that the unfortunates, whose care is there undertaken, are so well provided for.

STATE BOARD OF CORRECTIONS.

The report of the State Board of Corrections is submitted to you herewith. The property of the State Prison is reported as being in good condition, and the value of the property is duly tabulated.

On October 9, 1903, a desperate attempt at jail-delivery was made by some of the most reckless criminals then imprisoned. As a result of this attempt, two of the guards were seriously injured, and a considerable expense was brought upon the State. Discipline was, however, immediately restored, and affairs at the prison have gone on since then, without serious interruption.

During the Legislative session of 1903, a law was passed making eight hours a day's work at all penal institutions operated by the State. This law has been fully tested, and is in successful operation. Some objection has been made to its provisions, but these are being entirely overcome.

A deficit of $5,500 has been incurred, and I suggest that an appropriation be made as soon as possible in the present session, to provide for this deficiency being met.

Following is a segregated list of the needs of the Board for the next two years:

For maintenance for the two years, 1905 and 1906, arrived at by computing an average of 200 prisoners daily at a per capita cost of 59 cents per day, which was the cost for the past two years, and also including an increase of $10.00 per month in the salaries of officers and guards, which is hereby recommended.....$91,660.00

For additions and repairs, as follows:

Trusty house and milk house combined	2,500.00
Vault	300.00
New armory and equipment	850.00
Twelve cottages to be rented to guards	12,000.00
Paints, oils, glass, brushes, etc.	600.00
Insurance	750.00
For gratuities to discharged convicts	3,000.00
Total	$111,660.00

I wish to call your attention particularly to the item, "Twelve cottages to be rented to guards, $12,000." In

consequence of the eight-hour law passed by the last Legislature, the legal question has been raised as to the State's liability for extra pay to the guards for the overtime that they are kept near the prison as a protection against jail-breaks. This question, it is thought, can best be settled by the erection of cottages to be rented to the guards, making their homes near enough to the prison to afford the needed protection without keeping the guards in any sense on duty. This appropriation appears to me an advisable one.

STATE BOARD OF PARDONS.

The report of the State Board of Pardons for the years 1903 and 1904, shows that during that period forty-eight pardons, eight commutations of sentence, and five paroles have been granted. I am of the opinion that the Board has acted with admirable discretion in its action on applications for clemency. It is evident that full consideration has been given to the circumstances of each case, and the wisdom of the decisions is, I believe, apparent.

STATE FAIRS.

According to the report of the Directors of the Deseret Agricultural and Manufacturing Society, the state fairs held in 1903 and 1904 were, in point of paid admissions, and value of exhibits, in advance of any previous fairs held in the State. In point of paid admissions, the fair of 1904 was a record-breaker; total paid admissions being 51,485. At this fair complaint was made that there was not room for all the exhibits. It is hoped by the Directors of the Society that a sufficient appropriation will be made by the present Legislature to ensure the completion of the building now under way, in order that needed room may be provided. The architect estimates that it will require $40,000 more to complete the building.

The Board estimates that the usual appropriation of $15,000 will be sufficient, with proper economy, to meet the regular expenses of the Society for the next two

years. If possible, the two appropriations should be made.

BOARD OF EQUALIZATION.

There is submitted to you herewith, the report of the State Board of Equalization. It shows a steady increase in the assessed valuation of the taxable property of the State. Although it is estimated that there will be a corresponding increase for the next two years, you will, of course, be careful not to base your estimate of expenditures on that probability.

The Board recommends two changes in the assessment law, giving full reasons for them, which are submitted for your consideration.

STATE SCHOOL FOR THE DEAF AND DUMB AND THE BLIND.

I submit herewith the report of the Superintendent of the State School for the Deaf and Dumb and the Blind. It indicates a healthy progress in the efficiency of the work, and its results. The unfortunates for whose maintenance and education the school is provided, are receiving the best of care and attention, and the efficiency is attested by the rapid progress of the pupils, and the excellent condition of the buildings and other property of the institution. Further proof of the excellence of the work done here, is seen in the fact that a gold medal was awarded this school for its exhibit at the Recent St. Louis Exposition.

The appropriation applied for, to maintain the school for the next two years, is segregated as follows:

For Maintenance	$52,000.00
For Improvements and Repairs	2,500.00
For Books and Apparatus	500.00
For Opera Seats for Chapel	500.00
For Steam Mangle	400.00
For Electric Clock and System	350.00
For New Bakery	2,050.00
For Superintendent's Cottage	4,000.00
Total	$62,300.00

If the revenues of the State will admit of this appropriation, I am strongly in favor of its being made. The children who are trained in this school have already been deprived of so may natural advantages, that it seems but fair to give them as many compensating advantages as the State can afford. A recent visit to the institution has convinced me that the pupils are more than pleased with the work that is being done for them. The gratitude which they express gives abundant proof that the condition of the school is most satisfactory. I trust you will be able to see your way clear to secure a continuation of this efficiency, by making adequate provision for the next two years.

SECRETARY OF STATE.

The report of the Secretary of State for the two years ending December 31, 1904, shows that office to be in good condition. The fees collected during that period amounted to $86,808.95. The estimated expenses for the ensuing two years are as follows:

Clerical Assistance	$6,600.00
Contingent Expenses	3,300.00
Total	$9,900.00

The Secretary reports that there are in the State 27 incorporated banks and 5 private banks, which have made their regular reports, the corporate banks being regularly examined by the State Bank Examiner. These examinations show the banks to be in good condition.

The operation of building and loan associations, both domestic and foreign, in the State, should be made the subject of careful examination and supervision. The people who are doing business with these associations, should be as fully protected by the State as those who are doing business with banks. In a sense, the institutions are similar, for both the banks and the associations hold people's money in trust and lend it on securities. Supervision and careful examination are as necessary in one case as in the other. The State supervision of these institutions is made all the more necessary by the fact that several unincorporated foreign associations are op-

erating in the State. The law regarding these associations should be so amended as to give the people ample protection.

ATTORNEY GENERAL.

The report of the Attorney General makes the gratifying statement that the infractions of the criminal statutes have not kept pace with the increase in population, but have materially diminished. It also shows that a very large volume of business has been passed upon, covering a variety of interesting legal questions incident to the development of our varied resources. A number of recommendations are made regarding needed amendments of the laws, which you will no doubt consider.

PUBLIC HEALTH.

Considering the natural advantages Utah possesses in climate, pure water, and drainage, the health of the people should be unexcelled. Yet fifteen hundred deaths (about 50 per cent of the total death rate) occur in Utah every year from strictly preventable diseases. This needless sacrifice of life is not due to any shortcomings in sanitary science, but to a lack among the people of knowledge regarding means of prevention. These preventable diseases include typhoid fever, consumption, diphtheria, scarlet fever, smallpox, cholera infantum, and, to a large extent, pneumonia. If, as has been demonstrated, the ravages of these diseases can be prevented, I think it is the duty of the State to instruct the people as to the means of prevention. This should be done not only by circulars, etc., but by proper instruction in the public schools. A course in sanitation should be established in the State Normal School, for the instruction of teachers, and in the public schools for the benefit of the pupils. Means should also be employed, through the proper instruction of the teachers, to prevent the spread of contagion in the schools.

Sight and hearing among the pupils of the public schools are often defective, and parents and teachers are not aware of the extent of these defects. If a thorough system of testing all school children in these important particulars can be adopted, it will doubtless be product-

ive of great good. Greater care should be taken in the instruction of the children regarding the harmful effects of narcotics.

It is a matter of regret that 75 per cent of the health officers in Utah serve without pay. Greater care should be taken in collecting vital statistics. State sanitary inspection should be continued in the most practical way possible, as it has proved very satisfactory in the past, so far as it has been carried out.

As a means of preventing typhoid fever and other infectious diseases, a supply of pure water and the use of dry earth closets, instead of vaults, would prove most effectual. While these are matters properly belonging to cities, towns, and villages, yet the State Engineer could render valuable aid in the matter of water works, and increased power could be given to local health officers regarding the prevention of soil-pollution. You will do well to take this matter under advisement, in connection with the report and recommendations of the State Board of Health.

The alarming extent to which patent nostrums, containing alcohol, cocaine, and other harmful drugs, are used throughout the State, is worthy of your serious consideration. While this is a difficult matter to legislate upon, on account of the desire that the liberty of the individual shall not be abridged, yet you may be able to pass a measure requiring that the exact ingredients of each preparation shall be named in the label, or limiting the amount of any dangerous ingredient in any article sold. There is no more important subject for legislation, than the public health. I trust, therefore, that you will give due consideration to the matters properly pertaining to this subject.

APPOINTIVE STATE OFFICERS.

In my opinion there exists an urgent necessity for legislation covering the composition of State boards, both those which deal with general public matters, and those affecting special interests. As now composed, some of these boards are wholly partisan, and some are bipartisan. Some are in a position to be in harmony with the state administration which the people have placed

in power, and some are not. Some are amenable to criticism from public sentiment and from an elected source, and some are practically independent of either. The incongruity thus presented is not conducive to the public good. Every board should be so arranged that in the administration of the state's affairs there can be majority control, the majority being on the side of the political policy which in its state administration has received the endorsement of the electors at the polls. I am not averse to minority representation, but there should be distinct majority representation from that political party which the people are holding responsible for administering the state's affairs.

The length of official terms on some of these boards is such as to make the members, when once appointed, practically independent of official or popular suggestion, for a term of years. In the wisdom of those who framed the state constitution, four years was made the general term of elective officers. In the special case of the Supreme Court, a six-year term, with a lapping-over provision, was fixed. I think the constitution makers were judicious in the distinction made as to classification and period of service. The action of the Legislature in the past, making the terms of some officers extend over a period of seven years, I regard as distinctly wrong in its practical effect. Four year terms are long enough for members of state boards. If a member makes a good officer, then re-appointment is in line.

In the case of the Supreme Court, it takes but four years at the most for the people to effect a change in control. But in cases of state boards, and of county commissioners and city councils where short and long-term officers are put in at such election, there is an incongruity. The class distinction between short and long-term officers causes a local irritation, or an assumption of superiority, that produces a lack of harmony. The same class of officers should have uniform terms of service, that their burdens and responsibilities may be uniform. As to the state boards particularly, I recommend that the maximum term be four years, and that the time of appointment be made to co-incide with each incoming state administration, so that the state officers elected by the people, and the state boards that will work with them,

may be in perfect acord in period of service and in policy pursued. When it comes to meeting the argument for a lapping-over of terms, I believe the appointive power of the state, which consists of the Executive and the honorable Senate, is abundantly able to determine, as occasion requires, how many and what officials should be retained for further service.

As to appointive officers under the state administration, I recommend that the commencement and closing of their terms be made practically contemporaneous with the opening and closing of the terms of the general state officers. The reasons for this will appear in my suggestion on this point, relating to the state boards.

I believe that this branch of legislative action is so important as to require your early attention; and upon this, as upon every other matter which is placed under your jurisdiction, I invite your personal and official consultation and advice, with a view to deciding on that which is for the best good of all.

ARID EXPERIMENTAL FARMS.

The great problem of reclaiming the arid and alkali lands of the West, is receiving the attention of the best minds of the country. There are three methods by which this reclamation is being acomplished: 1st, Bringing water on the arid land wherever possible; 2nd, Arid farming of land for which water is not available; 3rd, Draining alkali or water-logged lands.

The first of these problems is in a fair way of being solved through the combined efforts of State and Government experts. The irrigation act passed by the last Legislature was largely an experimental measure, and it is being carefully tested.

A beginning in the matter of arid farming was made by the last Legislature, in the measure providing for experimental arid farms. Under the provisions of this act, six experimental farms have been established. The beginning made has been very successful. The work as it progresses will include not only the mere raising of crops on dry land, but also experiment and investigation as to the commercial value of such products, and the kinds of crops best adapted to the arid lands. Suc-

cess in these lines of work means the addition of millions of dollars yearly to the farm products of the State. The work of these experimental farms should be encouraged and continued. It is estimated that an appropriation of $15,000 will be needed to support these farms for the next two years.

The subject of irrigation and drainage is being scientifically investigated at the State Experiment Station. It is hoped that a science of irrigation will grow out of the experiments conducted there. I understand that the United States Commissioner of Agriculture has offered to provide $5,000 annually for the next two years at least, to conduct experiments in irrigation and drainage, in Utah, provided the State will furnish a like amount. Your appropriation of this $10,000 would, I believe, prove a judicious measure, because the experiments thus made possible would result in the reclamation of a great deal of alkali and water-logged land, and in a much more scientific knowledge of the principles of irrigation.

The government reclamation service is doing an excellent work in the State. There is some difficulty in the way of doing the work this branch of the government geological department intends to do in our State, as compared with some of the other states, because of the fact that very many small water rights have been already secured, on practically all the streams in the State. These will have to be adjudicated, and proper apportionment of water made, before the plans of the Government in the work of arid land reclamation can be carried out.

This Government project consists, at present, of three distinct parts, the Utah Lake, Bear Lake, and Strawberry projects. The preliminary investigations are already completed, and the engineers are fully informed as to the work to be done, and the difficulties in the way. The complete utilization of Utah Lake as a natural reservior, will make it possible to irrigate something like 70,000 acres of land from that lake, whereas only about 45,000 acres are at present covered. The carrying of the waters of Strawberry Creek into the Spanish Fork River, will insure the irrigation of a large area of dry land in the southern part of Utah

County, in addition to providing a larger quantity of water for the Utah Lake reservoir. Using Bear Lake as a reservoir, will provide water for thousands of acres of dry land in the north.

The Utah Lake project is the one on which work will probably commence first. The only thing that stands in the way of this part of the work, is the fact that the existing water rights represented by the canals already taken out of the lake, have not yet been adjudicated. If all the canal owners would consent to an early adjustment of these rights, the Government would at once proceed with the work of making the waters of the lake available for the dry land of Salt Lake Valley. The adjudication of rights on the different streams flowing into the lake, would also be a great assistance to the engineers in the determination of the amount of water available in the lake for this purpose.

The Bear Lake project is a large one, but there are not nearly so many obstacles in the way, in the form of water rights which have not been adjudicated. The people in that part of the State are interested in this work, and anxious to have it carried out as soon as possible.

ARID LAND RECLAMATION FUND COMMISSION.

The act creating this commission was approved March 12, 1903. The commission consists of five members, who serve without compensation. It is a question whether or not provision should be made for compensation commensurate with the work of the commission, especially in the case of the chairman, if he is not a public officer.

There has already been appropriated for the use of the commission, $6,000, of which amount $5,091 has so far been used. It is estimated that for the work of the commission for the next two years, already provided for, a further appropriation of $15,000 will have to be made.

As you are aware, the work of the commission is to secure to Utah the benefit of the reclamation fund provided for this purpose by the General Government. The most serious obstacle in the way of this is, as pointed out elsewhere in this message, the delay in the adjudica-

tion of the water rights on Utah Lake. The same obstacles will doubtless be met in the carrying out of the other parts of the project, unless prompt adjudication of rights is made.

It is proposed as soon as possible, to secure the cooperation of the people interested in the different projects under contemplation, and proceed with the work as rapidly as possible. With this end in view, the work has been undertaken of forming the Utah and Idaho Water Users' Association, and of securing a sufficient number of signatures to the agreement to justify the work of ascertaining what the cost will be, and proceeding with it. If a sufficient number can not be obtained, I am informed that the men already working in the field will be recalled, and this important work transferred elsewhere. You will agree with me that such action would be very unfortunate for our State.

You will please give due consideration to such items herein contained as pertain to your official work, so that this great project shall not be allowed to languish or fail through a seeming lack of support on the part of Utah.

IRRIGATION.

The State Engineer has submitted a detailed report regarding the operation of the Irrigation law passed by the last Legislature, and the work so far accomplished under its provisions. According to this report, the principal work in measuring and determining the flow of water in diverting ditches, has been done on the Weber River System. There accurate data is being secured regarding daily flow, total flow for the season, etc., on every diverting ditch. Maps are being prepared showing size and location, nature of soil, etc., of the farms under each diverting canal, as also the location of branch laterals and ditches. Valuable assistance in this work has been rendered by Dr. John A. Widtsoe, Director of the Experiment Station. The cost of the work up to November 30, 1904, was $22,626.22. It is estimated that the completion of this work on the Weber River System will require two more seasons, and an expenditure of about $50,000 more. When this work is completed, it will serve as a precedent for such work on all the irriga-

tion systems of the State, and will be a means of determining the feasibility of the provisions of the law in this important particular.

Nothing has been done, as yet, with reference to the apportionment of water, under the provisions of that portion of the law, for the reason that this can not be done until the courts of the State have passed upon the rights of the different claimants. A provisional start in this direction has been made on the Spanish Fork River Irrigation System, for the reason that the courts have gone farther in the adjudication of rights there, than in any other portion of the State. So far as the apportionment has proceeded there, I am informed that it has been very satisfactory to all parties concerned. But here, as elsewhere, care will have to be taken as to future filings, and it is well for the present rule to be followed, prohibiting further filings while existing ones are in force, for the same water. It is important that existing rights be determined as soon as possible, in order that provision may be made for the use of all the water now running to waste.

The difficulties now being encountered in the settled portions of the State, with reference to the adjudication of old water rights, may be avoided in the Uintah Reservation when it is opened for settlement; as here, if proper measures are adopted, the rights can be determined in the order of filing, which will proceed without confusion or misunderstanding.

Certain changes in the law are recommended by the State Engineer, as a result of his experience during the past two seasons; and these are submitted in his report, which is before you.

I am of the opinion that, in order that the law may be fully tested, its operations properly judged, and future amendments wisely made, it will be well for the work on the Weber River to be pushed to completion. I therefore endorse, in general, the suggestions of the State Engineer as to the completion of this work, but the details, as to the amount of appropriation, etc., must be left to your wisdom.

Early attention given to this important matter will be productive of great benefit to the irrigation interests of Utah.

PRIVATE BANKS.

There has been for years, a growing public sentiment in favor of examination of private as well as corporate banks, and many of the States have already passed laws which require the examination of private banks. Bank examination by public officials will not always prevent failures, but it has been demonstrated beyond any question of doubt that it lessens them very greatly.

The bank that is perfectly solvent has no right to complain of an examination, and the bank that is not solvent certainly should be examined. A private bank is no less a public institution than a corporate bank. The recent failure of a private bank calls attention anew to the responsibility of the State in protecting those who place money in banks by requiring sufficient capital and insisting upon proper supervision.

I recommend that section 2441 of the Revised Statutes of Utah, 1898, which limits the authority of the bank examiner to the examination of corporate banks only, be amended to include private banks.

RESERVOIR SITES.

Chapter 59, Laws of Utah, 1901, authorizes the State Board of Land Commissioners to construct reservoirs for supplying water to State lands. It is provided that these reservoirs shall be constructed from the proceeds of the sale of the 500,000 acres of land granted to the State for the construction of these permanent reservoirs.

The fund thus acumulated now amounts to $244,000, and is constantly increasing from new sales of land, and payments on previous sales. I would suggest the advisability of additional legislation, authorizing the State Board of Land Commissioners to construct reservoirs from this fund, whether the water is to be applied to State lands or not. In cases where the water is to be applied to private lands, it could be sold at cost and paid for in ten annual payments, or such number as you may decide upon, and the proceeds applied to the construc-

tion of more reservoirs, somewhat on the plan outlined in the Government Reclamation Act.

It should be provided, however, that before any reservior is built to cover private lands, the owners of those lands must give a guaranty, with good and sufficient security, that the State will be reimbursed.

CARBON COUNTY STRIKE.

Among the estimated needs of the State, submitted to you by the State Auditor, is a deficiency appropriation amounting to $25,625, to cover the expenses of the National Guard of Utah in Carbon County, in the latter part of 1903 and the beginning of 1904. In order that you may the better understand the reason for this deficit, a brief account of the trouble and its causes is here submitted.

Early in November, 1903, it became apparent that trouble was arising among the coal miners of Carbon County, where the most important coal mines of the State are located. It soon developed that a general strike among these miners was to be ordered, and to be extended as far as the influence of the agitators could be carried. The purpose of this strike was to secure correction of certain grievances held against the company operating the mines. The strike, when it was carried into effect, involved the miners working in nearly all the large mines in that locality. The chief principle at stake in the contention between the miners and the operators, seems to have been the refusal on the part of the operators to recognize the Miners' Union.

The members of this union reported, soon after the commencement of the srike, that they were being interfered with by armed men, whom they supposed to be employes of the coal company, deputized as sheriffs. Inquiry into this report brought from the sheriff of Carbon County the statement, endorsed by the County Attorney, and other men prominent in official and civil circles, that attempts were being made by the striking miners and their sympathizers, to intimidate the miners who refused to join in the strike, and to prevent them from continuing their work. This intimidation, according to the Sheriff's report, consisted in the use of threats of vio-

lence, and in actual assaults. He stated that he had made several arrests, and had in other ways attempted to preserve the peace; but his resources were exhausted, and he felt it his duty to call on the Governor of the State for assistance in quelling the trouble. Reports came from other sources, confirming the statements of the sheriff, but no action was taken by the Chief Executive for some time, in the hope that the local authorities would still be able to cope with the situation. But the trouble became each day more serious, and it was soon apparent that official action would have to be taken.

Accordingly, an officer of the National Guard was sent by the Governor to investigate the trouble, and make recommendations. As a result of this investigation, and of evidence coming from other sources, it was decided that the trouble was serious enough to demand immediate action on the part of the State. But before final steps were taken, conferences were held by the Governor, with members of the Legislature, State officials, and other leading citizens. The sense of this conference was that, in view of the reports presented, further delay would be dangerous; that the situation should be met at once; and that they, with other law-abiding citizens of the State, would share the responsibility with the Governor. In accordance with this advice, and with the facts presented, the Governor gave orders to the National Guard to proceed to Carbon County and quell the disturbance.

The troops were kept in the field sixty days in all, but as many as could be spared were sent home as long before the expiration of that time as possible. Fortunately, no bloodshed resulted from the trouble.

There were no funds on hand for the Governor to use in meeting the expenses of this expedition. Accordingly, a loan was negotiated with the National Park Bank, of New York, for $25,000, due in one year, with interest at the rate of 5 per cent per annum. The disbursement of this amount is represented by proper vouchers, approved by the State Board of Examiners, and on file in the office of the State Auditor. The first six months' interest on this note has been paid out of the National Guard fund. The note with interest for the second six months, amounting in all to $25,625, will be due on January 25, 1905. I

recommend that special appropriation be made at once to cover this indebtedness.

I am of the opinion that a fund should be placed at the disposal of the Governor, to be used in case of riot or insurrection. To give the Governor power to call out the State Militia to quell insurrection, and not provide him with a fund with which to meet the necessary expenses incurred, is an inconsistency, and may lead to some embarrassment.

NATIONAL GUARD OF UTAH.

The report of the Adjutant General of the National Guard for the past two years, has been submitted. It shows that this organization is of great importance to the State. It is looked upon as an indispensable part of the military defense of the Nation, and of the State. It is of the utmost importance that the National Guard be fostered, and its efficiency increased.

The report shows a considerable falling-off in the membership of the Guard in the past two years. I am advised that if the membership should fall below 300 before the next regular inspection, the result would be the loss to the Guard of the Government appropriation of $6,000. It seems to me that inducements should be held out for the able-bodied men of our State, to enter the Guard and remain members, in order that the efficiency of the organization shall not be decreased, and the appropriation by the Government forfeited. It is to be hoped that something can be done to continue the very efficient work of this part of our State organization.

The report further sets forth that on account of the increased work required of the Guard, it would be advisable to increase the compensation of the Adjutant General, making it possible for him to give more attention to the duties of his office. It is also suggested that an appropriation be made for an armory, to provide for the recreation and comfort of the officers and men, and the better protection of the arms and supplies of the organization. The recommendation is also made by the Adjutant General, that a larger appropriation be made than has been made in the past, to ensure longer encampments than were possible during the past two years. You will, of

course, give this matter the careful attention that its importance deserves.

The estimated needs of the Guard for the next two years, are here given:

For General Maintenance	$13,500.00
For Armory	35,000.00
For Encampments	16,640.00
Total	$65,140.00

STATE COAL MINE INSPECTOR.

The State Coal Mine Inspector's report for 1903 and 1904 shows a condition of affairs somewhat improved over the condition existing in previous years. The law passed by the last Legislature, limiting the amount of explosives to be taken into a mine at any one time, and placing other safe-guards around miners, has proved beneficial, and accidents in the mines have not been so frequent.

The State Inspector recommends that the mining law be further amended, by a provision regulating the kind of illuminating and lubricating oil that may be taken into the mines, and giving the mine Inspector power to regulate the blasting in coal mines, in such a way as to prevent the undue vitiation of the air with powder smoke. I am strongly in favor of any reasonable measure looking to the greater safety of miners.

STATE BOARD OF SHEEP COMMISSIONERS.

A law providing for the appointment of a State Board of Sheep Commissioners was passed at the last session of the Legislature. The enforcement of this act has been, according to the report of the State Sheep Inspector, a great benefit to the sheep interests of the State. This is shown in the fact that whereas in the spring of 1903, 1,214,959 sheep were found to be infected with the scabbies, in the fall of 1904 there were only 85,587 so infected, and those have been dipped twice and are now free from disease. He also says that with a decrease of 178,709 in the number of sheep in the State, there has been an increase of 2,387,000 pounds of wool in 1904, over 1903.

LOUISIANA PURCHASE EXPOSITION.

The act passed by the Legislature in its session of 1903, creating a commission to take care of Utah's representation at the World's Fair was carried into full effect. The gentlemen appointed on the commission took up the work with energy and zeal, and as a result of their labors Utah was fittingly represented at the great exposition. All the departments of the exhibit were most praiseworthy, and the report of the commission, presented herewith, gives in detail the work of that body, and a statement of the awards and other recognition given to the exhibit from this State.

The exhibits were in the departments of Mines and Metallurgy, Agriculture, and Education. These exhibits were of the most typical kind possible, illustrating the practical work of the departments concerned. In the mineral exhibit a concentrating mill was in operation during two hours of each day of the exposition, and much favorable notice was given to it. The statement publicly made at the exposition, that this mill would be placed in the State School of Mines, formed a strong advertisement for that institution. Similar favorable comment was bestowed upon the exhibits in the other departments. A large number of the specimens exhibited by Utah at the exposition, have since been taken to Washington and to other places, where they will continue to be a source of interest. Other specimens will be placed at the disposal of the commission having in charge the Utah exhibit at the Lewis and Clark Exposition, and others will be returned to the individual exhibitors.

A deficit of something like $10,000 has been incurred by the commissioners in the carrying out of the work entrusted to them, and I recommend that an appropriation of that amount, or so much thereof as may be necessary, be made to cover the deficit.

I desire to compliment the commission on the magnificent work accomplished by them in this exposition. The members have been untiring in their efforts, and the results of their work entitle them to the sincerest thanks of the citizens of Utah.

LEWIS AND CLARK CENTENNIAL.

The commission created by the Legislature in its session of 1903, to take charge of the representation of Utah at the Lewis and Clark Centennial Exposition at Portland, in 1905, reports that the work has been commenced, and is well in hand. Of the $10,000 appropriated for the use of the Commission, $616.10 has been used. The Commission estimates that in order to carry out in a creditable way the provisions of the law providing for an exhibit at this exposition, $30,000 additional will be needed. The matter is referred to you for your consideration. It might be well to inform you that this appropriation is not included in the State Auditor's estimates of needed expenditures. Whatever appropriation is made, it should be distinctly provided that the Commission shall not create a deficit.

FISH AND GAME.

The Fish and Game Commissioner has presented a report, with recommendations as to needed amendments in the present law. These are submitted herewith for your consideration.

It is recommended that steps be taken to replenish the state supply of wild game, in some such way as the supply of fish is increased. Also, that greater power be given the State Game and Fish Commissioner, with reference to protecting the fish in the various lakes and ponds used for irrigation reservoirs. It is suggested that money be appropriated for increasing the capacity of the State Fish Hatchery; for building a house for the use of the hatchery employes; for the purchase of three acres of Superintendent Walker's ground, adjoining the hatchery; for the expense of State fish exhibits at the Fair; and for the further propagation of certain fish in various waters, and the propagation of certain fowl and wild animals in different parts of the State. It also seems desirable that the State Commissioner be given more authority, with reference to the appointment of fish and game wardens for each county; and that the salaries of these officers be paid out of the State Treasury. Certain amendments in the present fish and game law are recommended, and it

may be necessary, in order to put these amendments in proper shape, to re-enact the law as a whole. For these suggested changes, you are respectfully referred to the report of the Commissioner.

HORTICULTURE.

The report of the State Board of Horticulture shows an encouraging condition. The output of fruit during the last season, was greater than in any previous year. Vast quantities of fruit were shipped out of the state, and a large number of canneries were kept in operation. The fruit of the state is improving in quality, on account of the intelligent and efficient work of the Board. This is particularly noticeable in those parts of the state where the recommendations of the Board have been adopted.

The work of the southern Utah Experiment Farm, which has been conducted under the direction of the State Board, was greatly hampered by a severe frost, which occurred on April 24, 1904, destroying nearly all the fruit on the farm. In establishing this farm, it was the intention that it should be devoted to the illustration of advanced methods in growing and caring for fruits of different kinds, in order that the orchardists, particularly in that section of the State, might be helped in their individual work. Notwithstanding the partial failure of the farm last year, many valuable experiments were carried through successfully, and great benefit has been bestowed thereby on the horticulturists of the southern part of the State.

Recommendations are made by the Board regarding the work of this farm, as follows:

1. That an appropriation of $3,000 be made to drain the farm and free it from alkali. The accomplishment of this will prove beneficial as a practical lesson to the farmers of the Dixie country, whose land is suffering from too much alkali.

2. That the farm be placed under the control of the Utah Experiment Station and the State Board of Horticulture, in order that the most scientific kind of experimental work may be done, under the auspices of the Agricultural College. This would save duplicating expen-

sive experiments, and the issuing of duplicate bulletins on horticultural subjects.

3. That another similar farm be established and located in the north-central portion of the State, for the benefit of the fruit growers of that region, and that this be also under the direction of the Experiment Station and the State Board of Horticulture.

4. The recommendation is made that certain changes be made in the Horticulture Law itself, looking to the better protection of the orchards of the State from injurious insects, and to the more effective co-operation of county officers in enforcing its provisions.

I am heartily in sympathy with the recommendations given above.

DAIRY AND FOOD COMMISSIONER.

The report of the Dairy and Food Commissioner for the two years just past, shows gratifying results of the enforcement of the pure food law passed by the last Legislature. A rigid analysis of the articles of food supposed to be adulterated, and the prosecution of manufacturers and grocers found to have violated the law, have resulted in the exclusion from sale in the State of a number of food products seriously injurious to health. Another result of this rigid enforcement of the law is that manufacturers and wholesalers of various articles of food are asking that analyses of their articles be made, in order that they may be continued or admitted in the market of the State.

STATE BOARD OF MEDICAL EXAMINERS.

The report of this Board for the past two years is hereby submitted. It shows that a few more than a hundred persons have received, during the past two years, certificates to practice medicine or obstetrics. Inasmuch as the idea of reciprocity in the granting of certificates is obtaining among the different states, the Board recommends the following amendment to Section 729, Title 52, Revised Statutes of Utah:

"That the Board may, in its discretion, issue, upon payment of an examination fee, and without examination

of the applicant, a certificate to such persons as already hold a certificate issued by the Medical Examining Board of the District of Columbia, or of any state of the United States; Provided, however, that the legal requirements of such Medical Examining Board shall at the time of issuing such certificate, in no degree or particular be less than those of the State of Utah at the time when such certificate shall be presented to the Board of Medical Examiners of this State; and Provided further, that the provisions of this paragraph shall be held to apply only to such of said Medical Examining Boards as accept and register, or issue their certificates upon presentation of the certificates issued by this Board without examination by them of the persons holding such certificates."

I take pleasure in adding my recommendation to that of the Board of Medical Examiners, that such an amendment be made.

STATE HISTORICAL SOCIETY.

The State Historical Society of Utah was organized in 1897, for the purpose of collecting material of a historical character, and preserving it in a permanent depository. It has succeeded in collecting valuable relics, especially such as were at the disposal of the Jubilee Commission.

The proper care of these relics, and the securing and care of others in the future, has now become a problem with the Society, and the officers of it ask for an appropriation to purchase a site for a building and to erect one wing of it, for the care of the relics already in the possession of the Society, and the purchase of additional ones.

The advisability of this appropriation, and the amount of it are left to your judgment.

STATE BUREAU OF STATISTICS.

The report of the State Commissioner of Statistics shows that the work of the Bureau is increasing in importance. The feeling of suspicion which the people manifested toward this work at first is being dissipated, and they are giving valuable and ready aid to the Com-

missioner. The value of the work is better appreciated each year.

In addition to the usual work such a bureau would do here and in other states, the Utah Bureau is giving special attention to the matter of irrigation, gaining information regarding the value of the property of different canal companies, cost of maintenance, number of acres covered, additional area susceptible to irrigation, etc. It is hoped soon to make of this a complete record of all the large irrigation projects in the State.

It will require the usual appropriation to provide for the work of the Bureau for the next two years.

UTAH ART INSTITUTE.

It appears that the act forming the Utah Art Institute, the appropriation made for its maintenance, and the laws governing and regulating it, do not meet the end designed by its promoters, and that the State does not receive full value for the money expended. It is probable, therefore, that a bill will be introduced in the Legislature, asking for the repeal of the law creating the Utah Art Institute. In place of the Institute, it is proposed that an appropriation be made for a purchase fund, to be used in the purchase of such paintings as may be thought advisable, and in the encouragement of art.

I am in favor of such action being taken.

STATE LAW LIBRARY.

The report of the Librarian of the State Law Library for the year 1904, is herewith presented. During that period, there have ben received in exchange with other states .....152 volumes

There have been purchased .....229 volumes

Total volumes procured .....381.

These added to the 10,603 volumes on hand at the beginning of the year, bring the total up to 10, 984 volumes.

STATE BOARD OF BARBERS.

The operation of the law passed by the last Legislature, regulating the work of barbers, is confined to cities

or the first and second class. According to the report of the Board, herewith submitted, a number of smaller cities are desious of having the provisions of the law extended to cities of the third class. The Board of Examiners of Barbers recommend that such extension be made.

CONCLUSION.

Doubtless other matters than those briefly outlined above will suggest themselves to you for consideration. Coming as you do, from all parts of Utah, you are familiar with the needs of the State in detail, as well as in general; and these will, I am sure, be made the subject of your attention and care. I desire to assure you of my willingness to do all that is in my power to help in the work of legislation. The solemnity of the duty of making and amending laws governing so great a commonwealth, is apparent to all of us; and I know that you, in common with myself, will fully sense this responsibility, and discharge the obligation with the view of promoting all the interests of our State. In this labor I pledge you my sincere and hearty co-operation.

JOHN C. CUTLER, Governor.

Representative Miller moved that a vote of thanks be given the Governor, his message spread on 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 Representative Austin, the Joint Session dissloved at 3:55 p. m.

THIRD DAY.

Senate Chamber,
January 11, 1905.

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

Roll call; quorum present.

Prayer by Chaplain.

The minutes of the second day's regular and joint sessions were read and approved.

COMMUNICATIONS.

Salt Lake City, Utah,
Jan. 9, 1905.

To the President and Members of the State Senate, Utah State Legislature.

Gentlemen:—We hereby tender you the free use of a telephone during the session of the Legislature, and it will give us pleasure to install the same at once in your committee room. Yours very truly,

UTAH INDEPENDENT TELEPHONE CO.
ELMER B. JONES, Managing Director.

Salt Lake City, Utah,
Jan. 9, 1905.

Honorable Members of the State Senate of Utah, Salt Lake City.

Gentlemen:—It is the desire of the Rocky Mountain Bell Telephone Company to follow the precedent established in the past, of offering to your honorable body, without cost, a telephone situated where you may direct, for the use of the members, and the officers of your honorable body, during the session.

Also to offer you the free use of our toll lines from this telephone, or from any of our public stations in the city.

If acceptable to you, we shall be pleased to receive notice where to place the telephone, and if a booth is needed, we will also furnish it.

Respectfully,
ROCKY MOUNTAIN BELL TELEPHONE CO.,
By D. S. MURRAY, General Manager.

Mr. Bennion moved that the courtesies extended be accepted with thanks.

Mr. Lawrence asked for a roll-call, which resulted as follows:

Ayes, 14; noes, 3; absent and not voting, 1.

Motion carried, and the proffers of the telephone companies accepted.

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lewis, McKay, Park, Rasband, Walton, Williams.

Voting no: Bamberger, Lawrence, Mr. President.

Absent and not voting, Loose.

On motion of Mr. Williams, Senate adjourned at 2:30 p. m. until 2 p. m. tomorrow.

FOURTH DAY.

Senate Chamber,
Jan. 12, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

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

AGRICULTURE AND IRRIGATION.

McKay, Chairman; Gardner, Barber, Clegg, Walton, Larsen, Callister.

APPORTIONMENT.

Callister, Chairman; Park, Rasband, Larsen, Barber.

APPROPRIATIONS AND CLAIMS.

Williams, Chairman; Bennion, Lawrence, Gardner, Callister, Walton, Larsen.

BANKS AND BANKING.

Lewis, Chairman; Park, Hollingsworth, Loose, Bamberger.

CONTINGENT EXPENSE.

Johnson, Chairman; Bennion, Walton.

COUNTY AND MUNICIPAL CORPORATIONS.

Larsen, Chairman; Bamberger, Rasband, Clegg, Callister, Barber, Williams.

EDUCATION.

Bennion, Chairman; Johnson, Walton, Callister, Barber, Park, Lawrence.

ELECTIONS.

Rasband, Chairman; Loose, Bennion, Hollingsworth, McKay.

ENGROSSED AND ENROLLED BILLS.

Hollingsworth, Chairman; Barber, Callister.

FEDERAL RELATIONS.

Clegg, Chairman; McKay, Park, Loose, Bamberger.

FISH AND GAME.

Barber, Chairman; Walton, Park, Larsen, Loose, Clegg, Callister.

FORESTS AND FORESTRY.

Rasband, Chairman, McKay, Clegg, Gardner, Larsen.

HIGHWAYS AND BRIDGES.

Larsen, Chairman; Hollingsworth, Johnson.

JUDICIARY.

Lawrence, Chairman; Bennion, Hollingsworth, Johnson, Bamberger, Gardner, Walton.

LABOR.

Gardner, Chairman; Bennion, McKay, Rasband, Bamberger.

LIVE STOCK.

Clegg, Chairman; Walton, Barber.

MANUFACTURES AND COMMERCE.

Williams, Chairman; Bamberger, Johnson, Callister, Loose.

MILITARY AFFAIRS.

Park, Chairman; Williams, Bennion, Rasband, Loose.

MINES AND MINERALS.

Bamberger, Chairman; Lewis, Loose, Lawrence, Rasband.

PRIVATE CORPORATIONS AND INSURANCE.

Park, Chairman; Hollingsworth, Gardner, Williams, Lawrence.

PUBLIC HEALTH.

Walton, Chairman; Williams, Clegg, Park, McKay.

PUBLIC INSTITUTIONS.

Hollingsworth, Chairman; Lawrence, Gardner, Bamberger, Barber, Williams, Larsen.

PUBLIC LANDS.

Walton, Chairman; Johnson, Larsen, Rasband, McKay, Clegg, Callister.

PUBLIC PRINTING.

Bamberger, Chairman; Walton, Gardner.

RAILROADS.

Loose, Chairman; Johnson, Lawrence, Larsen, Bennion, Hollingsworth, Clegg.

RULES.

Bennion, Chairman; Hollingsworth, Callister.

SALARIES.

Gardner, Chairman; Barber, Rasband Lawrence, Bamberger.

STATE AFFAIRS.

Callister, Chairman; Williams, Johnson, Larsen, Park.

WAYS AND MEANS.

Johnson, Chairman; Bamberger, Hollingsworth, Gardner, Williams.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 12th, 1904.

To the Senate:

I have the honor to inform you that the law defining the duties of the Governor requires him, within ten days after the meeting of the Legislature, to transmit to the Senate a list of all appointments made by the Governor during the recess of the legislature, under the provisions of the Constitution or of law, and not requiring confirmation by your honorable body.

In conformity with this provision, I submit for your information the following list of ad interim appointments made by my predecessor in office. At an early date, all the appointments to offices enumerated in this

list requiring the advice and consent of the Senate, will be submitted:

April 7th, 1903, Thomas D. Lewis, district judge in and for the Third Judicial District of the State of Utah, for the term ending on the first Monday in January, 1905.

April 13th, 1903, William C. Winder of Salt Lake City, member of the Board of Directors Deseret Agricultural & Manufacturing Society, to fill a vacancy occasioned by the death of S. W. Sears.

April 13th, 1903, Mrs. Priscilla Jennings Riter of Salt Lake City, member Board Directors Deseret Agricultural & Manufacturing Society, to fill a vacancy occasioned by the failure of Mrs. Simon Bamberger to qualify.

April 17th, 1903, George Halverson of Weber County, District Attorney for the Second District, to fill a vacancy occasioned by the resignation of A. B. Hayes.

April 24th, 1903, to be members of the Board of Examiners of Barbers: Parley A. Hill, until the next meeting of the State Senate: Chauncy M. Benedict, until the next meeting of the State Senate. Felix Rheinbold, for one year.

May, 26th, 1903, to be members of the State board of Horticulture; each until the next meeting of the State Senate.

From the First District, Joseph Hyrum Parry, of Salt Lake City.

From the Second District, B. H. Bower, of Provo City.

From the Third District, Mons Peterson, of Moab.

From the Fourth District, Thomas Judd, of St. George.

June 2nd, 1903, A. F. Doremus, of Salt Lake City, State Engineer, until the next meeting of the State Senate.

Sept. 24th, 1903, L. A. Ramsey, Salt Lake City, member Governing Board Utah Art Institute, to fill a vacancy occasioned by the resignation of Mary Teasdel.

Jan. 29th, 1904, W. R. Calderwood, of Logan, member State Board of Health and Vital Statistics, to fill a vacancy occasioned by the resignation of W. Y. Croxall.

June 24th, 1904, To be members of the State Board of Dental Examiners:

A. S. Chapman, of Salt Lake City, to fill a vacancy occasioned by the expiration of his term.

S. W. Wherry, of Ogden, to fill the vacancy occasioned by the expiration of the term of George E. Ellerbeck.

E. A. Tripp, of Salt Lake City, to fill the vancancy occasioned by the resignation of W. H. Bucher.

July 23rd, 1904, Felix Rheinbold, member Board of Examiners of Barbers, to fill vacancy occasioned by the expiration of his term.

Oct. 4th, 1904, Joseph A. Silver, Salt Lake City, Director of the Deseret Agricultural and Manufacturing Society, to fill a vacancy occasioned by the death of Nelson A. Empey.

Oct. 11th, 1904, D. H. Christensen, Salt Lake City, member State Board of Education, to fill a vacany occasioned by the resignation of William S. Marks.

To supervise the expenditure of State moneys appropriated by an act of the Legislature for improvement of highways and bridges, approved March 16, 1903:

1903.

Oct. 3rd, Miah Day, Millard County.
Oct. 8th, Daniel Heiner, Morgan County.
Oct. 16th, J. P. Miller, Grand County.
Oct. 16th, Charles W. McConkie, Grand County.
Oct. 23rd, Erastus Anderson, Carbon County.
Oct. 24th, Alfred Dahl, Sanpete County.
Oct. 28th, Henry C. Larson, Sevier County.
Oct. 28th, E. A. Griffin, Garfield County.
Oct. 28th, Heber D. Wiley, Piute County.
Oct. 28th, J. E. Petersen, Piute County.
Oct. 28th, Peter McKinnon, Rich County.
Nov. 23rd, O. D. Allen, Uintah County.
Dec. 2nd, Joseph Stanford, Weber County.
Dec. 2nd, W. G. Wilson, Weber County.
Dec. 7th, G. D. MacDonald, Kane County.
Dec. 7th, John F. Brown, Kane County.

1904.

Jan. 5th, David O. Rideout Jr., Salt Lake County.
Jan. 25th, George Webb, Utah County.
Jan. 25th, Joseph J. Evans, Utah County.
Mch. 15th, A. Brinkerhoff, Emery County.
Mch. 15th, Sam Singleton, Emery County.

Mch. 15th, Alma G. Jewkes, Emery County.
Mch. 15th, John W. Wilson, Emery County.
Mch. 15th, J. T. Farrer, Emery County.
Mch. 15th, Leander Lemon, Emery County.
Mch. 25th, J. M. Secrest, Davis County.
Apr. 5th, Brigham Jensen, Box Elder County.
Apr. 5th, George W. Bryan, Tooele County.
Apr. 6th, Fred L. Clegg, Wasatch County.
Apr. 6th, F. J. Jones, San Juan County.
Apr. 13th, Samuel Judd, Washington County.
Apr. 26th, W. H. Bennett, Summit County.
Apr. 26th, Ephraim Lambert, Summit County.
Apr. 26th, William Hurst, Beaver County.
May 13th, Nephi J. Orton, Iron County.
Aug. 27th, C. A. Grundy, Wayne County.
Sep. 19th, Brigham A. Hendricks, Cache County.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, Jan. 12, 1905.

To the Senate:

I have the honor to make the folowing named appointments and invite your advice and consent thereto:

To be Brigadier General of the National Guard, Samuel C. Park of Salt Lake County.

To be officers on the staff of the Commander-in-chief of the National Guard of Utah:

John M. Bowman of Salt Lake County, Adjutant General, with the rank of Brigadier General.

Joseph Geoghegan of Salt Lake County, Inspector General, with the rank of Colonel.

A. P. Kesler of Salt Lake County, Quartemaster General, with the rank of Colonel.

George M. Hanson of Weber County, Commissary General with the rank of Colonel.

Dr. S. H. Pinkerton of Salt Lake County, Surgeon General, with the rank of Colonel.

A. B. Irvine of Salt Lake County, Judge Advocate General, with the rank of Colonel.

George A. Seaman of Millard County, General Inspector of Target Practice, with the rank of Colonel.

Miles R. Taylor and Joseph J. Daynes Jr., both of Salt Lake County, Aides-de-camp, each with the rank of Lieutenant Colonel.

Respectfully submitted,
JOHN C. CUTLER, Governor.

Communication filed.

EXECUTIVE SESSION.

At 2:40 p. m. on motion of Mr. Lawrence, the Senate went into executive session.

Regular session resumed at 2:50 p. m.

The Governor was advised that the Senate concurs in the nominations made by him on this date, as follows:

To be Brigadier General of the National Guard, Samuel C. Park of Salt Lake County.

To be officers on the staff of the Commander-in-chief of the National Guard of Utah:

John M. Bowman of Salt Lake County, Adjutant General, with the rank of Brigadier General.

Joseph Geoghegan of Salt Lake County, Inspector General, with the rank of Colonel.

A. P. Kesler of Salt Lake County, Quartermaster General, with the rank of Colonel.

George M. Hanson of Weber County, Commissary General, with the rank of Colonel.

Dr. S. H. Pinkerton of Salt Lake County, Surgeon General, with the rank of Colonel.

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A. B. Irvine of Salt Lake County, Judge Advocate General, with the rank of Colonel.

George A. Seaman of Millard County, General Inspector of Target Practice, with the rank of Colonel.

Miles R. Taylor and Joseph J. Daynes Jr., both of Salt Lake County, Aides-de-camp, each with the rank of Lieutenant Colonel.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 10, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed Senate Bill No. 1, Entitled "An Act to provide for the regular and contingent expenses of the Sixth Session of the Legislature of the State of Utah," and the same is herewith returned for your further consideration.

Respectfully,
W. E. VIGUS, Chief Clerk.

S. B. No. 1, was referred to Committee on Engrossed and Enrolled Bills.

REPORT OF COMMITTEE.

Committee Room,
Jan. 12, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled bills to whom was referred S. B. No. 1 "An Act to provide for the regular and contingent expenses of the Sixth Session of the Legislature of the State of Utah," beg to report that they have carefully engrossed and enrolled the same, and herewith present the same to you for your signature.

C. R. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 1. by Johnson was read by title and signed by the President in open session in the presence of the Senate, and transmitted to the House for the signature of the Speaker.

PRESENTATION OF RESOLUTIONS.

S. J. R. No. 1, by Bennion:

Be it resolved by the Senate, the House concurring, that pen knives and fountain pens be eliminated from the list of articles to be furnished the members of the

Senate and the House and employees of both houses, and

Be it further Resolved, and it is hereby ordered that at the close of the session all dictionaries, stands, waste baskets, desks, and other paraphernalia and supplies, excepting only copies of the Revised Statutes and Session Laws furnished to members, be returned to the Secretary of State as provided by law.

Resolution passed under a suspension of the rules, and transmitted to the House.

S. C. R. No. 1, by Mr. Gardner:

Be it Resolved by the Senate and House of Representatives of the Legislature of the State 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 a time as the Legislature shall be in session, and the Executive is hereby empowered to appoint any suitable person to such position.

Passed under a suspension of the rules, and transmitted to the House.

S. B. No. 2, by Williams, "An Act to Provide for an Additional Experiment Station and Transfer of Southern Utah Experiment Farm."

Referred to Committee on Public Institutions.

INTRODUCTION OF BILLS.

S. B. No. 3, by Callister, 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," was read the first time and referred to Committee on Agriculture and Irrigation.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 12, 1905.

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, "To provide for

the Regular and Contingent Expenses of the Sixth Session of the Legislature of the State of Utah, and the same is herewith returned for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

The bill was sent to the Governor for his signature.

Mr. Lawrence moved that it be the understanding, when adjournment is taken, that the country members desiring to go home be excused until Monday. Carried.

On request, Mr. Johnson was excused until Tuesday.

On motion of Mr. Bennion, a recess of five minutes was taken.

Senate reconvened at 3:00 p. m.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 12, 1905.

To the Senate:

I have the honor to acknowledge receipt of Senate Concurrent Resolution No. 1, authorizing the Governor to appoint a Messenger. I thank you for the courtesy and take pleasure in advising you that I have appointed Mr. Willard Done to the position.

JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, Jan. 12, 1905.

To the Senate:

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

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

At 3:10 on motion of Mr. Lawrence, Senate adjourned until tomorrow at 2 o'clock.

FIFTH DAY.

Senate Chamber,
Jan. 13, 1905.

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

Roll call; quorum present.

Prayer by Senator McKay.

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

PRESENTATION OF RESOLUTION.

S. J. M. No. 1, by Lewis:

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Governor and Legislature of the State of Utah, respectfully memorialize the Congress of the United States to pass at an early date such legislation as recommended by President Roosevelt for the better control and regulation of corporations, and for the granting of additional powers to the Inter-State Commerce Commission

Under the rules, it was laid on the table.

At 2:35, on motion of Lawrence, Senate adjourned until Monday at 2 p. m.

EIGHTH DAY.

Senate Chamber,
Jan. 16, 1905.

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

Roll call; quorum present.

Prayer by Rabbi Freund.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 16, 1905.

To the Senate:

In my message to the Legislature, I called attention to the deficit of $30,000 incurred in the past two years, under the operation of the law giving a bounty for killing wild animals, in addition to the $20,000 paid out during the same period. Since the delivery of the message, it has developed that certificates to a much larger amount than $30,000 are outstanding against the State. It is evident very many of these warrants and certificates were secured by a system of barefaced fraud, and that the State is being systematically robbed through the bounty law. Indisputable evidence to this effect has been secured within the past few days. I submit below, a statement taken from the official record of the Clerk of one of the Counties, showing in a manifest way the perpetration of fraud. Doubtless the records of other County Clerks will show a similar condition.

1904.	Name.	Coyote.	Wild Cat.	Wolf.	Mt. Lion.	Bear.
Oct.	1, Geo. King	94	26	8		
Oct.	3, Jas. Gorman	98	7	4		3
Oct.	5, John Ward	120	18	9	12	
Oct.	5, J. C. Smith	4				
Oct.	8, Edw. Cook	96	2	12	8	
Oct.	13, John Ward	94	24	13	9	7
Oct.	15, John Ward	120	24	11	9	7
Oct.	15, John Meyers	98		10	2	
Oct.	17, H. S. Chambers	4				
Oct.	19, Edw. Cook	84	28	8	6	
Oct.	19, Geo. King	96	17	12		1
Oct.	20, Jas. Gorman	70	8	9		4
Oct.	22, Jas. Gorman	110	19		8	5
Oct.	22, John Ward	120	25	12	8	
Oct.	24, J. N. Cochran		2			
Oct.	27, E. H. Rich	1				
Oct.	31, Bert Nelson	1				
Oct.	31, Roy McNeil	1				
Nov.	1, Fred Green	1				
Nov.	3, Jno. Ward	8	12	5	13	
Nov.	3, Geo. King	92	18	9		2
Nov.	4, Jas. Gorman	120	12	10	8	

I wish to call attention to the fact that under the law, the party making claim to the bounty must make affidavit that the animals were killed within sixty days prior to the time of filing the claim. You will observe from the above statement, that one person was paid for killing 462 coyotes, 103 wild cats, 50 wolves, 51 mountain lions and 14 bears in less than one month. The total payment for these would be about $1,371. That it is a physical impossibility for a man to secure so large a bounty payment honestly in so short a time, goes without saying. Other instances of flagrant fraud you will have observed in this statement.

It is evident that you should take immediate action to put a stop to the perpetration of this fraud, by which the State is losing thousands of dollars each year. The matter is respectfully referred to you for such action as will, in your judgment, remedy the evil.

Very respectfully,

(Signed) JOHN C. CUTLER, Governor.

Referred to Committee on Appropriations and Claims which committee was given power to appoint a subcommittee to investigate the alleged frauds, and take such action as they deem proper and report to the Senate.

INTRODUCTION OF BILLS.

S. B. No. 4, by Larsen, entitled "An Act to Establish an Agricultural Experiment Farm, to Provide for the Appointment of a Commission to Procure Site, and for a Permanent Board of Management, and Prescribing their Qualifications, Powers, Duties, and Terms of Office, and to Appropriate Money for said Purposes," was read the first time and referred to the Committee on Agriculture and Irrigation.

S. B. No. 5, by McKay, "An Act to Amend Section 1, of Chapter 104 of the Session Laws of Utah, 1903, entitled "An Act Creating a State Board of Horticulture, Providing for County 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," was read the first time and referred to Committee on Agriculture and Irrigation.

S. B. No. 6, by Mr. Lewis, "An Act Providing for an Appropriation for the Purpose of Defraying the Expense Incurred by the National Guard During the Coal Strike in Carbon County, Utah," was read the first time and referred to Committee on Appropriations and Claims.

S. J. M. No. 1, by Lewis, was taken from the table and referred to Committee on Federal Relations.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 12, 1905.

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, and the same is herewith returned for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

At 2:25, on motion of Mr. Bennion, Senate adjourned until tomorrow at 2 o'clock.

NINTH DAY.

Senate Chamber,
Jan. 17, 1905.

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

Roll call; quorum present.

Prayer by Chaplain.

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

REPORTS OF COMMITTEES.

Committee Room, Jan. 17, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred the communication of the Governor in reference to the alleged bounty fraud, beg leave to report that they have had the same under consideration and that the Committee has prepared a bill repealing this bounty act.

This repeal is only intended to be temporary pending the preparation and introduction of a new bounty bill.

WILLIAMS, Chairman.

Report adopted.

Committee Room, Jan. 16, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 6, by Mr.

Lewis, "An Act Providing for the Appropriation for the Purpose of Defraying the Expense Incurred by the National Guard During the Coal Strike in Carbon County, Utah," respectfully report that they have had the same under consideration and recommend that the same be passed. (Signed.) W. N. WILLIAMS, Chairman.

Report adopted.

Committee Room, Jan. 16, 1905.

Mr. President:—Your Committee on Federal Relations, to whom was referred Senate Joint Memorial No. 1, by Mr. Lewis, beg to report that we have had the same under consideration and recommend that the Memorial be passed.

(Signed.) PETER CLEGG, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 7, by Mr. Johnson, "An Act Making an Appropriation to Meet the Outstanding Obligations and Cover the Remaining Expenses of the Louisiana Purchase Exposition Commission," was read the first time and referred to Committee on Appropriations and Claims.

S. B. No. 8, by Senate Committee on Appropriations and Claims, "An Act Repealing Chapter 137 of the Session Laws of Utah, 1901, and Chapter 48 of the Session Laws of Utah 1903," was read the first time and laid on the table.

S. B. No. 9, by Mr. Williams, "An Act to Provide for the Purchase of Works of Art, the Appointment of a Purchasing Committee and Prescribing its Manner of Appointment, Powers, and Duties," was read the first time and referred to Committee on Education.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 16, 1905.

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

Committee composed of Messrs. Kuchler, McCrea and Panter, to act with a like Committee from the Senate to investigate the matter of frauds in the Bounty Laws of the State, referred to in a communication from the Governor, on this date.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication tabled.

Communication from the House, relative to appointment of special committee to investigate bounty frauds, was called from the table by Mr. Bennion, who asked that a Conference Committee be appointed by the President to act with the Committee from the House, whereupon Mr. President appointed Senators Lawrence, Bennion, and Walton to act as such Committee.

S. B. No. 8, by Senate Committee on Appropriations and Claims, was called from the table and referred to Conference Committee.

BALLOT FOR UNITED STATES SENATOR.

Mr. McKay moved that the Senate now proceed to ballot for United States Senator. Carried.

Mr. Lawrence placed in nomination the name of Honorable George Sutherland.

Mr. Bamberger placed in nomination the name of Honorable W. H. King.

The roll being called, the vote stood:

For Mr. George Sutherland, 15 votes.

For Mr. W. H. King, 3 votes.

Those voting for Mr. George Sutherland were: Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting for Mr. W. H. King were: Bamberger, Barber, Bennion.

COMMUNICATIONS.

A communication from the State Board of Examiners, relating to applications from State officers

and boards of public institutions, for consent to contract indebtedness, and a report of the Board of Loan Commissioners, relating to loans made by it, were read and referred to Committee on Appropriations and Claims.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 17, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, House Bill No. 36, by Curtin, entitled, "An Act to Provide for the Payment of the Expenses of the National Guard of Utah, While on Duty in Carbon County in 1903 and 1904," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 36, by Curtin was read the first time and laid on the table.

At 2:50 p. m. on motion of Mr. Larsen, the Senate adjourned until 11:30 a. m. tomorrow.

TENTH DAY

Senate Chamber,
Jan. 18, 1905.

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

Roll call; quorum present.

Prayer by Chaplain.

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

PRESENTATION OF PETITIONS.

S. P. No. 1, by Bennion, from William Gibson, of Vernal, Utah, for reimbursement by the State of Utah in the sum of $327.26 for State lands purchased from the State, was referred to Committee on Appropriations and Claims.

Mr. Lawrence moved that when an adjournment is taken, that it be until tomorrow at 2 o'clock p. m. Carried.

On motion of Mr. Johnson, a recess was taken until time to meet with the House in joint session, in compliance with the law relating to the election of United States Senators.

JOINT SESSION.

House of Representatives,
Jan. 18, 1905.

At 12 o'clock, noon, the Senate and House of Representatives of the Sixth Session of the Legislature of the State of Utah met in joint assembly, President Love presiding.

Roll call; quorum present.

Prayer by Chaplain of the House.

The journals of the Senate and the House of Representatives of the ninth day, relating to the election of a United States Senator, were read, and it appearing therefrom that Mr. George Sutherland had received a majority of all the votes cast in both houses for United States Senator, the President of the Senate declared him to be elected. Whereupon the Reading Clerk of the Senate read the following certificate of election:

State of Utah, Legislative Department,
Salt Lake City, Jan. 18, 1905.

Be it known, and this is to certify, that at 12 o'clock meridian, of the 18th day of January, A. D., 1905, it being the day following that on which proceedings took place by which George Sutherland of Salt Lake 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 such journals that the said George Sutherland had on the 17th day of January, 1905, 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., 1905.

In witness whereof the President of the Senate, the presiding officer of the 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 18th day of January, A. D., 1905, at Salt Lake City, the capital, in the presence of said joint assembly.

S. H. LOVE,
President of the Senate.
THOMAS HULL,
Speaker of the House.
H. L. CUMMINGS,
Secretary of the Senate.
W. E. VIGUS,
Chief Clerk of the House.

At 12:10, on motion of Mr. Lawrence, the joint session was dissolved.

Senate reconvened at 2:15 p. m., and, on motion, adjourned.

ELEVENTH DAY.

Senate Chamber,
Jan. 19, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the tenth day's regular and joint sessions were read, corrected, and approved.

REPORT OF SPECIAL COMMITTEE.

Committee Room, Jan. 19, 1905.

Mr. President:—We, your special committee, to whom was referred Senate Bill No. 8, being "An Act Repealing Chapter 137 of the Session Laws of Utah, 1901, and Chapter 48 of the Session Laws of Utah, 1903," beg leave to report that they have had the same under consideration; that they have conferred with a like committee from the House, and have prepared and herewith present a substitute therefor, Senate Bill No. 10, being "An Act Repealing Chapter 137 of the Session Laws of Utah, 1901, and Chapter 48 of the Session Laws of Utah, 1903, and reserving any rights which may have accrued, and any penalties which may have been incurred and any actions or proceedings which may have been commenced thereunder," and recommend that the substitute be passed and that the original bill be rejected.

LAWRENCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 10, a substitute for S. B. No. 8, by Conference Committee, entitled "An Act Repealing Chapter 137 of the Session Laws of Utah, 1901, and Chapter 48 of the Session Laws of Utah, 1903, and Reserving any Rights Which May Have Accrued, and any Penalties Which May Have Been Incurred, and any Actions or Proceedings which May Have Been Commenced Thereunder," was read the first and second times, and under a suspension of the rules, was read the third time and passed.

Ayes, 16; noes, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Loose, Williams.

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

S. B. No. 11, by Larsen, entitled, "An Act to Establish Schools of Agriculture and Domestic Economy; to Provide for the Creation of County School Boards and Prescribing Their Qualifications, Terms of Office, Duties and Power; for the Apportionment of Taxes, and to Appropriate Money for Said Purposes," was read the first time and referred to Committee on Agriculture and Irrigation.

S. B. No. 12, by Lawrence, (by request), entitled, "An Act to Secure the Registration of Plumbers, and the Supervision of Plumbing and Drainage in the Cities, First and Second Class, of the State of Utah, Whether Organized Under Special Charter or Otherwise; Providing for the Appointment and Prescribing the Power and Duties of Examining Boards of Plumbers for Such Cities," was read the first time and referred to Committee on Labor.

READING BILLS OF THE SENATE THE SECOND TIME.

S. B. No. 6, by Lewis, entitled, "An Act Providing for an Appropriation for the Purpose of Defraying the Expense Incurred by the National Guard During the Coal Strike in Carbon County, Utah." was read the second time, and, under a suspension of the rules, was read the third time.

On motion of Mr. Lewis, H .B. No. 36, by Curtin entitled, "An Act to Provide for the Payment of the Expenses of the National Guard of Utah, While on Duty in Carbon County in 1903 and 1904," was substituted for S. B. No. 6, and under suspension of the rules was read the second and third times and passed by the following vote:

Ayes, 17; noes, 0; absent and not voting, 1.

Those voting in the Affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Williams.

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

S. J. M. No. 1, by Lewis, was read the second time.

MISCELLANEOUS BUSINESS.

Mr. Johnson moved that the Senate instruct Committee on Appropriations and Claims to appoint a subcommittee to investigate the expenditure of moneys by the St. Louis World's Fair Commission. Carried.

Mr. Bamberger was excused until Monday.

At 2:45, on motion of Mr. Johnson, the Senate adjourned until 2 p. m. tomorrow.

TWELFTH DAY.

Senate Chamber,
Jan. 20, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 20, 1905.

To the Senate:

On a recent visit of the Board of Insanity to the State Mental Hospital, the report was made to the Board by the Medical Superintendent, that a deficit for the last biennial report has been incurred,amounting to $1,200.00. This deficit was incurred prior to Dec.. 31, 1904, but was not included in the biennial report of the former board, which was necessarily in preparation some time before the close of the fiscal year. The expenditure has been in-

vestigated by the present board and I recommend that a special appropriation be made to cover the deficit.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication referred to Committee on Appropriations and Claims.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 19, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed under suspension of the rules, the following House Concurrent Resolution:

"Be it resolved by the House of Representatives, the Senate concurring, that the State Auditor, at his earliest convenience for the information of the Legislature, procure from the County Clerk of each County in the State of Utah a statement showing the number of certificates issued by him for bounties for the killing of wild animals, squirrels and grasshoppers, the amounts of said certificates, to whom issued, for what issued, the name of the Clerk or Deputy Clerk issuing the same from January 1st, 1904 to date; and also the number of warrants, their respective amounts and to whom issued upon bounty certificates during said period; and also the number of certificates, their respective amounts and to whom issued, upon which no warrants have as yet been issued; and also that the State Auditor be requested to notify the said County Clerks to discontinue the issuance of certificates for bounty claims pending the action of the Legislature."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. C. R. No. 1, by Conference Committee on bounty frauds, was read the first time and, under a suspension of the rules, was read the second and third times and laid on the table.

REPORT OF STANDING COMMITTEE.

Committee Room, Jan. 20, 1905.

Mr. President:—Your Committee on Appropriations and Claims, who were instructed to appoint a sub-committee to investigate the expenditure of moneys by the St. Louis World's Fair Commission, beg leave to report that they have considered the same and have appointed as such committee Senators Walton, Bennion and Larsen to act in conference with a like committee from the House. WILLIAMS, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

Senate Bill No. 13, by McKay, (by request) entitled, "An Act Providing for Investigations of the Proper Use of Irrigation Water, and the Reclamation of Alkali Lands," was read the first time and referred to Committee on Agriculture and Irrigation.

Senate Bill No. 14, by Rasband, entitled, "An Act Amending Section 1 of Chapter 64 of the Laws of 1899, Relating to the State Board of Land Commissioners, their Appointment and Terms," was read the first time and referred to Committee on Public Lands.

Senate Bill No. 15, by Rasband, entitled, "An Act Amending Section 1 of Chapter 65 of the Laws of 1901 Creating a Board of Equalization, Providing the Manner of its Appointment, Fixing the Terms of Office and Salaries of its Members, Providing the Manner of its Organization, defining its Duties," was read the first time and referred to Committee on Ways and Means.

Senate Bill No. 16, by Bennion, entitled, "An Act Amending Section 628 of the Revised Statutes of Utah, 1898, Authorizing Recorders to take Acknowledgments and Administer Oaths," was read the first time and referred to Committee on Judiciary.

Senate Bill No. 17, by Hollingsworth, entitled, "An Act Requiring a bond to be Given by the Secretary of State," was read the first time and referred to Committee on Judiciary.

S. B. No. 18, by Lawrence, (by request) entitled, "An

Act Providing for Recording Plats of Cemeteries, and the Evidence of Burial Rights therein, in Cities of the First Class," was read the first time and referred to Committee on Judiciary.

S. B. No. 19, by Lewis, entitled, "An Act to Amend Sections 2544 and 2545 of the Revised Statutes of Utah, 1898, Providing for the Publication of County Assessment Rolls, Prescribing the Penalty for 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," was read the first time and referred to Committee on Ways and Means.

READING SENATE JOINT MEMORIAL THE THIRD TIME.

S. J. M. No. 1, by Lewis, was read the third time and laid on the table until Monday.

RESOLUTION RECOMMITTED.

H. C. R. No. 1, by Conference Committee on bounty frauds, was recommitted to Committee on Appropriations and Claims.

Mr. Barber moved that when the Senate adjourn, that it be until next Monday at 2 o'clock p. m.

At 2:35 p. m. on motion of Mr. Bennion, the Senate adjourned.

FIFTEENTH DAY.

Senate Chamber,
Jan. 23, 1905.

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

Roll call; quorum present.

Prayer by Senator McKay.

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

INTRODUCTION OF BILLS.

S. B. No. 20, by Lawrence, entitled, "An Act Amending Section 3586 of the Revised Statutes of Utah, 1898, as Amended by Chapter 25 of the Laws of Utah of 1901, Providing for the Uses in and for Which the Right of Eminent Domain may be Exercised," was read the first time and referred to Committee on Judiciary.

S. B. No. 21, by Lawrence, entitled, "An Act Amending Section 3590 of the Revised Statutes of Utah of 1898, Providing for the Kinds of Property that may be Taken by the Exercise of the Rights of Eminent Domain," was read the first time and referred to Committee on Judiciary.

S. B. No. 22, by Park (by request), entitled, "An Act Fixing the Penalties for the Unauthorized Presentation of Dramatic Plays and Musical Compositions," was read the first time and referred to Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, Senate Joint Resolution No. 1, by Bennion; "Be it resolved by the Senate, the House concurring, that pen knives and fountain pens be eliminated from the list of articles to be furnished the members of the Senate and the House and employees of both houses, and

Be it further resolved, and it is hereby ordered, that at the close of the session, all dictionaries, stands, waste baskets, desks and other paraphernalia and supplies excepting only copies of the Revised Statutes and

Session Laws furnished to members, be returned to the Secretary of State as provided by law."

The same is returned herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives.
Salt Lake City, Jan. 20, 1905.

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. 36, entitled, "An Act to Provide for the Payment of the Expenses of the National Guard of Utah, While on Duty in Carbon County in 1903 and 1904," and the same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

H. B. No. 36, by Curtin, entitled, "An Act to Provide for the Payment of the Expenses of the National Guard of Utah, While on Duty in Carbon County in 1903 and 1904," was read by its title and signed by the President in open session in the presence of the Senate.

House of Representatives,
Salt Lake City, Jan. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected Senate Bill No. 10, "An Act Repealing Chapter 137 of the Session Laws of Utah, 1901, and Chapter 48 of the Session Laws of Utah, 1903, and Reserving any Right Which may have Accrued, any Penalties Which May have been Incurred and any Actions or Proceedings Which may have been Commenced Thereunder," and the same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

Mr. Lawrence moved that a Conference Committee, consisting of three members, be appointed to act with a

like committee from the House, with the end in view of drafting some measure that will correct the evil in the present bounty law. Carried.

Whereupon the President appointed Senators Lawrence, Walton and Bennion to act as such committee.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

Salt Lake City, Jan. 21, 1905.

To the Senate:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim No. 37, being the claim of Richard R. Grant for compensation for injuries sustained while in active service in the National Guard of Utah, and to report that said claim is referred to you under the provisions of Section 1475 Revised Statutes 1898, for such action as you may deem just and proper.

Very respectfully,

C. S. TINGEY,

Secy. State Board of Examiners.

S. C. No. 1, together with the accompanying documents, was referred to Committee on Appropriations and Claims.

Salt Lake City, Jan. 21, 1905.

To the Senate:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim No. 36, for $604.00, being the claim of Tooele County for one-half the actual cost of revising assesors' maps and plats, as provided in Section 2553 of the Revised Statutes, 1898, and to report that the claim has been approved by the Board for $604.00 and recommends that an appropriation be made therefor, the appropriation made by the Fifth Legislature for the purpose of meeting claims of this kind being exhausted.

Very respectfully,

C. S. TINGEY,

Secy. State Board of Examiners.

S. C. No. 2, together with the accompanying documents, was referred to Committee on Appropriations and Claims.

Salt Lake City, Jan. 21, 1905.

To the Senate:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim No. 71, being the claim of Curtis Y. Clawson for compensation for injuries sustained while in active service in the National Guard of Utah, and to report that said claim is referred to you under the provisions of Section 1475 Revised Statutes 1898, for such action as you may deem just and proper.

Very Respectfully,

C. S. TINGEY,
Secy. State Board of Examiners.

S. C. No. 3, together with the accompanying documents, was referred to Committee on Appropriations and Claims.

Salt Lake City, Jan. 21, 1905.

To the Senate:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim No. 35, for $35.00, being the claim of Moroni Heiner, State Dairy and Food Commissioner, for expenses incurred in the discharge of his official duties, and to report that the Board has approved the claim for $25.90 with the recommendation that an appropriation be made therefor, the appropriation made by the Fifth Legislature to meet the contingent expenses of the commissioner being exhausted.

Very Respectfully,

C. S. TINGEY,
Secy. State Board of Examiners.

S. C. No. 4, together with the accompanying documents, was referred to Committee on Appropriations and Claims.

Salt Lake City, Jan. 21, 1905.

To the Senate:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim No. 70, being the

claim of Albert G. Jackson for compensation for injuries sustained while in active service in the National Guard of Utah, and to report that said claim is referred to you under the provisions of Section 1475 Revised Statutes 1898, for such action as you may deem just and proper.

Very respectfully,

C. S. TINGEY,
Secy. State Board of Examiners.

S. C. No. 5, together with the accompanying documents, was referred to Committee on Appropriations and Claims.

REPORT OF STANDING COMMITTEE.

Committee Room, Jan. 23, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred House Concurrent Resolution No. 1 by a Conference Committee, beg leave to report that they have had the same under consideration, offer certain amendments thereto, and recommend that the resolution as amended be passed.

W. N. WILLIAMS, Chairman.

Report adopted.

H. C. R. No. 1, by a Conference Committee, as amended by the Committee on Appropriations and Claims, as follows:

"Be it resolved by the House of Representatives, the Senate concurring, that the State Auditor immediately for the information of the Legislature, demand of the County Clerk of each County in the State of Utah, a statement covering the period from March 26th, 1901, to January 20th, 1905, showing the number and amount of every certificate issued, to whom issued, for what issued, and the name of the clerk or deputy clerk issuing the same under the provisions of Chapter 137 Laws of Utah, 1901, and Chapter 48 Laws of Utah, 1903.

2. That upon receiving and filing in his office the aforesaid statements, the State Auditor indicate on said statements which of said certificates issued by said County Clerks, or deputy clerks, have been paid by the

State of Utah, and shall at the earliest possible time prepare and submit to the State Senate and the House of Representatives a detailed statement showing (a) the number, date, amount and payee of every state warrant issued by the State Auditor during the aforesaid period under the provisions of the aforesaid laws. Also a detailed statement (b) arranged according to counties and by years showing all certificates issued as aforesaid by the said County Clerks, or deputy clerks, and which were outstanding and unpaid by the State of Utah January 20th, 1905.

3. That the State Auditor immediately request each County Clerk in the State to at once discontinue the issuance of any further certificates as provided in the aforesaid laws.

And be it further resolved that the State Auditor also prepare and submit a detailed statement covering the period from January 12, 1903, to January 20, 1905, of all accounts rendered by, and State Auditor's warrants issued to, any and all counties under the provision of Chapter 11 Laws of Utah, 1903," was read as amended and passed by the following vote: ayes, 10, nays, 7; absent and not voting, 1.

Those voting in the affirmative were: Gardner, Hollingsworth, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Bamberger, Bennion, Callister, Clegg, Johnson, Larsen, Lewis.

Absent and not voting: Barber.

SENATE JOINT MEMORIAL.

S. J. M. No. 1, by Lewis, "To the Senate and House of Representatives of the United States of America in Congress Assembled:

Your memorialists, the Governor and Legislature of the State of Utah, respectfully memorialize the Congress of the United States to pass at an early date such legislation as recommended by President Roosevelt for the better control and regulation of corporations, and for the granting of additional powers to the Inter-State Commerce Commission," was passed by the following vote:

Ayes, 16; nays, 1; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Voting in the negative: Mr. President.

Absent and not voting: Barber.

COMMUNICATION FROM COMERCIAL CLUB.

Salt Lake City, Jan. 23, 1905.

To the Honorable President, and Members of the State Senate, Utah Legislature, City.

Gentlemen:—The Board of Governors of the Commercial Club respectfully and cordially invites you to use the apartments of the club for committee meetings at your pleasure during the present Session.

Very respectfully,
HEBER M. WELLS, President.
J. E. GALIGHER, Secretary.

On motion of Mr. Larsen, the courtesy of the Commercial Club was accepted with thanks.

At 3:10 p. m., on motion of Mr. Gardner, the Senate adjourned until tomorrow at 2 o'clock p. m.

SIXTEENTH DAY.

Senate Chamber,
Jan. 24, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Jan. 23, 1905.

To the Senate:

I have the honor to respectfully inform you that the deficit of $10,000 named in my message, as being authorized for the St. Louis Exposition, by the State Board of Examiners, was not so authorized. The listing of this among authorized deficits was an error. It should have been listed among the unauthorized deficits.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 23, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Marks, Lyman and Maughan, a special committee, to act with a like committee from the Senate, to investigate the expenditures of moneys by the St. Louis World's Fair Commission.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

PRESENTATION OF RESOLUTION.

S. C. R. No. 2, by Lewis, "Whereas, through the collusion or criminal negligence of various county officials in different counties of the State of Utah, there has been gross abuse of the provisions of the act for a payment of bounty for the killing of wild animals, as provided in Chapter 137, Laws of Utah, Chapter 48, of the Session Laws of 1903; be it resolved, that the Attorney General of the State of Utah be and he is hereby directed to prepare and render an opinion as to the liability of the State for the fraudulent warrants issued and outstanding; and be it further resolved,

that he be also directed to prepare and deliver an opinion as to the necessary proceedure to recover for the State Treasury all moneys paid out on fraudulent warrants issued since June 30, 1901," was presented and laid on the table.

At 2:15, on motion of Mr. Johnson, the Senate adjourned until tomorrow at 2 p. m.

SEVENTEENTH DAY.

Senate Chamber,
Jan. 25, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

Senator Loose excused for ten days.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Jan. 24, 1905.

Mr. President:—We, your Committee on Judiciary, to whom was referred S. B. No. 17, being "An Act Requiring a Bond to be Given by the Secretary of 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,
Jan. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 16, being "An Act Amending Section 628 of the Revised Statutes of Utah, 1898,

Authorizing Recorders to Take Acknowledgements and Administer Oaths," respectfully report that we have had the same under consideration, and recommend that the act be passed. LAWRENCE, Chairman,

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 23, by Walton, entitled "An Act to Amend Sections 4, 9, 22, and 32 of Chapter 64 of the Session Laws of Utah, 1899, Relating to the State Board of Land Commissioners, and Sections 1 and 3 of said Chapter 64 as the Same are Amended by Chapter 35 of the Laws of Utah, 1901, Relating to the State Board of Land Commissioners," was read the first time and referred to Committee on Public Lands.

S. B. No. 24, by Walton, entitled "An Act to Amend Sections 800, 801, and 816 of the Revised Statutes of Utah, 1898, Relating to the Registering of Voters," was read the first time and referred to Committee on Judiciary.

S. B. No. 25, by Hollingsworth, entitled "An Act Granting Power to Boards of County Commissioners to Provide Penalties for the Violation of Ordinances Enacted by Such Boards," was read the first time and referred to Committee on Judiciary.

S. B. No. 26, by Hollingsworth, entitled "An Act to Amend Section 2205 of the Revised Statutes of Utah, 1898, Relating to the Bringing of Paupers, etc., into the State," was read the first time and referred to Committee on County and Municipal Corporations.

S. B. No. 27, by Hollingsworth, entitled "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 Committee on County and Municipal Corporations.

S. B. No. 28, by Hollingsworth, entitled "An Act Amending Section 487, Chapter 1, Title 12, Revised Statutes of Utah, 1898, Respecting County Boundary Lines," was read the first time and referred to Committee on Judiciary.

S. B. No. 29, by Hollingsworth, entitled "An Act

Amending Section 18, of Chapter 126, Laws of Utah, 1903, Relating to Fees of Municipal Court," was read the first time and referred to Committee on Judiciary.

READING SENATE BILLS SECOND AND THIRD TIMES.

S. B. No. 16, by Bennion, entitled "An Act Amending Section 628 of the Revised Statutes of Utah, 1898, Authorizing Recorders to take Acknowledgements and Administer Oaths," was read the second time, the rules were suspended, on motion of Mr. Bennion, 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, Callister, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Gardner, Loose.

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

S. B. No. 17, by Hollingsworth, entitled "An Act Requiring a Bond to be Given by the Secretary of State," was read the second time, the rules were suspended, on motion of Mr. Bennion, 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 Callister, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Gardner, Loose.

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

READING OF RESOLUTION THE FIRST TIME.

S. C. R. No. 2, by Lewis, was read the first time and referred to Committee on Judiciary.

At 2:25, on motion of Mr. Bennion, the Senate adjourned until tomorrow at 2 p. m.

EIGHTEENTH DAY.

Senate Chamber,
Jan. 26, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 25, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 45, "An Act to Amend Section 3747, Chapter 79, Title 73, of the Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court," and the same is herewith transmitted for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 45 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 25, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the Rules, H. C. R. No. 2, "Be it Resolved by the House of Represenatives of the State of Utah, the Senate concurring, that no bills shall be introduced in either House after the Forty-fifth day of the Session, without the consent of the House in which the same is sought to be introduced."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. C. R. No. 2, under the rules, was laid on the table.

House of Representatives,
Salt Lake City, Jan. 25, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 44, "An Act to Amend Section 4343 of Chapter 42, Title 75, of the Revised Statutes of the State of Utah, 1898, Relating to Forging and Counterfeiting," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 44 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 24, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. C. R. No. 1, as amended by the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Jan. 26, 1905.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 21, being "An Act Amending Section 3590 of the Revised Statutes of Utah of 1898, Providing for the Kinds of Property that may be Taken by the Exercise of the Rights of Eminent Domain," respectfully report that we have had the same under consideration, have offered an amendment to the bill, and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Jan. 26, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 20, being "An Act Amending Section 3588 of the Revised Statutes of Utah of 1898, as Amended by Chapter 25 of the Laws of Utah of 1901, Providing for the Uses in and for Which the Right of Eminent Domain may be Exercised," respectfully report that we have had the same under consideration, have offered an amendment to the bill and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, Jan. 25, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 13, by McKay, (by request), being "An Act Providing for Investigations of the Proper use of Irrigation Water, and the Reclamation of Alkali Lands," respectfully report that they have had the same under consideration and recommend that the act be passed. McKAY, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 30, by Lawrence, entitled "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, Relating to claims against Incorporated Cities and Towns, as Amended by Chapter 19 of the Laws of Utah of 1903," was read the first time and referred to Committee on Judiciary.

S. B. No. 31, by Lawrence, entitled "An Act Fixing the Liability of Owners of and Persons or Corporations Having Control of Property or Premises Abutting Upon Public Streets or Ways in Incorporated Cities and Towns, With Reference to Obstructions and Excavations by Such Owners or Persons or Corporations, Caused or Maintained Upon or Under Such Streets or Ways, and Providing for Proceedure Relative to Such Liability," was read the first time and referred to Committee on Judiciary.

SECOND READING SENATE BILLS.

S. B. No. 20, by Lawrence, entitled "An Act Amending Section 3586 of the Revised Statutes of Utah, 1898, as Amended by Chapter 25 of the Laws of Utah of 1901, Providing for the Uses in and for Which the Right of Eminent Domain may be Exercised," was read the second time.

S. B. No. 13, by McKay, (by request), entitled "An Act Providing for Investigations of the Proper Use of Irrigation Water, and the Reclamation of Alkali Lands," was read the second time.

S. B. No. 21, by Lawrence, entitled "An Act Amending Section 3590 of the Revised Statutes of Utah of 1898, Providing for the Kinds of Property that may be Taken by the Exercise of the Rights of Eminent Domain," was read the second time.

At 2:30, on motion of Mr. Barber, the Senate adjourned until tomorrow at 2 p. m.

NINETEENTH DAY.

Senate Chamber,
Jan. 27, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE GOVERNOR.

A communication from the Governor, transmitting draft of a bill by the Assistant Secretary of War, was read and, together with accompanying documents, referred to Committee on Military Affairs.

A communication from the Governor, relative to funds of the State Board of Land Commissioners, was referred to Committee on Public Lands.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 26, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. R. No. 1, "Proposing an Amendment to Section 3, Article XIII, of the Constitution, as Amended November 6, 1900, Relating to Uniform Tax and Exemption Therefrom," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. R. No. 1 went on the table, under the rules.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Jan. 27, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 45, entitled "An Act to Amend Section 3747, Chapter 79, Title 73, of the Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court," beg leave to report that we have had the same under consideration, offer the following amendments thereto.

1. In the Title by striking out the words and figures "Chapter 79, Title 73."

2. In lines 1 and 2 by striking out the words and figures "Chapter 79, Title 73," and the words "the State of."

3. In lines 4 and 5 of the act striking out the annotation "Undertaking Filed Within Five Days after Notice." "Form."

And as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 45 was read the second time.

Senate Judiciary Committee Room,
Jan. 27, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 44, entitled "An Act to Amend Section 4343 of Chapter 42, Title 75, of the Revised Statutes of the State of Utah, 1898, Relating to Forging and Counterfeiting," beg leave to report that we have had the same under consideration, offer the following amendments thereto:

1. In the title by striking out the words and figures "of Chapter 42, Title 75," and the words "the State of."

2. In line 1 of the act by striking out the words and figures "Chapter 42, Title 75."

3. In line 2 of the act striking out the words "the state of."

4. In line 4 the annotation "Forgeries defined."

And as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 44 was read the second time.

PRESENTATION OF RESOLUTIONS.

S. C. R. No. 3, by Hollingsworth, Resolved, by the Senate, the House concurring, that a commission consisting of three persons, be appointed by the Governor for the purpose of drafting a bill, contemplating a uniform system of assessment and taxation in this state. This report of the said commission shall be submitted to the next session of the Legislature. For the purpose of gathering all data needed the commission is hereby empowered to call upon the State Board of Equalization and any State officer for any and all information required by it.

S. C. R. No. 3 was read and, under the rule, laid on the table.

S. C. R. No. 4, by Lewis, Resolved, by the Senate, the House concurring, that final adjournment of the Sixth Regular Session of the Legislature of Utah be on Thursday, February 16th, 1905.

S. C. R. No. 4 was read and, under the rule laid on the table.

SENATE JOINT MEMORIAL.

S. J. M. No. 2, by Lewis.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Whereas, Salt Lake City, Utah, being centrally located in the great mining belt of the United States, and there being a rapidly increasing production of gold, silver and copper in the State of Utah and the surrounding States, your memorialists, the Governor and the Legislature of the State of Utah, respectfully memorialize the Congress of the United States to enact such legislation as may be necessary to establish a Government Mint at the said Salt Lake City, Utah, and make the necessary appropriation therefor.

S. J. M. No. 2 was read and referred to Committee on Mines and Minerals.

INTRODUCTION OF BILLS.

S. B. No. 32, by Callister, entitled "An Act Relating to and Making Provisions for the Operations of Foreign Corporations in this State and to Amend Sections 351 and 352 of the Revised Statutes of Utah, 1898," was read the first time and referred to Committee on Judiciary.

THIRD READING SENATE BILLS.

S. B. No. 13, by McKay, (by request), entitled "An Act Providing for Investigations of the Proper use of Irrigation Water, and the Reclamation of Alkali Lands," 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, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Mr. President.

Those voting in the negative were: Johnson, Williams.

Absent and not voting: Loose.

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

S. B. No. 20, by Lawrence, entitled "An Act Amending Section 3586 of the Revised Statutes of Utah, 1898, as Amended by Chapter 25 of the Laws of Utah of 1901, Providing for the Uses in and for Which the Right of Eminent Domain may be Exercised," was read the third time, the title was amended to read as follows:

"An Act Amending Section 3586 of the Revised Statutes of Utah, 1898, as Amended by Chapter 25 of the Laws of Utah, 1901, Providing for the Uses in and for Which the Right of Eminent Domain may be Exercised."

As amended in the title and body, the bill passed by the following vote:

Ayes, 11; nays, 6; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Bennion, Hollingsworth, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Callister, Clegg, Gardner, Johnson, Walton.

Absent and not voting: Loose.

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

S. B. No. 21, by Lawrence, entitled "An Act Amending Section 3590 of the Revised Statutes of Utah of 1898, Providing for the Kinds of Property that may be Taken by the Exercise of the Rights of Eminent Domain," 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, Bennion, Hollingsworth, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Callister, Clegg, Gardner, Johnson, Walton.

Absent and not voting: Loose.

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

At 4 p. m., on motion of Mr. Lawrence, the Senate adjourned until next Monday at 2 p. m.

TWENTY-SECOND DAY.

Senate Chamber,
Jan. 30, 1905.

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

Roll call; quorum present.

Prayer by Rabbi Freund.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 56, Entitled "An Act Relating to Certain Contracts for the Conditional Sale, Lease or Hire of Railroad and Street Railway Equipment and Rolling Stock, and Providing for the Recording Thereof," and the same is transmitted herewith, for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 56 was read the first time and referred to Committee on Railroads.

House of Representatives,
Salt Lake City, Jan. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 2, "An Act to Amend Section 999 of the Revised Statutes of Utah, 1898, Relating to Per Diem and Mileage of Jurors in Justice Courts," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 2 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day signed, in open session, H. C. R. No. 1, "Instructing the State Auditor to furnish certain information relating to Bounty Certificates, issued under the Bounty Law for the killing of wild animals, etc.," and the same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. C. R. No. 1 was read by title and signed by the President in open session in the presence of the Senate.

INTRODUCTION OF BILLS.

S. B. No. 33, by Rasband, entitled "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Session Laws of Utah, 1899, Relating to the Duties of State Auditor," was read the first time and referred to Committee on Judiciary.

S. B. No. 34, by Lewis, entitled "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 Committee on Ways and Means.

S. B. No. 35, by Lewis, entitled "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be collected by the Secretary of State for Services Performed in his Office," was read the first time and referred to Committee on Ways and Means.

THIRD READING HOUSE BILL AND RECOMMITMENT.

H. B. No. 44, by Kinney, "An Act to Amend Section 4343 of the Revised Statutes of Utah, 1898, relating to Forging and Counterfeiting," was read the third time and recommitted to Committee on Judiciary.

HOUSE BILL RECOMMITTED.

H. B. No. 45, by Kinney, "An Act to Amend Section

3747, of the Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court," was recommitted to Committee on Judiciary.

FIRST READING SENATE AND HOUSE RESOLUTIONS.

S. C. R. No. 3 was read the first time and referred to Committee on Ways and Means.

S. C. R. No. 4 was read the first time and referred to Committee on Rules.

H. J. R. No. 1 was read the first time and referred to Committee on Ways and Means.

H. C. R. No. 2 was read the first time and referred to Committee on Rules.

MISCELLANEOUS BUSINESS.

S. B. No. 12, by Lawrence, (by request), was withdrawn at the request of Mr. Lawrence.

At 2:35, on motion of Mr. Rasband, the Senate adjourned until tomorrow at 2 p. m.

TWENTY-THIRD DAY.

Senate Chamber,
Jan. 31, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 30, 1905.

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

No. 32, "An Act Amending Section 3724 of Chapter 77, Title 73, of the Revised Statutes of Utah, 1898, Relating to the Dismissal Without Prejudice of Actions Pending Before a Justice of the Peace," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 32 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 30, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. M. No. 1, Memorializing the Congress of the United States "to pass such Legislation as will at an early date, secure for the Inter Mountain states, a Bureau of Mining," and the same is herewith transmitted for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 1, under the rule, went on the table.

House of Representatives,
Salt Lake City, Jan. 30, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. J. M. No. 2, Memorializing the Congress of the United States, "To Make an Appropriation for the Purpose of Establishing a United States Mint and Assay Office at Some Suitable Place in Utah," and the same is herewith transmitted for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 2, under the rule, went on the table.

COMMUNICATION FROM PRESIDENT AGRICULTURAL COLLEGE.

Logan, Utah, Jan. 30, 1905.

To the President and Members of the Senate, Utah State Legislature:

Gentlemen:—In behalf of the Board of Trustees and Faculty, I have pleasure in extending to the Members of the Legislature a most cordial invitation to visit the Agricultural College of Utah, at any time that may be most conveniently arranged.

Very respectfully,
W. J. KERR, President.

Mr. Bamberger moved that the Senate accept of the invitation on next Saturday, leaving here by special train at 8 o'clock in the morning and returning in the evening sometime before midnight. Carried.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Jan. 31, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 29, by Hollingsworth, entitled "An Act to Amend Section 18, Chapter 126, Laws of Utah, 1903, Relating to Fees of Municipal Court," beg leave to report that they have had the same under consideration and recommend its passage.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 29 was read the second time.

Senate Judiciary Committee Room,
Jan. 31, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 30, by Mr. Lawrence, entitled An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, Relating to Claims Against Incorporated Cities and Towns, as Amended by Chapter 19 of the Laws of Utah, 1903," beg leave to report that they

have had the same under consideration and offer the following amendments thereto:

1. By striking out the words "Presentation of Claim. Time for" in line 5, and "Action" in line 6.

2. In line 21 striking out the words "Claims Barred if not Presented," and as amended recommend that the act be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 30 was read the second time.

Committee Room, Jan. 31, 1905.

Mr. President:—Your committee on Rules, to whom was referred S. C. R. No. 4, by Mr. Lewis, beg leave to report that they have had the same under consideration and recommend that the Resolution be not passed.

BENNION, Chairman.

Report adopted.

Committee Room, Jan. 31, 1905.

Mr. President:—Your committee on Rules, to whom was referred H. C. R. No. 2, by Mr. Anderson, beg leave to report that they have had the same under consideration and recommend its passage.

BENNION, Chairman.

Report was adopted and H. C. R. No. 2 was read the second time.

Senate Judiciary Committee Room,
Jan. 31, 1905.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 44, by Mr. Kinney, entitled "An Act to Amend Section 4343, of the Revised Statutes of Utah, 1898, Relating to Forging and Counterfeiting," beg leave to report that they have had the same under consideration and recommend the following further amendment:

On page 2, line 3, after the word "Indebtedness" add the following: "Or any card of any lodge of any benevolent, charitable or fraternal order, or any post of the Grand Army of the Republic or commandery of the Loyal

Legion," and as amended recommend that the same be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Jan. 31, 1905.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 45, entitled "An Act to Amend Section 3747, Chapter 79, Title 73, of the Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court," beg leave to report that they have conferred with the House Committee on Rules, and that said Committee has agreed to accept the Senate amendments to said bill, and to recommend to the House the adoption of the Senate practice on the matters in question.

Your Committee further begs leave to recommend the following further amendment to said bill:

On page 2 after line 21 add the following: "Provided, that where the appellant makes and files an affidavit in the form set out in Section 1017 of the Revised Statutes of Utah, 1898, no bond on appeal shall be required; Provided further, that the giving of an undertaking on appeal may be waived in writing by the adverse party," and as amended recommend that the same be passed.

LAWRENCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 36, by Committee on Military Affairs, entitled "An Act Ceding to the United States Exclusive Jurisdiction over the Military Reservations of Fort Douglas and Fort Duchesne within this State," was read the first time.

S. B. No. 37, by Rasband, entitled "An Act to Amend Section 2428 of the Revised Statutes of Utah, 1898, Relating to the Duties of the State Treasurer," was read the first time and referred to Committee on Judiciary.

S. B. No. 38, by Larsen, entitled "An Act Creating

and Establishing Preparatory Trades Schools Which Shall be Branches of the Agricultural College of Utah, and Providing for the Manner of Determining their Location, and also Providing for the Maintenance Thereof Under the Control and Management of the Board of Trustees of said Agricultural College," was read the first time and referred to Committee on Education.

S. B. No. 39, by Clegg, (by request), entitled "An Act to Amend Section 972 of the Revised Statutes of Utah, 1898, Relating to the Fees of Clerks of the District Courts and County Clerks," was read the first time and referred to Committee on Judiciary.

S. B. No. 40, by Hollingsworth, entitled "An Act Fixing the Fiscal year of the State of Utah and Providing When Reports shall be Prepared, Compiled and Filed," was read the first time and referred to Committee on Judiciary.

S. B. No. 41, by Callister, entitled "An Act Providing for the Recovery of Damage by Trespassing Animals upon Private Lands Within this State," was read the first time and referred to Committee on Live Stock.

S. B. No. 42, by Hollingsworth, 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, to Make an Appropriation Therefor, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Chapter 96, Laws of Utah, 1903," was read the first time and referred to Committee on Public Institutions.

THIRD READING BILLS.

S. B. No. 29, by Hollingsworth, entitled "An Act Amending Section 18, Chapter 126, Laws of Utah, 1903," was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 30, by Lawrence, entitled "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, Relating to Claims Against Incorporated Cities and Towns, as Amended by Chapter 19 of the Laws of Utah of 1903," was read the third time, and on request of Mr. Bennion, vote was deferred until tomorrow.

H. B. No. 44, by Kinney, "An Act to Amend Section 4343 of the Revised Statutes of Utah, 1898, relating to Forging and Counterfeiting," was read as amended for information, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

H. B. No. 45, by Kinney, "An Act to Amend Section 3747 of the Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court," was amended, read the third time and as amended passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

H. C. R. No. 2, "Be it Resolved by the House of Representatives of the State of Utah, the Senate Concurring, that no Bills Shall be Introduced in Either House after the Forty-fifth day of the Session, Without the Consent of the House in Which the same is Sought to be Introduced," was read the third time and passed by the following vote:

Ayes, 11; nays, 7.

Those voting in the affirmative were: Barber, Bennion, Callister, Gardner, Hollingsworth, Lewis, McKay, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Bamberger, Clegg, Johnson, Larsen, Lawrence, Loose, Walton.

EXECUTIVE SESSION.

At 3:15, the Senate went into executive session.

Upon resuming regular session at 4:25, Mr. Bamberger gave notice that he would move for a reconsideration of motion passed accepting special train for Saturday morning.

On motion of Mr. Lawrence, the Senate adjourned until tomorrow at 2 p. m.

TWENTY-FOURTH DAY.

Senate Chamber,
Feb. 1, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Jan. 31, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 69, "An Act to Amend Section 3286 of the Revised Statutes of Utah, 1898, Relating to Preparation, Settlement and Signing of Bill of Exceptions. Time Allowed," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 69 read the first time and was referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 31, 1905.

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

orable body that the House has this day passed H. B. No. 68, "An Act to Amend Section 3329, of the Revised Statutes of Utah, 1898, Relating to Motions and Orders," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 68 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Jan. 31, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 9, "Mines and Net Proceeds Taxable, An Act to Amend Section 2504, Revised Statutes of the State of Utah, 1898, Relating to Taxing Mines and Net Proceeds," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

H. B. No. 9, was read the first time and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Committee Room, Jan. 31, 1905.

Mr. President:—Your Committee on Railroads, to whom was referred H. B. No. 56, by Mr. Kinney, entitled "An Act Relating to Certain Contracts for the Conditional Sale, Lease or Hire of Railroads and Street Railway Equipment and Rolling Stock, and Providing for the Recording Thereof," beg leave to report that they have had the same under consideration and recommend the following amendments thereto.

1. In the title of the Bill by striking out the words "Relating to" and substituting therefor the word "Authorizing."

2. On page 1, line 1, by striking out the annotation "Lien of Seller."

3. On page 2, line 7, by striking out the annotation "Record," and in line 22 by striking out the annotation "Prior Contracts."

4. By striking out all of Section 4.

And as amended recommend that the same be passed. C. E. LOOSE, Chairman.

Report adopted.

H. B. No. 56 was read the second time.

Committee Room, Jan. 31, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was referred communication from his Excellency, the Governor, with a draft of a bill received from the Assistant Secretary of War, beg leave to report that they have had the same under consideration and recommend that the accompanying S. B. No. 36 be passed. PARK, Chairman.

Report adopted.

S. B. No. 36, by Committee on Military Affairs, entitled "An Act Ceding to the United States Exclusive Jurisdiction over the Military Reservations of Fort Douglas and Fort Duchesne within this State," was read the first and second times.

PRESENTATION OF RESOLUTION.

S. J. R. No. 3, by Hollingsworth, "Proposing an Amendment to Section 9 of Article IV of the Constitution of the State of Utah Relating to Elections," went on the table under the rule.

INTRODUCTION OF BILLS.

S. B. No. 43, by Walton, entitled "An Act Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands, and Amending Section 2, Chapter 59, Session Laws of Utah of 1901," was read the first time and referred to Committee on Public Lands.

S. B. No. 44, by Hollingsworth, entitled "An Act to Prohibit the Payment of Mileage to Members of the Legislature and State Officials for distances Traveled for Which Officials Use Passes or Other Transportation," was read the first time and referred to Committee on Railroads.

THIRD READING OF BILLS.

S. B. No. 30, by Lawrence, entitled "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, Relating to claims against Incorporated Cities and Towns, as Amended by Chapter 19 of the Laws of Utah of 1903," was, on motion of Mr. Bennion, amended to read:

"An Act Amending Sections 312 and 313 of the Resived Statutes of Utah, 1898, as Amended by Chapter 19 of the Laws of Utah, 1903, Defining the Time Within Which Claims Against Incorporated Cities and Towns Must be Filed," and as amended 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 36, by Committee on Military Affairs, entitled "An Act Ceding to the United States exclusive Jurisdiction over the Military Rreservations of Fort Douglas and Fort Duchesne within this State," was, on motion of Mr. Bennion, amended to read:

"An Act Ceding to the United States Jurisdiction over the Military Reservations of Fort Douglas and Fort Duchesne, within this State."

On motion of Mr. Park the rules were suspended, the bill read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

H. B. No. 56, by Kinney, "An Act Authorizing Certain Contracts for the Conditional Sale, Lease or Hire of Railroad and Street Railway Equipment and Rolling Stock, and Providing for the Recording Thereof," was, under suspension of the rules, read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

CONSIDERATION OF MEMORIALS.

H. J. M. No. 2 was read the first time and referred to Committee on Mines and Minerals.

H. J. M. No. 1 was read the first time and referred to Committee on Mines and Minerals.

MISCELLANEOUS BUSINESS.

Mr. Bamberger withdrew his notice for reconsideration of motion passed yesterday relative to special train to Logan.

At 2:45, on motion of Mr. Loose, the Senate adjourned until tomorrow at 2 p. m.

TWENTY-FIFTH DAY.

Senate Chamber,
Feb. 2, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 2, 1905.

To the President of the Senate:

Dear Sir:—It appearing that there is unnecessary duplication of studies in the University of Utah and the

Agricultural College, I beg to suggest to your honorable body that steps be taken to reduce such duplication to the least possible minimum. I believe it will appear plain to you that a state with as small a population as Utah possesses cannot afford to support two great institutions carrying on parallel lines of college or university work. In education, as in other lines of effort, concentration is always more effective and economical than diffusion. If each of these institutions can be given its distinctive lines of work,with sufficient money and equipment to do that work thoroughly, and neither school entrenching unnecessarily on the ground assigned to the other, I am convinced that the result will be beneficial to both. I am informed, as well, that such action would result in the saving of a large sum of money to the state during each biennial period.

I beg to suggest, therefore, that a joint committee be appointed from the Senate and the House of Representatives to canvass the situation thoroughly and formulate recommendations as to legislation covering this important matter. I shall be pleased to render such committee all the assistance in my power in reaching this greatly desired object.

Very respectfully,
JOHN C. CUTLER, Governor.

Mr. Lawrence moved that a special committee of three, consisting of the Chairmen of Committees on Education, Public Institutions, and appropriations be appointed by the President of the Senate to consult with a like committee from the House, with a view of drafting some measure in line with the recommendations of the Governor.

Upon the motion carrying the President appointed Senators Bennion, Hollingsworth, and Williams to act as such committee.

The Governor's communication was referred to the Special Committee.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 1, 1905.

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

orable body that the House has this day reconsidered the vote of yesterday, by which the Senate amendments to H. B. No. 45 were concurred in, and a Conference Committee on the bill has been appointed, consisting of Messrs. Kinney, McCrea and Tolton.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

Mr. Lawrence moved that the President appoint a Conference Committee to confer with a like committee from the House, regarding Senate amendments to H. B. No. 45.

Upon the motion carrying, the President appointed Senators Lawrence, Hollingsworth, and Callister to act as such committee.

House of Representatives,
Salt Lake City, Feb. 1, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 11, "An Act Amending Section 3, Chapter 112, Laws of Utah, 1901, as Amended by Section 1, of Chapter 126, Laws of Utah, 1903, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts Providing for Changes of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro-tempore in Municipal Courts, in Certain Cases, and Fixing His Compensation," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 11 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 1, 1905.

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

No. 5, "An Act to Repeal Chapter 29, Laws of Utah, 1899, Creating a State Institution of Art," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 5 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, Feb. 1, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 12, "An Act Amending Section 20, Chapter 112 of the Laws of Utah, 1901, as amended by Chapter 126, Laws of Utah, 1903, Providing to Whom Process Shall Run From Municipal Courts," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 12 was read the first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Feb. 2, 1905.

Mr. President:—Your Committee on Judiciary to whom was referred S. B. No. 33 by Rasband, entitled "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Session Laws of Utah, 1899, Relating to the Duties of State Auditor," beg leave to report that they have had the same under consideration and offer the following amendments thereto:

In the title by eliminating the word "Session" and striking out the words "Relating to" so that the title as amended reads as follows: "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Laws of Utah, 1899, Defining the Duties of State Auditor."

2. By Striking out in line 2 of Section 1 the words "and" and "Session" and inserting after the figures "1898" "As Amended by," and in line 3 of Section 1 by striking out the words "Relating to" and inserting in lieu thereof the word "Defining."

3. In line 15 by substituting the word "must" for "may;" and on page 3 of the bill by adding "Section 2. This Act shall take effect upon approval."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 33 was read the second time.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 35 by Mr. Lewis, entitled "An Act to Amend Section 965 of the Revised Statutes of Utah, 1898, Providing the Fees to be Collected by the Secretary of State for Services Performed in His Office," beg leave to report that they have had the same under consideration and recommend that the same be not passed. JOHNSON, Chairman.

Report adopted.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on Ways and Means to whom was referred S. B. No. 19 by Mr. Lewis, entitled "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 the Person Giving Certain Information to the Assessor or to the Board of County Commissioners, and Fixing a Punishment to Certain County Officers for the Violation of this Act," beg leave to report that they have had the same under consideration and recommend that the same be not passed. JOHNSON, Chairman.

Report adopted.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on County and Municipal Corporations to whom was referred S. B. No. 26 by Mr. Hollingsworth, entitled "An Act to Amend Section 2205 of the Revised Statutes of Utah, 1898, Relating to the Bringing of Paupers, etc., into the State," beg leave to report that they have had the same under consideration and recommend that the same do not pass.

LARSEN, Chairman.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 34 by Mr. Lewis, entitled "An Act Requiring Corporations to File a Certain Statement and Providing a Penalty for the Refusal or Failure Thereof," beg leave to report that they have had the same under consideration and recommend that the same be not passed.

JOHNSON, Chairman.

Report adopted.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 27 by Mr. Hollingsworth, entitled "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 had the same under consideration and recommend that the same do not pass.

LARSEN, Chairman.

At the request of Mr. Hollingsworth, action on the adoption of the committee's report was deferred until Monday.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on Ways and Means to whom was referred H. J. R. No. 1 by Mr. Kinney, entitled "Proposing an Amendment to Section 3, Article XIII, of the Constitution as Amended November 6, 1900, Relating to Uniform Tax and Exemption Therefrom," beg leave to report that they have had the

same under consideration and are in sympathy with the object sought to be obtained by said Joint Resolution, and recommend that the same be recommitted to Committee on Judiciary. JOHNSON, Chairman.

Report adopted and H. J. R. No. 1, was recommitted to Committee on Judiciary.

INTRODUCTION OF BILLS.

S. B. No. 45 by Clegg, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Session Laws 1903, 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. Approved March 9, 1903," was read the first time and referred to Committee on Live Stock.

S. B. No. 46 by Callister, entitled "An Act Amending Section 1305 of the Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners," was read the first time and referred to Committee on County and Municipal Corporations.

S. B. No. 47 by Lawrence, entitled "An Act Amending Section 222 of the Revised Statutes of Utah, 1898, Relating to Officers of Cities and Towns Being Interested in Contracts, Work, Business or Transactions of Said City or Town, by Adding Thereto a Provision Prohibiting Such Officers from Receiving Money or Compensation in Addition to Salary," was read the first time and referred to Committee on Judiciary.

S. J. R. No. 3 was read the first time and referred to Committee on Judiciary.

At 2:45, on motion of Mr. Johnson, the Senate adjourned until tomorrow at 2 p. m.

TWENTY-SIXTH DAY.

Senate Chamber,
Feb. 3, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 3, 1905.

To the Honorable President of the Senate:

Dear Sir:—By request of Prof. Geo. L. Swendsen, Engineer in charge of the Reclamation Service in this District, I beg to transmit to your honorable body enclosed invitation to visit the offices of the department. You understand the desirability of all representative citizens of the State making themselves familiar with the important work of the Reclamation Service. Pending measures before the Legislature, touching the great subject of irrigation, can best be shaped for the benefit of the State as a whole, by all persons interested becoming closely acquainted with the work already done and in contemplation for reclaiming our arid lands.

Very Respectfully,
JOHN C. CUTLER, Governor.

On motion of Mr. Bamberger, the invitation of Mr. Swendsen to visit the offices of his department was accepted and the communications from the Governor and Mr. Swendsen were referred to Committee on Agriculture and Irrigation, with authority to arrange a suitable time to visit the offices of the department.

COMMUNICATION FROM THE HOUSE.

House of Representatives,

Salt Lake City, Feb. 2, 1905.

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. 44, "An Act to Amend Section 4343 of the Revised Statutes of Utah, 1898, Relating to Forging and Counterfeiting," and the same is transmitted herewith for the signature of the President of the Senate.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 44, by Kinney, "An Act to Amend Section 4343, of the Revised Statutes of Utah, 1898, Relating to Forging and Counterfeiting," was read by title and signed by the President in open session in the presence of the Senate.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,

Feb. 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 24, entitled "An Act to Amend Sections 800, 801 and 816 of the Revised Statutes of Utah, 1898, Relating to the Registration of Voters," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. At the end of Section 800 the insertion of the following: "For which services he shall receive no other additional compensation than that now provided by law."

2. On page 2, section 816, lines 24 and 25, by striking out the words "and strike therefrom."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adoped.

S. B. No. 24 was read the second time.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on Ways and Means to whom was referred H. B. No. 9, by Mr. Joseph, entitled "An Act to Amend Section 2504, Revised Statutes of the State of Utah, 1898, Relating to Taxing Mines and Net Proceeds," beg leave to report that they have had the same under consideration and recommend that the same be not passed.

JOHNSON, Chairman.

Report adopted.

Committee Room, Feb. 3, 1905.

Mr. President:—Your Committee on Mines and Mining, to whom was referred S. J. M. No. 2, by Mr. Lewis, and H. J. M. No. 2, by Mr. Miller, beg leave to report that they have had the same under consideration and recommend that H. J. M. No. 2, be substituted for S. J. M. No. 2, and that H. J. M. No. 2 be adopted.

BAMBERGER, Chairman.

Report adopted.

On motion of Mr. Bamberger, the rules were suspended, H. J. M. No. 2, by Miller:

"To the President and Congress of the United States:

Your memorialists, the Governor and Legislature of the State of Utah, represent that the mines of Utah produced during the year A. D. 1904, 315,338 ounces of gold, 13,587,665 ounces of silver, and 56,419,969 pounds of copper; that the numerous smelters of this State smelt and refine large quantities of gold, silver and copper ores from this and adjoining states, and that the encouragement of the mining and smelting industry in this region is worthy of the attention of the National Government. Therefore we respectfully ask that an appropriation be made for the purpose of establishing a United States mint and assay office at some suitable point in the State of Utah, under the direction and supervision of the Secretary of the Department of the Treasury," 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on Mines and Mining to whom was referred H. J. M. No. 1, by Mr. Joseph, beg leave to report that they have had the same under consideration and recommend that the resolution be adopted. BAMBERGER, Chairman.

Report adopted.

On motion of Mr. Lawrence, the rules were suspended, H. J. M. No. 1, by Joseph, "To the Senate and House of Representatives of the United States of America, in Congress Assembled: Your memorialists, the Honorable Governor and Legislature of the State of Utah, respectfully memorialize your Honorable Bodies to pass such legislation at an early date as to secure for the inter-Mountain States a Bureau of Mining, to be located in some convenient and suitable State of the Inter-Mountain region," 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

INTRODUCTION OF BILLS.

S. B. No. 48, by Johnson, 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 first time and referred to Committee on Judiciary.

S. B. No. 49, by Williams, entitled "An Act to Provide for the Purchase of Works of Art, the Appointment of a Purchasing Committee and Prescribing its Manner of Appointment, Powers and Duties; and Repealing Chapter 29 of the Session Laws of Utah, 1899," was read the first time and referred to Committee on Education.

S. B. No. 50, by Lawrence, entitled "An Act to Amend Section 3, Chapter 65 of the Laws of Utah, 1899, Entitled 'An Act in Relation to Corporate Suretyship on Bonds and Other Obligations, Providing for the Acceptance as Surety of Corporations Qualified to Act as Such, the Release of such Surety, the Safe Depositing of Assets for Which such Surety May be Liable, the Charging by Fiduciaries and Litigants of the Expense of Procuring Such Surety,'" was read the first time and referred to Committee on Judiciary.

THIRD READING SENATE BILL.

S. B. No. 33, by Rasband, entitled "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Laws of Utah, 1899, Defining the Duties of State Auditor," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

SENATE BILL WITHDRAWN.

Mr. Williams asked unanimous consent to withdraw S. B. No. 9, which was granted.

COMMITTEE INCREASED.

The President asked that consent be given to increase the membership of Special Committee appointed to draft a measure in line with the Governor's commu-

nication relating to duplication of courses at the University of Utah and the Agricultural College from three to five.

Unanimous consent was given and the President named Senators Barber and Park as the additional members.

At 3:10, on motion of Mr. Gardner, the Senate adjourned until Monday at 2 p. m.

TWENTY-NINTH DAY.

Senate Chamber,
Feb. 6, 1905.

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

Roll call; quorum present.

Prayer by Mr. Callister.

The minutes of the twenty-sixth day's session were read and approved.

Mr. Lewis was excused for ten days.

Mr. Johnson was excused for today and tomorrow.

Mr. Lawrence was excused for today.

SPECIAL ORDER.

Committee Room, Feb. 2, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 27, by Mr. Hollingsworth, entitled "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 had the same under consideration and recommend that the same do not pass.

LARSEN, Chairman.

Report adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 3, 1905.

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

orable body that the House has this day appointed Messrs. Joseph, Gundry, and Hopes as a Conference Committee, to confer with a like Committee from the Senate on H. B. No. 9, by Joseph, "An Act to Amend Section 2504 Revised Statutes of the State of Utah, 1898, Relating to Taxing Mines and Net Proceeds."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Gardner, the President was authorized to appoint a Conference Committee, to confer with a like committee from the House on H. B. No. 9, whereupon the President appointed Senators Gardner, Hollingsworth, and Barber to act as such committee.

House of Representatives,
Salt Lake City, Feb. 3, 1905.

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. 2, by Committee on Mines and Mining, "That it be the Sense of this Joint Assembly that our Moral Support be Given to the Enlargement of the Scope of the Present School of Mines, etc," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. R. No. 2 was laid on the table, under the rule.

House of Representatives,
Salt Lake City, Feb. 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 10, by Austin, as amended, "An Act to Prevent Violence to Employees, and Providing a Penalty for a Violation Thereof," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 10 was read the first time and referred to Committee on Labor.

House of Representatives,
Salt Lake City, Feb. 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day increased the membership of the Committee appointed yesterday to act with the Senate Committee to investigate the matter referred to in the Governor's message, and Messrs. Austin and Maughan were appointed as the additional members of said committee.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 6, 1905.

Mr. President:—Your Committee on Public Lands, to whom was referred S. B. No. 23, by Mr. Walton, entitled "An Act to Amend Sections 4, 9, 22 and 32 of Chapter 64 of the Session Laws of Utah, 1899, Relating to the State Board of Land Commissioners, and Sections 1 and 3 of said Chapter 64 as the same are Amended by Chapter 35 of the Laws of Utah, 1901, Relating to the State Board of Land Commissioners," beg leave to report that they have had the same under consideration, have amended the bill, and as amended have had the same reprinted and recommend that the reprinted bill be passed. WALTON, Chairman.

Report adopted.

S. B. No. 23, by Walton, entitled "An Act to Amend Sections 4, 9, and 32 of Chapter 64, of the Laws of Utah, 1899, and Section 1 of said Chapter 64, as the Same is Amended by Chapter 35 of the Laws of Utah, 1901, Also Section 34 of said Chapter 64, as Amended by Chapter 62, Laws of Utah, 1903, Relating to the State Board of Land Commissioners," was read the second time.

Committee Room, Feb. 6, 1905.

Mr. President:—Your Committee on Public Lands

to whom was referred the communication of His Excellency the Governor, in reference to securities held by the State Board of Land Commissioners, beg leave to report that they have had the same under consideration and have made certain amendments to S. B. No. 23 to conform to the wishes of the Governor.

WALTON, Chairman.

Report adopted and communication filed.

Committee Room, Feb. 6, 1905.

Mr. President:—Your Committee on Live Stock to whom was referred S. B. No. 45, by Mr. Clegg, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Session Laws, 1903, 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.' Approved March 9, 1903," beg leave to report that they have had the same under consideration and offer the following amendments thereto:

1. On page 6, line 16, after the word "board" add "or any inspector."

2. On page 6, line 22, after the word "hours" by striking out the remainder of Section 12.

And with these amendments recommend that the bill be passed. CLEGG, Chairman.

Report adopted.

S. B. No. 45 was read the second time.

INTRODUCTION OF BILLS.

S. B. No. 51, by McKay, (by request), entitled "An Act Amending Sections 2131, 2132, 2133, 2134, 2135 and 2136, Revised Statutes of Utah, 1898, Relating to the State Industrial School," was read the first time and referred to Committee on Public Institutions.

S. B. No. 52, by Hollingsworth, entitled "An Act to

Amend Sections 322 and 338 of the Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and Sections 340 and 444 of the Revised Statutes of Utah, 1898, Relating to the Powers of Corporations; the Manner of Making Amendments to Articles of Incorporation; the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the same by Execution of Trust Deeds or Mortgages, and Defining What Shall be Deemed Railroad Companies; and Approving and Validating Amendments Made to Articles of Incorporation and the Organization of Consolidated Corporations, as well as Acts Done Thereunder," was read the first time and referred to Committee on Judiciary.

THIRD READING SENATE BILL.

S. B. No. 24, by Walton, entitled "An Act to Amend Sections 800, 801, and 816 of the Revised Statutes of Utah, 1898, Relating to the Registering of Voters," was read the third time, amended, and, on motion of Mr. Bamberger, was made the special order for tomorrow at 3 p. m.

At 2:55, on motion of Mr. Williams, the Senate adjourned until tomorrow at 2 p. m.

THIRTIETH DAY.

Senate Chamber,
Feb. 7, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the twenty-ninth day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 6, 1905.

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

No. 16, "An Act to Amend Sections 9, 10, and 11, Chapter 85, Session Laws of Utah, 1901, to Prohibit the Use of Explosive Oil and to Regulate the Use of Powder in the Coal and Hydro-Carbon Mines," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 16 was read the first time and referred to Committee on Mines and Minerals.

House of Representatives,
Salt Lake City, Feb. 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 21, "An Act to Amend Section 693, Revised Statutes of Utah, 1898, Relating to Judges Acting as Attorneys," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 21 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 40, "An Act to Amend Section 2754, Revised Statutes of Utah, 1898, Relating to Revocation of Wills by the Subsequent Marriage of the Testator, by the Subsequent Marriage and Birth of Issue—Evidence of Revocation. Presumption," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 40 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 48, "An Act to Amend Section 3668, Revised Statutes of Utah, 1898, Relating to Justices Court—Place of Trial," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 48 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 4, "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as amended by the Laws of Utah, 1901, relating to Sericulture," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 4 was read the first time and referred to Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Feb. 6, 1905.

Mr. President:—I am directed to inform your hon orable body that the House has this day passed H. J. M. No. 6, "To the Honorable Senate and House of Representatives, in Congress Assembled" on the subject of appropriations by the Federal Government, for road building in the Various States, and the same is transmitted for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 6 was laid on the table, under the rule.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 7, 1905

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 3, by Mr. Callister, entitled "An Act Establishing Experimental 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 Appropriation Therefor," beg leave to report that they have had the same under consideration and recommend that the same be not passed. McKAY, Chairman.

Report adopted.

Committee Room, Feb. 7, 1905.

Mr. President:—Your Conference Committee which was appointed to confer with a like committee from the House on H. B. No. 9, beg leave to report that they have met and considered the same and have agreed to sustain the action of the Senate in recommending that said bill do not pass. A bill will hereafter be introduced in the House covering the matter in controversy.

GARDNER, Chairman.

Report adopted and committee discharged.

Senate Judiciary Committee Room,
Feb. 6, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 25, by Hollingsworth, entitled, "An Act Granting Power to Boards of County Commissioners to Provide Penalties for the Violation of Ordinances Enacted by such Board," beg leave to report and recommend that the bill herewith, being S. B. No. 53, entitled "An Act Granting Powers to Boards of County Commissioners to Provide Penalties for the Violation of Ordinances enacted by such Boards," be substituted for the aforesaid S. B. No. 25.

Your committee, having carefully considered the said substitute, recommend that S. B. No. 53 be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 6, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 40, by Hollingsworth, entitled "An Act Fixing the Fiscal Year of the State of Utah, and Providing when Reports Shall be Prepared, Compiled, and Filed," beg leave to report that they have had the same under consideration and recommend that the bill be passed. LAWRENCE, Chairman.

Report adopted.

S. B. No. 40 was read the second time.

INTRODUCTION OF BILLS.

S. B. No. 53, (a substitute for S. B. No. 25), by Committee on Judiciary, entitled "An Act Granting Power to Boards of County Commissioners to Provide Penalties for the Violation of Ordinances Enacted by such Boards," was read the first time.

S. B. No. 54, by McKay, (by request), entitled "An Act Creating a State Board of Horticulture, and placing the same under the Control of the Agricultural College of Utah, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, of Chapter 104 of the Session Laws of Utah, 1903," was read the first time and referred to Committee on Agriculture and Irrigation.

S. B. No. 55, by Callister, entitled "A Bill for An Act for the Protection of Fish, Game, and Birds; for Appointment of a State Fish and Game Commissioner and County Fish and Game Wardens, and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903," was read the first time and referred to Committee on Fish and Game.

S. B. No. 56, by Lawrence, (by request), entitled "An Act for the Erection of a Monument for the Deceased Soldiers and Sailors of the Spanish-American War," was read the first time and referred to Committee on Appropriations and Claims.

THIRD READING SENATE BILLS.

S. B. No. 23, by Walton, entitled "An Act to Amend Sections 4, 9, 22, and 32 of Chapter 64 of the Session Laws of Utah, 1899, Relating to the State Board of Land Commissioners, and Section 1 and 3 of Said Chapter 64 as the Same are Amended by Chapter 35 of the Laws of Utah, 1901, Relating to the State Board of Land Commissioners," was read the third time, and, on request of Mr. Bamberger, was made the special order for tomorrow.

S. B. No. 45, by Clegg, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Session Laws 1903, 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.' Approved March 9, 1903," came up for third reading, and, on motion of Mr. Callister, was made the special order for next Monday at 3 p. m.

FIRST READING RESOLUTION

H. J. R. No. 2 was read the first time and referred to Committee on Mines and Minerals.

SPECIAL ORDER.

S. B. No. 24, byWalton, entitled "An Act to Amend Sections 800, 801, and 816 of the Revised Statutes of Utah, 1898, Relating to the Registering of Voters," was recommitted to Committee on Judiciary, at the request of Mr. Bamberger.

SENATE BILL WITHDRAWN.

On request of Mr. Larsen, unanimous consent was given to withdraw S. B. No. 38.

MISCELLANEOUS BUSINESS.

Salt Lake City, Feb. 7, 1905.

Mr. President and Members of the Senate:

Gentlemen:—I take pleasure in inviting your honorable body to visit the University of Utah some time this week or at your earliest convenience, in a body jointly with the members of the House of Representatives.

Yours respectfully,
J. T. KINGSBURY.

Mr. Barber moved that the invitation be accepted, and that the Senate visit the University of Utah next Friday morning at 9:30 a. m. Carried.

At 3:10, on motion of Mr. Bennion, the Senate adjourned until tomorrow at 2 p. m.

THIRTY-FIRST DAY.

Senate Chamber,
Feb. 8, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

SPECIAL ORDER.

S. B. No. 23, by Walton, entitled "An Act to Amend Sections 4, 9, 22, and 32 of Chapter 64 of the Session Laws of Utah, 1899, Relating to the State Board of Land Commissioners, and Section 1 and 3 of said Chapter 64 as the Same are Amended by Chapter 35 of the Laws of Utah, 1901, Relating to the State Board of Land Commissioners," was, on motion of Mr. Walton, recommitted to Committee on Public Lands.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 42, by Wootton, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils as Amended by Chapter 124, Laws of Utah, 1901, as Further Amended by Chapter 138, Laws of Utah, 1903," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 42 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 46, by Kinney, entitled "An Act Providing an Additional Method for Taking of Depositions Without the State," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 46 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 77, by Mr. Hawley, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating to Reports and Settlements of County Treasurers," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 77 was read the first time and referred to Committee on County and Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 8, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 46, by Mr. Callister, entitled "An Act Amending Section 1305 of the Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LARSEN, Chairman.

Report adopted.

S. B. No. 46 was read the second time.

Committee Room, Feb. 7, 1905.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred H. B. No. 16, by Mr. Curtin, entitled "An Act to Amend Sections 9, 10, and 11, Chapter 85, Session Laws of Utah, 1901, to Prohibit the use of Explosive Oil and to Regulate the use of Powder in the Coal and Hydro-Carbon Mines," beg leave to report that they have had the same under consideration and recommend the following amendment: On page 1, line 21, after the word "men" by striking out the comma and the words "And then only." And as amended recommend that the bill be passed.

BAMBERGER, Chairman.

Report adopted.

H. B. No. 16 was read the second time.

Committee Room, Feb. 7, 1905.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred H. J. R. No. 2, beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BAMBERGER, Chairman.

Report adopted.
H. J. R. No. 2 was read the second time.

Committee Room, Feb. 8, 1905.

Mr. President;—Your Committee on Labor, to whom was referred H. B. No. 10, by Mr. Austin, entitled "An Act to Prevent Violence to Employees, and Providing a Penalty for a Violation Thereof," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

GARDNER, Chairman.

Report adopted.
H. B. No. 10 was read the second time.

Senate Judiciary Committee Room,
Feb. 7, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 12, entitled "An Act Amending Section 20, Chapter 112, of the Laws of Utah, 1901, as Amended by Chapter 126, Laws of Utah, 1903, Providing to Whom Process shall run from Municipal Courts," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 12 was read the second time.

Senate Judiciary Committee Room,
Feb. 7, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 69, entitled "An Act to Amend Section 3286, of the Revised Statutes of Utah, 1898, Relating to Preparation, Settlement, and Signing of Bill of Exceptions. Time Allowed." beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 69 was read the second time.

Senate Judiciary Committee Room,
Feb. 6, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 28, by Hollingsworth, entitled "An Act Amending Section 487 Revised Statutes of Utah, 1898, Respecting County Boundary Lines," beg leave to report and recommend that the bill herewith, being S. B. No. 57, entitled "An Act Amending Section 487 of the Revised Statutes of Utah, 1898, Respecting County Boundary Lines and Directing the State Engineer to Survey and Locate any such Lines about Which there is a Dispute or Uncertainty," be substituted for the aforesaid S. B. No. 28.

Your Committee, having carefully considered the said substitute, recommend that S. B. No. 57 be passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 7, 1905.

Mr. President—Your Committee on Judiciary, to whom was referred H. B. No. 68, entitled "An Act to Amend Section 3329, of the Revised Statutes of Utah, 1898, Relating to Motions and Orders," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 68 was read the second time.

Senate Judiciary Committee Room,
Feb. 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 11, entitled "An Act Amending Section 3, Chapter 112, Laws of Utah, 1901, as Amended by Section 1 of Chapter 126, Laws of Utah, 1903, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to

the District Court, where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro-Tempore in Municipal Courts, in Certain Cases, and Fixing his Compensation," beg leave to report that they have had the same under consideration and recommend that the bill be passed. LAWRENCE, Chairman.

Report adopted.

H. B. No. 11 was read the second time.

Senate Judiciary Committee Room,
Feb. 7, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 48, entitled "An Act to Amend Section 3668, Revised Statutes of Utah, 1898, Relating to Justice's Court—Place of Trial," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 48 was read the second time.

Senate Judiciary Committee Room,
Feb. 7, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 21, entitled "An Act to Amend Section 693, Revised Statutes of Utah, 1898, Relating to Judges Acting as Attorneys," beg leave to report that they have had the same under consideration and recommend that the same be amended in line No. 9 by striking out the words "on the" and substituting in their place the word "of," and as amended, recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 21 was read the second time.

INTRODUCTION OF BILLS.

S. B. No. 57, (being substitute for S. B. No. 28, by Hollingsworth), by Judiciary Committee, entitled "An

Act Amending Section 487 of the Revised Statutes of Utah, 1898, Respecting County Boundary Lines and Directing the State Engineer to Survey and Locate any Such Lines About Which there is a Dispute or Uncertainty," was read the first and second times.

S. B. No. 58, by Clegg, (by request), entitled "An Act Amending Chapter 115, Laws of Utah, 1903, Approved March 17, 1903, Relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane," was read the first time and referred to Committee on Public Institutions.

S. B. No. 59, by Bennion, entitled "An Act Amending Sections 1916 and 1962 of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class; and Providing that Parents, Guardians, or Other Persons Having Control of Children of Certain Ages Shall be Required to Send Such Children to School Certain Periods," was read the first time and referred to Committee on Education.

S. B. No. 60, by Callister, entitled "An Act Making Further Appropriations for the Experimental Farms Provided for in Chapter 41, Laws of Utah, 1903," was read the first time and referred to Committee on Agriculture and Irrigation.

THIRD READING SENATE BILL

S. B. No. 40, by Hollingsworth, entitled "An Act Fixing the Fiscal year of the State of Utah and Providing When Reports shall be Prepared, Compiled and Filed," was read the third time, amended, and, under a suspension of the rules, passed by the following vote:

Ayes, 17; Nays, 0; absent and not voting, 1.

Those voting in the affirmative were, Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

SECOND READING SENATE BILL.

S. B. No. 53 was read the second time.

FIRST READING MEMORIAL.

H. J. M. No. 6 was read the first time and referred to Committee on Highways and Bridges.

At 2:40, on motion of Mr. Larsen, the Senate adjourned until tomorrow at 2 p. m.

THIRTY-SECOND DAY.

Senate Chamber,
Feb. 9, 1905.

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

Roll call; quorum present.

Prayer by Reverend Spaulding.

The minutes of the thirty-first day's session were read and approved.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, the following bills on the dates given:

January 30, 1905, H. B. No. 36, "An Act to Provide for the Payment of the Expenses of the National Guard

of Utah, While on Duty in Carbon County in 1903 and 1904."

January 30, 1905, H. C. R. No. 1, That the State Auditor furnish certain information relating to Bounty Certificates.

February 6, 1905, H. B. No. 44, "An Act to Amend Section 4343 of the Revised Statutes of Utah, 1898, Relating to Forging and Counterfeiting.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

REPORT OF STANDING COMMITTEE.

Senate Judiciary Committee Room,
Feb. 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 32, entitled "An Act Amending Section 3724 of Chapter 77, Title 73, of the Revised Statutes of Utah, 1898, Relating to the Dismissal Without Prejudice of Actions Pending Before a Justice of the Peace," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. In lines 4 and 5, page 1, by striking out the anotation "When Action Dismissed Without Prejudice."

2. In line 23, after the word "prohibition," by striking out the balance of Subdivision 5; and as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 32 was read the second time.

REPORT OF SPECIAL COMMITTEE.

To the President of the Senate and The Speaker of the House of Representatives:

Your Special Committee appointed to investigate

the accounts and affairs of the Louisiana Purchase Exposition Commission beg leave to report as follows:

That they have examined and audited the books and accounts of said commission and find that it has received for the purposes of the exposition from the state treasury as per appropriation of the legislature of 1903 ..... $50,000.00

From proceeds of sale of state house, furniture, honey, etc	1,519.18
From proceeds of notes of prominent citizens	8,000.00
From note of the commission	669.69
From money advanced by Supervisor Cummings	315.63
	$60,504.50
Also, that there has been expended for the purposes of the commission, as per vouchers on file, the sum of	$58,373.38
And that there is on hand in the treasury	2,131.12
	$60,504.50

Your committee further find that there is on file in the office of the commission duly authenticated vouchers for all moneys expended, all of which vouchers have been examined by the committee and found to be for legitimate and proper expenses of the commission.

There is also in the hands of the commission, stored in a suitable warehouse in this city, exhibits, show cases, cabinets, concentrating mill, etc., supposed to be of the value of about $20,000, awaiting delivery to the Portland Exhibition Commission, as provided by law, all of which exhibits are in good order and condition, properly classified and labeled.

Your committee believe that the purposes for which the commission was created have been well and fully met, that the members have exercised due discretion in the expenditure of the money entrusted to their care, and good judgment and ability in the sale and disposal of such of the property of the exposition as it was deemed inexpedient to return to Utah. We believe further that the money borrowed by the commission to con-

tinue Utah's representation at the exposition until the close thereof was absolutely necessary to preserve the good name and credit of the State, and we desire to commend the public spirited citizens, members of the commission, and others, who thus loaned their credit to bring to a successful and worthy issue this, by far the greatest, effort our State has yet made in this direction.

In an official communication to the legislature, his Excellency, Governor Cutler, in correcting an item contained in his annual message, stated that the indebtedness created by the commission had not been authorized by the State Board of Examiners. We therefore made this matter the subject of inquiry and were informed that the commission had made application to said Board for authority to incur a deficit to complete the work of the exposition, but that the Attorney General had ruled that the Board of Examiners had power to authorize deficits only in cases where appropriations were made under the general appropriation bill, and that the funds for the Louisiana Purchase Exposition, having been provided under a special act, the Board had therefore no authority in the premises.

We believe that not one dollar of the State's money has been stolen, lost, or squandered, that much favorable notice has been attracted to the resources and possibilities of our State, and that great and lasting benefits will result from the work of the commission.

Your committee desires, however, while disavowing any intention to cast reflection upon the labors of this commission, to express its disapproval of the growing practice of creating deficits in matters of this character, and to recommend that future legislation be so framed as to render impossible such a condition. Legislatures are always called upon for much more money than is available for public purposes, and whenever officials charged with the disbursement of the revenues shall go beyond the respective amounts appropriated to them, the public service must suffer in some other branch and debt and disaster will unavoidably follow.

Your committee therefore finds that the commission

is indebted for money borrowed, as per notes of prominent citizens aforesaid, in the sum of	$8,000.00
For note of the commission	669.69
To Supervisor Cummings for money advanced on account Educational Exhibit	315.63
To S. H. Whittaker for money advanced on transportation charges, etc., as per vouchers on file but not approved	362.32
	$9,347.64
And that there is in the treasury	2,131.12
Leaving a net deficit at the present time of	$7,216.52

But inasmuch as there are a few items of unfinished business that must be completed before the commission can turn over its affairs to the Portland Exhibition Commission, we recommend that the sum of $7,500, or so much thereof as may be necessary, be appropriated to cover said deficit and to finally close up the work of the commission.

WESLEY K. WALTON,
Chairman.
CHARLES E. MARKS,
Secretary.

On motion of Mr. Lawrence, the report was adopted, the committee discharged, and a vote of thanks tendered the members of the committee for the faithful performance of their duties.

THIRD READING BILLS.

S. B. No. 46, by Callister, "An Act Amending Section 1305 of the Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis, Park.

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

S. B. No. 53, (Substitue for S. B. No. 25), by Committee on Judiciary, entitled "An Act Granting Powers to Boards of County Commissioners to Provide Penalties for the Violation of Ordinances Enacted by Such Boards," was read the third time, amended in title and body, and, on motion of Mr. Johnson, the rules were suspended and the bill passed by the following vote:

Ayes, 17; Nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 16, by Curtin, "An Act to Amend Sections 9, 10, and 11, Chapter 85, Session Laws of Utah, 1901, to Prohibit the Use of Explosive Oil and to Regulate the Use of Powder in the Coal and Hydro-Carbon Mines," was, on motion of Mr. Bennion, recommitted to Committee on Mines and Minerals.

H. J. R. No. 2, by Committee on Mines and Mining, "That it be the Sense of this Joint Assembly that our Moral Support be Given to the Enlargement of the Scope of the Present School of Mines, etc.," was read the third time and failed to pass by the following vote:

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

Those voting in the affirmative were: Barber.

Those voting in the negative were: Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

Excused from voting: Bamberger.

H. B. No. 10, by Austin, entitled "An Act to Prevent Violence to Employees, and Providing a Penalty for a Violation Thereof," was recommitted to Committee on Labor, on motion of Mr. Lawrence.

H. B. No. 48, by Miller, entitled "An Act to Amend

Section 3668, Revised Statutes of Utah, 1898, Relating to Justice's Court—Place of trial," was read the third time and failed to pass by the following vote:

Ayes, 1; nays, 17; absent and not voting, 1.

Those voting in the affirmative were: Loose.

Those voting in the negative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

H. B. No. 12, by Kuchler, entitled "An Act Amending Section 20, Chapter 112, of the Laws of Utah, 1901, as Amended by Chapter 126, Laws of Utah, 1903, Providing to Whom Process Shall run From Municipal Courts," was read the third time, amended, and, on motion of Mr. Lawrence, the rules were suspended and the bill passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 69, by Kinney, entitled "An Act to Amend Section 3286, of the Revised Statutes of Utah, 1898, Relating to Preparation, Settlement, and Signing of Bill of Exceptions. Time Allowed," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 68, by Kinney, entitled "An Act to Amend Section 3329, of the Revised Statutes of Utah, 1898, Relating to Motions and Orders," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 11, by Kuchler, entitled "An Act Amending Section 3, Chapter 112, Laws of Utah, 1901, as Amended by Section 1 of Chapter 126, Laws of Utah, 1903, Relating to Changes of Venue in Civil and Criminal Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court, where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro-Tempore in Municipal Courts, in Certain Cases, and Fixing his Compensation," was recommitted to Committee on Judiciary, on motion of Mr. Bennion.

H. B. No. 21, by Kinney, entitled "An Act to Amend Section 693, Revised Statutes of Utah, 1898, Relating to Judges Acting as Attorneys," was read the third time, amended, read as amended, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

MISCELLANEOUS BUSINESS.

Mr. Bennion asked that unanimous consent be given the Committee on Contingent Expense to approve a bill of $37.50 incurred by Special Committee in employing an auditor to audit the books of the Louisiana Purchase Exposition Commission, which was granted.

Mr. Bennion gave notice that he would tomorrow move to reconsider the vote by which H. B. No. 48 failed to pass.

Mr. Callister moved that when the Senate adjourn that it be until tomorrow at 3 p. m.

On motion of Mr. Williams, an adjournment was taken at 3:25 p. m.

THIRTY-THIRD DAY.

Senate Chamber,
Feb. 10, 1905.

The Senate met at 3 p. m. pursuant to adjournment, President Love presiding.

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the thirty-second day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 13, by McKay, (by request), "An Act Providing for Investigations of the Proper use of Irrigation Water, and the Reclamation of Alkali Lands," and the same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 13 was read as amended by the House and referred to Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Feb. 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 70, by Judiciary Committee, entitled "An Act to Amend Sections 4334, 4335, 4336, 4337, and 4338, Revised Statutes of Utah, 1898, Relating to Burglary in the First and Second Degrees, Defining the Same, and the Penalties Therefor, and Repealing all Acts and Parts of Acts in Conflict Herewith."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 70 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 30, by Lawrence, "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, as Amended by Chapter 19 of the Laws of Utah, 1903, Defining the Time Within Which Claims Against Incorporated Cities and Towns Must be Filed," and the same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 30 was read as amended by the House, and passed as amended by the following vote:

Ayes, 14; nays, 0; absent and not voting, 3, Excused, 1.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Gardner, Lewis, Loose.

Excused: Barber.

The bill was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 33, by Rasband, "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Laws of Utah, 1899, Defining the Duties of State Auditor."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 33 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 16, by Bennion, "An Act Amending Section 628 of the Revised Statutes of Utah, 1898, Authorizing Recorders to Take Acknowledgments and Administer Oaths," and the same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 16 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 8, 1905.

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, by Mr. Kinney, entitled "An Act Authorizing Certain Contracts for the Conditional Sale, Lease, or Hire of Railroad and Street Railway Equipment and Rolling Stock, and Providing for the Recording Thereof," and the same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 56 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 8, 1905.

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. 1, by Mr. Joseph, asking for such legislation as will secure for the Inter-Mountain States a Bureau of Mining, and the same is transmitted herewith for the signature of the President of the Senate.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 1 was read, and signed by the President of the Senate in open session, in the presence of the Senate.

House of Representatives,

Salt Lake City, Feb. 8, 1905.

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, by Mr. Miller, asking that an appropriation be made for the purpose of establishing a United States Mint and Assay Office at some suitable place in the State of Utah, and the same is transmitted herewith for the signature of the President of the Senate.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 2 was read, and signed by the President in open session, in the presence of the Senate.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 9, 1905.

Mr. President:—Your Committee on Irrigation and Agriculture, to whom was referred the letter from His Excellency, Governor Cutler, transmitting therewith an invitation from Prof. Geo. L. Swendsen, Engineer in charge of the Reclamation Service, to visit the offices of the department, beg leave to report that we accepted the invitation, and visited the offices of the Reclamation Services Feb. 7, 1905, and submit herewith a brief out line of the operations of the U. S. Hydrographic and Irrigation work in Utah. McKAY, Chairman.

Report adopted and the following communication read:

U S. HYRDOGRAPHIC AND IRRIGATION OPERATIONS IN UTAH.

The operations of the Hydrographic division of the U. S. Geological Survey date back to 1889 when F. H. Newell, now Chief Engineer of the Reclamation Service, made examinations relating to the more efficient use of the Utah Lake waters, and establishing gaging stations to determine the flow of the streams supplying the Lake. From that time the work was gradually extended to include the other important water resources of the State. In 1890-91 thirteen reservoir sites were examined in the State of Utah, and the results published in the Thirteenth Annual Report of the Director of the Survey. This work was in charge of Morris Bien, now in the Reclamation Service. Among these were the Bear Lake, several on the Sevier and tributaries, and some on streams of Salt Lake Valley.

After the work was inaugurated, it was for the most part placed in the hands of local engineers of the State who operated under the direction of Chief Hydrographer Newell. Until 1899 the greater part of the stream gaging work was directly in charge of Samuel Fortier, for some time Professor of Engineering at the Utah Agricultural College, though prominent among those who inaugurated the work were F. H. Newell, A. P. Davis, C. C. Babb, Morris Bien, and others, all of the regular Geological Survey force, and in carrying out the investigations several local engineers assisted.

In 1899 the Hydrographic work of the State was placed in direct charge of Geo. L. Swendsen, the successor to Prof. Fortier at the Agricultural College, and now District Engineer of the Reclamation Service for Utah. The work has so continued since that date.

During the operations of the hydrographic branch for seventeen years, practically all the important streams of the State have been considered, the results for each year being published by the Government in pamphlet form known as "Water Supply and Irrigation Papers." The funds for carying on this work has been,

and is still provided by annual Congressional appropriations.

The information secured by this scientific inquiry aided much to bring about the passage of the Federal Reclamation Law in 1902. The provisions of this latter law are well known. Operations under this law were begun in the summer of 1902, by an examination of the Bear Lake Reservoir situation and a more extended inquiry into the water resources of the State. The Utah Legislature of 1903 provided for a commission to co-operate with the Government in bringing about the best results under this law in our State. This Commission recommended to the Secretary of the Interior that the Utah Lake Project be one of the first to receive consideration under the Reclamation Law. The water-supply conditions relating to the Utah Lake basin were already under consideration by the Department, and active field work was begun on this project early in May, 1903.

The examinations on the Bear Lake Project were also continued in view of the support thereof by a representative committee of landowners, in a petition to the Secretary of the Interior in January, 1903.

Miscellaneous examinations were also carried on in various localities, and the stream gaging work extended to include all important streams in the State. In the meantime permanent district offices were established in Salt Lake, where all information has been considered and reduced to reports for the Chief Engineer's office. The work has been considered from time to time by Boards of Consulting Engineers from the Staff of the Reclamation Service.

In the winter of 1904 Chief Engineer Newell and several of the Consulting Engineers met the people interested in the Utah Lake Project, in a public meeting. answered questions, etc. At this meeting a representative Committee was appointed to make plans for carrying forth the work of organizing the land holders under the Utah Lake Project.

About the same time the Arid Land Commission presented to the Secretary of the Interior what is usually spoken of as the Greater Government Project, which, in effect, added the Duchesne diversion to what had already been included in the investigations. A party ex-

plored the Duchesne district in the summer of 1904, and the preliminary work on the Utah Lake and Bear Lake was concluded in the same year.

In the latter part of the season of 1904, investigations relating to the possibilities of the Weber River development were undertaken, and are affording very favorable results.

Senate Judiciary Committee Room,
Feb. 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 2, entitled "An Act to Amend Section 999 of the Revised Statutes of the State of Utah, 1898, Relating to the Per Diem and Mileage of Jurors in Justice Courts," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

MINORITY REPORT.

Senate Judiciary Committee Room,
Feb. 9, 1905.

Mr. President:—We, a minority of the Judiciary Committee, to whom was referred H. B. No. 2, entitled "An Act to Amend Section 999 of the Revised Statutes of the State of Utah, 1898, Relating to Per Diem and Mileage of Jurors in Justice Courts," beg leave to report that we dissent from the majority report of the Committee, and recommend that the bill be passed.

WILLIS JOHNSON.
WESLEY K. WALTON.

Minority report was rejected and Committee report adopted.

Committee Room, Feb. 9, 1905.

Mr. President:—Your Committee on Highways and Bridges, to whom was referred H. J. M. No. 6, by Mr. Roberts, "To the Honorable Senate and House of Representatives in Congress Assembled," relating to the appropriation of twenty-four million dollars for Federal co-operation in road building, beg leave to report that

they have had the same under consideration and recommend that the Memorial be passed.

LARSEN, Chairman.

Report adopted.

H. J. M. No. 6 was read the second time

SENATE PETITIONS.

S. P. No. 2, presented by Larsen, from Nephi Robertson et al., asking that an act be passed recognizing services of the veterans of the Indian Wars of Utah, etc., was read and referred to Committee on Military Affairs.

S. P. No. 3, presented by Rasband, from James Farrell et al., relating to road between Park City and Brighton, was read and referred to Committee on Highways and Bridges.

INTRODUCTION OF BILLS.

S. B. No. 61, by Larsen, entitled "An Act for the Establishment and Maintenance of a Trade School under the Supervision of the Agricultural College of Utah in San Pete County, and for the Appointment of a Commission to Locate the Same," was read the first time and referred to Committee on Education.

S. B. No. 62, by Lawrence, (by request), entitled "An Act Authorizing Cities of the First and Second Classes to Issue Scrip Against the Funds to be Raised by Special Taxes and to dispose of such Scrip, and providing for the Manner of Issuing the Same, and the Enforcement and Redemption Thereof," was read the first time and referred to Committee on Judiciary.

S. B. No. 63, by Lawrence, entitled "An Act Amending Section 264 of the Revised Statutes of Utah, 1898, Relating to Special Taxes in Cities, Errors in Proceedings Concerning such Special Taxes and Actions to Recover Such Taxes Paid Under Protest by Adding Provisions Thereto Relating to the re-levy of such special taxes After Former Levy is Annulled, and Validating Special Taxes Heretofore Levied and Proceedings Relating Thereto," was read the first time and referred to Committee on Judiciary.

S. B. No. 64, by Park, entitled "An Act Relating to Certain Staff Organizations of the State Militia: The Appointment of Officers; Their Qualifications; the Composition of the Organizations and the Appointment of Company Armorers," was read the first time and referred to Committee on Military Affairs.

S. B. No. 65, by Park, entitled "An Act to Amend Sections 1429, 1430, 1431, 1432, 1434, 1436, 1437, 1438, 1442, 1445, 1454, 1456, 1475, and 1488, Revised Statutes of Utah, 1898, Relating to the Composition of the Militia Appointment, Qualifications and Duties of Officers, Their Relative Rank, Retirement and Pay of Officers and Men; Provisions for Those Injured in Service, and to Military Courts," was read the first time and referred to Committee on Military Affairs.

S. B. No. 66, by Callister, (by request), entitled "An Act Making Appropriation for the Utah Dairymen's Association," was read the first time and referred to Committee on Agriculture and Irrigation.

THIRD READING BILLS DEFERRED.

On motion of Mr. Lawrence, the third reading of S. B. No. 57 and H. B. No. 32 went over until Monday.

MISCELLANEOUS BUSINESS.

Mr. Bennion withdrew his notice of intention to ask the Senate to reconsider vote by which H. B. No. 48 failed to pass.

Mr. Lawrence moved that when the Senate adjourn it be until Monday at 2 p. m. Carried.

Mr. Rasband was excused until Tuesday.

Senate adjourned at 5:45, on motion of Mr. Lawrence.

THIRTY-SIXTH DAY.

Senate Chamber,
Feb. 13, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the thirty-third day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

February 13, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to call the attention of your honorable body to Section 2, Article IX., of the State Constitution, reading as follows:

"The Legislature shall provide by law for an enumeration of the inhabitants of the State, A. D. 1905, and every tenth year thereafter, and at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for Senators and Representatives on the basis of such enumeration according to ratios to be fixed by law."

A bill providing for the taking of this census is in course of preparation, under the direction of the Attorney-General, and will be presented for your consideration. I may add that the expense of this enumeration is additional to the estimate of expenditures previously submitted to you.

Very Respectfully,
JOHN C. CUTLER, Governor.

Communication referred to Committee on Apportionment.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 10, 1905.

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

suspension of the rules, H. C. R. No. 4, by Joseph, instructing the Board of Trustees of the Utah State Industrial School to send to this body the amount of money due from each County for keeping and taking care of all incorrigibles and vicious boys and girls.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. C. R. No. 4 went on the table, under the rule.

House of Representatives,
Salt Lake City, Feb. 10, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 87, by Gundry, "An Act to Amend Section 2, Chapter 14, Laws of 1899, Providing for the Manner of Locating and Recording Quartz and Placer Claims."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 87 was read the first time and referred to Committee on Mines and Minerals.

House of Representatives,
Salt Lake City, Feb. 10, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 37, by Fishburn, "An Act to Amend Sections 1906 and 1907, Revised Statutes of Utah, 1898, Relating to Annual School Census and Allotment of School Funds."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 37 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, Feb. 10, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 38, by Fishburn, "An Act to Amend Section 1826, Revised Statutes of Utah, 1898, Relating to Annual School Census," and the same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 38 was read the first time and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Feb. 13, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. J. R. No. 3, by Mr. Hollingsworth, entitled "Proposing an Amendment to Section 9 of Article IV. of the Constitution of the State of Utah, Relating to Elections," beg leave to report that they have had the same under consideration and recommend that the Resolution be passed.

LAWRENCE, Chairman.

Report adopted.

S. J. R. No. 3 was read the second time.

Senate Judiciary Committee Room,
Feb. 13, 1905.

Mr. President:—Your Committee on Judiciary, to was referred S. B. No. 47, by Mr. Lawrence, entitled "An Act Amending Section 222 of the Revised Statutes of Utah, 1898, Relating to Officers of Cities and Towns being interested in Contracts, Works, Business, or Transactions of said City or Town, by Adding Thereto a Provision Prohibiting Such Officers from Receiving Money or Compensation in Addition to Salary," beg leave to re-

port that they have had the same under consideration and offer the following amendments thereto:

1. Page 1, lines 4 and 5 by striking out the annotation "Officer Not to be Interested in Contract."

2. Line 14, after the word "city" by inserting the words "or town."

3. Line 16 after the word "city" by inserting the words "or town."

4. Line 17 after the word "city" by inserting the words "or town."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 47 was read the second time.

Committee Room, Feb. 13, 1905.

Mr. President:—Your Committee on Labor, to whom was referred H. B. No. 10, by Mr. Austin, entitled "An Act to Prevent Violence to Employees, and Providing a Penalty for a Violation Thereof," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. Title to be changed to read as follows:

H. B. No. 10, by Mr. Austin, "An Act Making it Unlawful to Threaten Violence to Employees, or to Destroy Property, and Providing Punishment Thereof."

2. In line 3 after the word "harm" by striking out the House amendment "and shall thereby," and inserting in lieu thereof the words "for the purpose of," and changing the word "prevent" to "preventing."

And with these amendments recommend that the bill be passed. GARDNER, Chairman.

Report adopted.

Committee Room, Feb. 13, 1905.

Mr. President:—Your Committee on Public Lands, to whom was recommitted S. B. No. 23, by Mr. Walton, entitled "An Act to Amend Sections 4, 9, 22 and 32, of Chapter 64 of the Session Laws of Utah, 1899, Relating to the State Board of Land Commissioners, and Sections 1

and 3 of said Chapter 64 as the same are Amended by Chapter 35 of the Laws of Utah, 1901, Relating to the State Board of Land Commissioners," beg leave to report that they have again had the same under consideration, and offer the following amendments thereto:

1. By striking out the figures "22" in line 1, the word "Session" in line 2, "Relating to the State Board of Land Commissioners" in line 3, and the word and figure "and 3" in line 4 of Title.

2. Insert in line 5 of Title after "1903," "Also Sec. 34 of said Chapter 64 as Amended by Chapter 62, Laws of Utah, 1903."

3. In Section 1, line 1, by striking out the figures "22."

4. In line 2, same Section, by striking out the figure "3" and inserting in lieu thereof the figures "34."

5. In line 9, after the word "qualified" all in lines 9 and 10.

6. By striking out all of Section 3.

7. By striking out all of Section 4 to and including the figures "$300,000," and insert in lieu thereof the following: "The Board shall elect one of its members President and another of its members as Secretary thereof. The Secretary shall take the constitutional oath, and give a bond to the State in the sum of $300,000, with a guarantee company as surety, the same to be approved by the State Board of Examiners, and the premium on such bond shall be paid from the appropriation made for the contingent expenses of the State Board of Land Commissioners. The bond of the Secretary shall be conditioned."

8. On page 2, line 24, after the word "bond" insert "or notes of the State made under the provisions of Chapter 8, of the Laws of Utah, 1899."

And as amended, we recommend that the bill be passed. WALTON, Chairman.

Report adopted.

S. B. No. 23 was read the second time.

Committee Room, Feb. 13, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was recommitted S. B. No. 13, by

Mr. McKay, (by request), entitled "An Act Providing for Investigations of the Proper Use of Irrigation Water, and the Reclamation of Alkali Lands," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. That Section 5 be amended to read as follows: "The State of Utah accepts the proposition made by the Irrigation Investigations of the U S. Department of Agriculture, namely: That the State of Utah appropriate five thousand dollars annually for the years 1905 and 1906 toward defraying the expenses of conducting the investigations outlined in Section 2, provided the Irrigation and Drainage Investigation of United States Department of Agriculture appropriate a like amount for this purpose.

And recommend that the bill, as amended, be passed. McKAY, Chairman.

Report adopted.

INTRODUCTION OF BILL.

S. B. No. 67, by Gardner, entitled "An Act to Amend Section 4212 of the Revised Statutes of Utah, 1898, and Providing for the Punishment of the Crime of Fornication," was read the first time and referred to Committee on Judiciary.

PRESENTATION OF MEMORIAL.

S. J. M. No. 3, by Williams, entitled "Memorializing Congress to Enact Such Legislation as Will Better Protect the People Against Adulterated, Misbranded, and Deleterious Foods, Drugs and Medicines," was laid on the table for one day.

THIRD READING OF BILLS.

S. B. No. 57, (being a substitute for S. B. No. 28 by Mr. Hollingsworth), by Committee on Judiciary, entitled "An Act Amending Section 487 of the Revised Statutes of Utah, 1898, Respecting County Boundary Lines and Directing the State Engineer to Survey and Locate any

such Lines about which there is a Dispute or Uncertainty," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Walton, Williams, Mr. President.

Absent and not voting: Lewis, Rasband.

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

H. B. No. 32, by Kinney, entitled "An Act Amending Section 3724 of the Revised Statutes of Utah, 1898, Relating to the Dismissal Without Prejudice of Actions Pending before a Justice of the Peace," was amended in title to read:

"An Act Amending Section 3724 of the Revised Statutes of Utah, 1898, Relating to the Dismissal Without Prejudice of Actions Pending Before a Justice of the Peace," and, as amended in title and body, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Walton, Williams, Mr. President.

Absent and not voting: Lewis, Rasband.

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

H. J. M. No. 6, by Roberts, addressed To the Honorable Senate and House of Representatives, in Congress Assembled, relating to the appropriation of twenty-four million dollars for Federal co-operation in road building, was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen. Lawrence, Loose, McKay, Park, Walton, Williams, Mr. President.

Absent and not voting: Lewis, Rasband.

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

SPECIAL ORDER.

S. B. No. 45, by Clegg, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Session Laws 1903, 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.' Approved March 9, 1903," was amended in title to read:

"An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Laws of Utah, 1903, 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,'" and as amended in title and body, 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Walton, Williams, Mr. President.

Absent and not voting: Barber, Lewis, Rasband.

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

At 3:55, on motion of Mr. Williams, the Senate adjourned until tomorrow at 2 p. m.

THIRTY-SEVENTH DAY.

Senate Chamber,
Feb. 14, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Luther, Richards, and Edward as a Conference Committee to act with a like committee from the Sen ate, on H. B. No. 2, by Mr. Luther, entitled "An Act to Amend Section 999 of the Revised Statutes of the State of Utah, 1898, Relating to Per Diem and Mileage of Jurors in Justice Courts."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication tabled.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Roberts, Marks, and Tolton, a Conference Committee, to act with a like committee from the Senate on H. J. M. No. 6, by Mr. Roberts, Relating to the appropriation of twenty-four million dollars for Federal cooperation in road building.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication returned, and the House informed that the Senate has not been advised of the refusal of the House to concur in the amendments made by the Senate.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

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

amended, H. B. No. 106, by Mr. Maughan, entitled "An Act to Amend Section 72, of the Revised Statutes of Utah, 1898, Relating to Trespass."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 106 was read the first time and referred to Committee on Live Stock.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 88, by Mr. Kinney, entitled "An Act to Amend Section 3272, Revised Statutes of Utah, 1898, Relating to Proceedings Supplemental to Execution," and the same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 88 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 78, by Mr. Hawley, entitled "An Act to Amend Section 3199, Revised Statutes of Utah, 1898, Relating to the Docketing of Judgments."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 78 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr, President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. B. No. 56, by Kinney, entitled "An Act Authorizing Certain Contracts for the Conditional Sale, Lease or Hire of Railroad and Street Railway Equipment and Rolling Stock, and Providing for the Recording Thereof."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 13, 1905

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. J. M. No. 1, by Mr. Joseph, asking the Congress of the United States to pass such legislation as will secure for the Inter-Mountain States a Bureau of Mining.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. J. M. No. 2, by Mr. Miller, asking the Congress of the United States that an appropriation be made for the establishment of a United States mint and assay office at some suitable point in Utah.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

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. 12, by Mr. Kuchler, entitled "An Act Amending Section 20, Chapter 112, of the Laws of Utah, 1901, as Amended by Chapter 126, Laws of Utah, 1903, Providing to Whom Process Shall run from Municipal Courts."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 12 was read by title and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

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. 69, by Mr. Kinney, entitled "An Act to Amend Section 3286 of the Revised Statutes of Utah, 1898, Relating to Preparation, Settlement and Signing of Bill of Exceptions. Time Allowed."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 69 was read by title and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

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. 68, by Mr. Kinney, entitled "An Act to Amend Section 3329 of the Revised Statutes of Utah, 1898, Relating to Motions and Orders."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 68 was read by title and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

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. 21, by Mr. Kinney, entitled "An Act to Amend Section 693, Revised Statutes of Utah, 1898, Relating to Judges Acting as Attorneys."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 21 was read by title and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 13, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 92, by Mr. Simons, entitled "An Act for the Exemption from Payment of License to Municipal Corporations, Incorporated Towns, or Villages of the Vendors of his Farm, Orchard, and Garden Products, by Persons who have Grown the Same."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 92 was read the first time and referred to Committee on Judiciary.

SENATE PETITIONS.

S. P. No. 4, presented by Hollingsworth, signed by J. H. Gardner et al., relating to present game law, was read and referred to Committee on Fish and Game.

S. P. No. 5, presented by Johnson, signed by Chas. Schaugaard, et al., relating to present game law, was read and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 13, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 33, by Mr. Rasband, entitled "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Laws of Utah, 1899, Defining the Duties of State Auditor," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the Act to you for your signature.

C. R. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 33 was read by title and signed by the President in open session, in the presence of the Senate.

Committee Room, Feb. 13, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 16, by Mr. Bennion, entitled "An Act Amending Section 628 of the Revised Statutes of Utah, 1898, Authorizing Recorders to Take Acknowledgments and Administer Oaths," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act for your signature. C. R. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 16 was read by title and signed by the President in open session, in the presence of the Senate.

Committee Room, Feb. 13, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 30, by Mr. Lawrence, entitled "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, as Amended by Chapter 19 of the Laws of Utah, 1903, Defining the Time Within Which Claims Against Incorporated Cities and Towns must be filed," beg leave to report that they

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

C. R. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 30 was read by title and signed by the President in open session, in the presence of the Senate.

Committee Room, Feb. 14, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 42, by Mr. Hollingsworth, 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, to make an Appropriation Therefor, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 96, Laws of Utah, 1903," beg leave to report that they have had the same under consideration and offer the following amendments thereto:

1. That the word "the" at the end of line 11, on page 1, and the words "treasurer to be appointed" at the beginning of line 12, on page 1, be stricken out.

2. After the word "the" on line 17, page 1, insert the words "secretary and."

3. That the words "State Board of Examiners" on line 19, page 1, be stricken out and the word "Governor" substituted therefor.

4. That the words "duties and powers" on line 21, page 1, be stricken out.

5. That after the word "the" and before the word "treasurer" in line 27, page 2, there be inserted the words "secretary and."

6. That the words "secretary and" be added at the end of line 33, page 2.

7. That after the word "secretary" in line 3, page 3, there be inserted the words "and treasurer."

8. That after the word "secretary" in line 4, page 3, there be inserted the words "and treasurer."

10. That the word "thirty" in line 18, page 3, be stricken out and the word "twenty" substituted therefor.

11. That the following, to-wit, be added to the proposed bill and called Section 11:

Section 11. All exhibits of the Louisiana Purchase Exposition Commission belonging to the State of Utah, and used at the Exposition herein referred to, and all exhibits of the Commission in this act created, shall be carefully preserved by the Commission, and at the close of said Exposition herein before referred to must be returned to the State of Utah and delivered to the Secretary of State; Provided, that in the judgment of said Commission any exhibit may be sold and the proceeds of such sale covered in to the State Treasury."

12. That Section 11 be made Section 12.

13. That Section 12 be made Section 13.

And as amended, recommend that the bill be passed.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 42 was read the second time.

Committee Room, Feb. 14, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 51, by Mr. McKay, (by request), entitled "An Act Amending Sections 2131, 2132, 2133, 2134, 2135, and 2136, Revised Statutes of Utah, 1898, Relating to the State Industrial School," beg leave to report that they have had the same under consideration, and recommend that the bill be not passed.

HOLLINGSWORTH, Chairman.

Report adopted.

Committee Room, Feb. 14, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 7, by Johnson, entitled "An Act Making an Appropriation to Meet the Outstanding Obligations and cover the Remaining Expenses of the Louisiana Purchase Exposition Commission," beg leave to report that they have had the same under consideration and offer the following amendment thereto:

1. That the sum of ten thousand dollars be changed

to read seven thousand five hundred dollars, and as amended recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

S. B. No. 7 was read the second time, read the third time, under a suspension of the rules, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

House of Representatives,
Salt Lake City, Feb. 14, 1905.

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. 33, by Rasband, "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Laws of Utah, 1899, Defining the Duties of State Auditor."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed, and the act transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 14, 1905.

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. 16, by Bennion, "An Act Amending Section 628,

of the Revised Statutes of Utah, 1898, Authorizing Recorders to take Acknowledgments and Administer Oaths."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed, and the act transmitted to the Governor.

House of Representatives,
Salt Lake City, Feb. 14, 1905.

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. 30, by Lawrence, "An Act Amending Sections 312 and 313, of the Revised Statutes of Utah, 1898, As Amended by Chapter 19, of the Laws of Utah, 1903, Defining the time within which Claims against Incorporated Cities and Towns must be filed."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed, and the act transmitted to the Governor.

INTRODUCTION OF BILLS.

S. B. No. 68, by Johnson, entitled "An Act Forbidding the Carrying of Concealed Weapons," was read the first time and referred to Committee on Military Affairs.

S. B. No. 69, by Hollingsworth, entitled "An Act Amending Section 18 of the Revised Statutes of Utah, 1898, Relating to Trespassing Animals and Local Fence Laws," was read the first time and referred to Committee on Live Stock.

S. B. No. 70, by Hollingsworth, entitled "An Act Exempting Wages Earned out of the State, and Payable out of the State, From Attachment or Garnishment, Where Defendant is not Personally Served with Process," was read the first time and referred to Committee on Judiciary.

S. B. No. 71, by Hollingsworth, entitled "An Act Amending Section 2592 of the Revised Statutes of Utah, 1898, Fixing Time when Fiscal Year Commences," was read the first time and referred to Committee on Judiciary.

S. B. No. 72, by Hollingsworth, entitled "An Act Amending Sections 2516, 2517, 2519, and 2596 of the Revised Statutes of Utah, 1898, Relating to the Time of Making Assessments for Purposes of Taxation and as to the time when lien for Taxes Attaches," was read the first time and referred to Committee on Ways and Means.

S. B. No. 73, by Hollingsworth, entitled "An Act to Provide the form of Summons in Civil Cases, in case of Service by Publication," was read the first time and referred to Committee on Judiciary.

S. B. No. 74, by Rasband, 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, and Fixing Penalties for Violation of this Act," was read the first time and referred to Committee on Mines and Minerals.

S. B. No. 75, by Bennion, entitled "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of Levy, Service and Publication of Assessments of Corporations and Making Certain Exceptions," was read the first time and referred to Committee on Agriculture and Irrigation.

S. B. No. 76, by Bamberger, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property under the Control of the State and its Political Subdivisions, and their Respective Institutions or offices, to Attach-

ment, Garnishment, and Execution under the Proceedure Applicable in Other Cases," was read the first time and referred to Committee on Judiciary.

S. B. No. 77, by Lawrence, entitled "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, as Amended by Chapter 64 of the Laws of Utah, 1903, Fixing the Date of Municipal Elections and the Term of Municipal Officers," was read the first time and referred to Committee on County and Municipal Corporations.

S. B. No. 78, by Lawrence, entitled "An Act Amending Section 182 of the Revised Statutes of Utah, 1898, Relating to the Municipal Government of Incorporated Cities," was read the first time and referred to Committee on County and Municipal Corporations.

At this time President Love called Mr. Johnson to the Chair.

THIRD READING OF BILLS.

S. B. No. 23, by Walton, entitled "An Act to Amend Sections 4, 9, and 32 of Chapter 64 of the Laws of Utah, 1899, and Section 1 of said Chapter 64, as the Same is Amended by Chapter 35 of the Laws of Utah, 1901, Also Section 34 of said Chapter 64, as Amended by Chapter 62, Laws of Utah, 1903, Relating to the State Board of Land Commissioners," was amended, read the third time, and passed by the following vote:

Ayes, 13; nays, 3; absent and not voing, 2.

Those voting in the affirmative were: Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Bamberger, Barber, Bennion.

Absent and not voting: Lewis, Mr. President.

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

The bill was ordered reprinted as amended.

S. B. No. 47, by Lawrence, entitled "An Act Amending Section 222 of the Revised Statutes of Utah, 1898, Relating to Officers of Cities and Towns being Interested in Contracts, Work, Business or Transactions of said City or Town, by Adding Thereto a Provision Prohibiting Such Officers from Receiving Money or Compensa-

tion in Addition to Salary," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Lewis, Mr. President.

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

S. B. No. 13, by McKay, (by request), entitled "An Act Providing for Investigations of the Proper use of Irrigation Water, and the Reclamation of Alkali Lands," was read the third time as amended, and passed by the following vote:

Ayes, 14; nays, 2; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton.

Those voting in the negative were: Johnson, Williams.

Absent and not voting: Lewis, Mr. President.

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

S. J. R. No. 3, by Hollingsworth, entitled "Proposing an Amendment to Section 9 of Article IV of the Constitution of the State of Utah, relating to Elections, 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: Bamberger, Bennion, Callister, Lawrence, McKay, Park, Mr. President.

Those voting in the negative were: Barber, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Loose, Rasband, Walton, Williams.

Absent and not voting: Lewis.

Mr. Hollingsworth gave notice that he would tomorrow ask for a reconsideration of the vote by which S. J. R. No. 3 failed to pass.

President Love resumed the Chair.

H. B. No. 10, by Mr. Austin, entitled "An Act Making it Unlawful to Threaten Violence to Employees or to Destroy Property, and Providing Punishment Thereof," was amended in title to read "An Act Making it Unlawful to Threaten Violence to Employees or to destroy Property, and providing Punishment therefor," and as amended 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Loose, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Bamberger, Lawrence, Mr. President.

Absent and not voting: Lewis.

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

FIRST READING OF RESOLUTION AND MEMORIAL.

S.J.M. No.3, by Williams, entitled "Memorializing Congress to Enact Such Legislation as Will Better Protect the People Against Adulterated, Misbranded, and Deleterious Foods, Drugs and Medicines," was read the first time and referred to Committee on Manufactures and Commerce.

H. C. R. No. 4, by Joseph, instructing the Board of Trustees of the Utah State Industrial School to send to this body the amount of money due from each County for keeping and taking care of all incorrigibles and vicious boys and girls, was read the first time and referred to Committee on Public Institutions.

COMMUNICATION.

A communication from President Kingsbury, of the University of Utah, extending an invitation to a committee of the Senate to visit the branch normal at Cedar City, was, on motion of Mr. Johnson, referred to Com-

mittee on Appropriations and Claims for such action as they may deem necessary.

Mr. Gardner was excused for tomorrow.

At 4:25, on motion of Mr. Gardner, the Senate adjourned until tomorrow at 2 p. m.

THIRTY-EIGHTH DAY.

Senate Chamber,
Feb. 15, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the thirty-seventh day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 14, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day concurred in the Senate amendments to the House amendment to S. B. No. 13, by Mr. McKay, entitled "An Act Providing for Investigations of the Proper Use of Irrigation Water, and the Reclamation of Alkali Lands."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 13 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 14, 1905.

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

orable body that the House has this day passed, as amended, H. B. No. 65, by Mr. McCrea, entitled "An Act to Amend Sections 3095 and 3098, of the Revised Statutes of Utah, 1898, Concerning Garnishment, and to Provide for the Payment of Fees to the Garnishee Before Answer can be Required in Garnishment Proceedings, And to Repeal Said Original Sections."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 65 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 14, 1905.

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. 4, by Mr. Wilson, that a committee of four, two from the House and a like number from the Senate, be appointed to formulate a programme in commemoration of Washington's birthday etc., and to set a time for a joint session to participate in said exercises.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. R. No. 4 went on the table for one day, under the rule.

REPORTS OF STANDING COMMITTES.

Senate Judiciary Committee Room,
Feb. 15, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 70, by Judiciary Committee, entitled "An Act to Amend Sections 4334, 4335, 4336, 4337, and 4338, Revised Statutes of Utah, 1898, Relating to Burglary in the First and Second Degrees, Defining the Same, and the Penalties Therefor, and Repealing all

Acts and Parts of Acts in Conflict Herewith," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In the Title by striking out the following words "and Repealing all Acts and Parts of Acts in Conflict Herewith."

2. In Section 1, line 3, by substituting the word "are" for "is."

3. By striking out all of Section 2 on page 2.

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 70 was read the second time.

Senate Judiciary Committee Room,
Feb. 15, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 40, by McCrea, entitled "An Act to Amend Section 2754, Revised Statutes of Utah, 1898, Relating to Revocation of Wills by the Subsequent Marriage of the Testator;by Subsequent Marriage and Birth of Issue—Evidence of Revocation—Presumption," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. On page 1, subdivision 2, in line 19 after the word "her" insert the word "either."

2. In line 20 after the word "contract" insert 'or by some written settlement showing on its face the testator's intention to subsitute such contract or settlement for a provision in her favor in his will."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 40 was read the second time.

Senate Judiciary Committee Room,
Feb. 15, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 88, by Mr. Kinney, entitled "An Act to Amend Section 3272, Revised Statutes of Utah, 1898, Relating to Proceedings Supplemental to

Execution," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 88 was read the second time.

Senate Judiciary Committee Room,
Feb. 15, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 92, by Simon, entitled "An Act Providing for the Exemption from Payment of License to Municipal Corporations, Incorporated Towns or Villages of the Vendors of his Farm, Orchard, and Garden Products by Persons who have grown the Same," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

THIRD READING OF SENATE BILL DEFERRED.

S. B. No. 42, by Hollingsworth, 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, to Make an Appropriation Therefor, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 96, Laws of Utah, 1903," was made the special order for Monday next at 3 p. m.

THIRD READING OF HOUSE BILLS.

On motion of Mr. Lawrence, the rules were suspended and H. B. No. 88, by Kinney, "An Act to Amend Section 3272 Revised Statutes of Utah, 1898, Relating to Proceedings Supplemental to Execution," was read the third time, as amended, and passed by the following vote:

Ayes, 13; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Johnson, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Gardner, Hollingsworth, Larsen, Lewis.

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

On motion of Mr. Bennion, the rules were suspended and H. B. No. 40, by McCrea, entitled "An Act to Amend Section 2754, Revised Statutes of Utah, 1898, Relating to Revocation of Wills by the Subsequent Marriage of the Testator, by Subsequent Marriage and Birth of Issue—Evidence of Revocation—Presumption," 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: Barber, Bennion, Callister, Clegg, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Gardner, Hollingsworth, Lewis.

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

INTRODUCTION OF BILLS.

S. B. No. 79, by Johnson, entitled "An Act to Amend Sections 3064, 3065, 3066, and 3067, of the Revised Statutes of Utah, 1898, Relating to Attachment," was read the first time and referred to Committee on Judiciary.

S. B. No. 80, by Committee on Military Affairs, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board, and Making Certain Appropriations for the Use of the Board," was read the first time and referred to Committee on Appropriations and Claims.

INVITATION TO VISIT MENTAL HOSPITAL.

Provo City, Utah,

President S. H. Love, and Members Senate, Utah Legislature, Salt Lake City, Utah.

Gentlemen:—A most cordial invitation is hereby extended to you to visit the State Mental Hospital to in-

spect its appointments and consider its immediate needs. Friday next, 17th inst., is suggested for the time.

Yours with great respect,

M. H. HARDY.

February 13, 1905.

On motion of Mr. Lawrence, the invitation was referred to Committee on Public Institutions with instructions to frame and transmit to Superintendent Hardy a suitable reply, declining the invitation.

Mr. Lawrence moved that, in the absence of Mr. Hollingsworth, the rules be suspended and Mr. Hollingsworth be given the privilege of asking for a reconsideration of the vote by which S. J. R. No. 3 failed to pass, on the first day of his appearance in the Senate; which carried.

Senators Williams, Larsen, Callister, and Rasband were excused from attending Friday's session, in order that they might visit the Branch Normal School, at Cedar City.

At 3 o'clock, on motion of Mr. Williams, the Senate adjourned until tomorrow at 2 p. m.

THIRTY-NINTH DAY.

Senate Chamber,
Feb. 16, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 15, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that

I have this day approved and filed in the office of the Secretary of State, S. B. No. 30, entitled "An Act Amending Sections 312 and 313 of the Revised Statutes of Utah, 1898, as Amended by Chapter 19 of the Laws of Utah, 1903, Defining the Time Within Which Claims Against Incorporated Cities and Towns Must be Filed."

Also S. B. No. 16, entitled "An Act Amending Section 628 of the Revised Statutes of Utah, 1898, Authorizing Recorders to Take Acknowledgments and Administer Oaths."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 15, 1905.

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. 32, by Mr. Kinney, entitled "An Act Amending Section 3724 of the Revised Statutes of Utah, 1898, Relating to the Dismissal Without Prejudice of Actions Pending Before a Justice of the Peace."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 32 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 15, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, with amendment to Senate amendment, H. J. M. No. 6, by Mr. Roberts, referring to Federal aid in road building in

the various states, and the same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

Mr. Lawrence moved that the Senate concur in the House amendment, which carried.

H. J. M. No. 6, by Roberts was read as amended and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Lewis.

House of Representatives,
Salt Lake City, Feb. 15, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 74, by Committee on Railroads and Common Carriers, entitled "An Act to Amend Section 315, Revised Statutes of Utah, 1898, as Amended by Chapter 81, Laws of Utah, 1901, Relative to the Contents of the Articles of Agreement of Incorporations."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 74 was read the first time and referred to Committee on Railroads.

House of Representatives,
Salt Lake City, Feb. 14, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 3, by Mr. James A. Anderson, entitled "An Act to Amend Section 2441, Revised Statutes of Utah, 1898, Relating to Bank Examiners."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 3 was read the first time and referred to Committee on Banks and Banking.

House of Representatives,
Salt Lake City, Feb. 15, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 59, by Mr. Austin, entitled "An Act Creating a State Board of Park Commissioners, Providing the Manner of Their Appointment, Fixing Their Compensation, Prescribing Their Powers and Duties, Making an Annual Appropriation and Fixing Penalties for a Violation of this Act."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 59 was read the first time and referred to Committee on Public Lands.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day carried the following motion "That the Honorable Members of the Senate be informed that this body have accepted an invitation to visit the State Mental Hospital tomorrow, (Friday), And believing that your Honorable Body will desire to avail themselves of the privilege to visit the institution, we herewith ask the consent of your Honorable Body to adjourn until Monday."

Train will leave Oregon Short Line Depot tomorrow morning at 9:30 a. m.

The same is herewith transmitted for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Hollingsworth, the Senate consented to the House adjourning until Monday.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 14, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 58, by Clegg, (by request), entitled "An Act Amending Chapter 115, Session Laws of Utah, 1903, Approved March 17, 1903, Relating to the Government and Control of the State Mental Hospital, and Providing for the Care and Treatment of the Insane," beg leave to report that they have had the same under consideration and offer a substitute therefor, being S. B. No. 83, by Committee on Public Institutions, entitled "An Act Amending Sections 2155 and 2156, Revised Statutes of Utah, 1898, as Amended by Chapter 115 of the Laws of Utah, 1903, Relating to the Government and Control of the State Insane Asylum or the State Mental Hospital," and recommend that the substitute bill, S. B. No. 83, be passed.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 83 was read the first and second times.

Senate Judiciary Committee Room,
Feb. 16, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 42, by Wootton, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124, Laws of Utah, 1901, as further Amended by Chapter 138, Laws of Utah, 1903," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Page 2, line 7, by striking out the word "apply" and susbtituting the word "supply."

2. Page 2, line 33, by changing the word "railwaks" to "railways."

3. Page 5, line 16, by correcting the spelling of the word "matter."

4. Page 7, line 25, by striking out the words "and storage houses and to require bond to the city for the benefit of bailors therein," and insert after the word "parents" in line 28, same page, the words "and storage

houses and to require bond to the city for the benefit of bailors therein."

5. Page 9, line 33, after the words "cock fights" by inserting "prize fights and bull fights."

6. Page 13, line 28, by striking out the annotation "Nuisance," on line 30, same page, by striking out the word "one" and substituting the word "twelve," and making "mile" "miles."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 42 was read the second time, and made Special Order for Tuesday, Feb. 21, at 3 p. m.

Senate Judiciary Committee Room,
Feb. 16, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 78, by Hawley, entitled "An Act to Amend Section 3199, Revised Statutes of Utah, 1898, Relating to the Docketing of Judgments," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 78 was read the second time.

Senate Judiciary Committee Room,
Feb. 15, 1905.

Mr. President:—Your Committee on Judiciary, to whom was recommitted S. B. 24, by Walton, entitled "An Act to Amend Sections 800, 801, and 816 of the Revised Statutes of Utah, 1898, Relating to the Registering of voters," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. In line 7, Section 800, after the word "Saturday," by inserting the words "the third Tuesday and second Monday."

2. In line 15, after the word "held" by striking out

the balance of Section 800, including the former Senate amendment.

And as amended, recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 24 was read the second time.

Senate Judiciary Committee Room,
Feb. 16, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 73, by Hollingsworth, entitled "An Act to Provide the Form of Summons in Civil Cases, in Case of Service by Publication," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 15, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 67, by Gardner, entitled "An Act to Amend Section 4212 of the Revised Statutes of Utah, 1898, and Providing for the Punishment of the Crime of Fornication," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. In line 5, by striking out the words "of them" and inserting the words "party to the offense."

2. On line 8, by striking out the words "said punishments" and inserting the words "such fine and imprisonment," and as amended, recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 67 was read the second time.

INTRODUCTION OF BILLS.

S. B. No. 81, by Walton, entitled "An Act to Amend Section 981 of the Revised Statutes of Utah, 1898, Re-

lating to the Fees of Constables," was read the first time and referred to Committee on County and Municipal Corporations.

S. B. No. 82, by Walton, entitled "An Act Amending Section 1890 of the Revised Statutes of Utah, 1898, as Amended by Chapter 65 of the Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Day's Labor," was read the first time and referred to Committee on Education.

S. B. No. 84, by Park, entitled "An Act to Amend Section 1299 of the Revised Statutes of Utah, 1898, Making Certain Exemptions from Liability to Act as Jurors," was read the first time and referred to Committee on Judiciary.

S. B. No. 85, by Bennion, entitled "An Act Providing for the Appropriation of Money for the Purpose of Paving Streets upon which Real Estate is Abutting Belonging to the State of Utah, on State Street in Salt Lake City, Utah," was read the first time and referred to Committee on Appropriations and Claims.

THIRD READING OF HOUSE BILL.

H. B. No. 70, by Judiciary Committee, entitled "An Act to Amend Sections 4334, 4335, 4336, 4337, and 4338, Revised Statutes of Utah, 1898, Relating to Burglary in the First and Second Degrees, Defining the Same, and the Penalties 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Lewis.

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

FIRST READING OF RESOLUTION.

H. J. R. No. 4 was read the first time and referred to Committee on Federal Relations.

MISCELLANEOUS BUSINESS.

At the request of Mr. Hollingsworth, the vote by which S. J. R. No. 3 failed to pass was reconsidered.

S. J. R. No. 3 failed to pass by the following vote:

Ayes, 7; nays, 9; absent and not voting, 2.

Those voting in the affirmative were: Barber, Bennion, Hollingsworth, Lawrence, McKay, Park, Mr. President.

Those voting in the negative were: Callister, Clegg, Gardner, Johnson, Larsen, Loose, Rasband, Walton, Williams.

Absent and not voting: Bamberger, Lewis.

SENATE CLAIMS.

S. C. No. 6, presented by Walton, in favor of James Howard, et al., for $202.14, was read and referred to State Board of Examiners.

S. C. No. 7, presented by Walton, in favor of William N. Nalder, for $540.00, was read and referred to State Board of Examiners.

Mr. President announced that he had received a telegram from Senator Lewis, stating that business would detain him in the east until the latter part of next week, and asking that he be excused until that time.

On motion of Mr. Lawrence, Mr. Lewis was excused until the latter part of next week.

As chairman of Committee on Public Institutions, Mr. Hollingsworth reported that the Senate's instruction to write Superintendent Hardy, declining invitation to visit the State Mental Hospital, had been obeyed.

At 3 o'clock, on motion of Mr. Bennion, the Senate adjourned until tomorrow at 2 p. m.

FORTIETH DAY.

Senate Chamber,
Feb. 17, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 46, by Callister, entitled "An Act Amending Section 1305, Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Bennion, the Senate concurred in the House amendment.

S. B. No. 46 was read as amended, and passed by the following vote:

Ayes, 12; nays, 0; absent and not voting, 6.

Those voting in the affirmative were: Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Walton, Mr. President.

Absent and not voting: Bamberger, Callister, Lewis, Loose, Rasband, Williams.

S. B. No. 46 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 17, by Mr. Hollingsworth, entitled "An Act Requiring a Bond to be given by the Secretary of State."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 17 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 29, by Mr. Hollingsworth, entitled "An Act Amending Section 18 of Chapter 126, Laws of Utah, 1903, Relating to Fees of Municipal Court," and the same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 21, by Mr. Kinney, entitled "An Act to Amend Section 693, Revised Statutes of Utah, 1898, Relating to Judges Acting as Attorneys;" H. B. No. 69 by Mr. Kinney, entitled "An Act to Amend Section 3286, of the Revised Statutes of Utah, 1898, Relating to Preparation, Settlement, and Signing of Bills of Exception. Time Allowed;" and H. B. No. 12, by Mr. Kuchler, entitled "An Act Amending Section 20, Chapter 112, of the Laws of Utah, 1901, as Amended by Chapter 126, Laws of Utah, 1903, Providing to Whom Process Shall run from Municipal Courts."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 15, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 62, by Mr. Roberts, entitled "An Act

to Amend Chapter 35, Laws of Utah, 1901, Entitled 'An Act to Amend Sections 1, 3, 17, and 42, of Chapter 64, of the Laws of Utah, 1899,' and Sections 2, 4, and 34, of Chapter 64, Laws of Utah, 1899, Entitled 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, Providing for the Selection, Location, Appraisement, Protection, Sale, Rental, and General Management of the Public Lands of the State, and for the Investment of the Funds Arising from the Sale and Leasing of Such Lands, the Distribution of the Income Thereof, and for the Sale and Protection of the Timber on the Lands of the State,' and Repealing Chapter 62, Laws of Utah, 1903."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 62 was read the first time and referred to Committee on Public Lands.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 127, by Mr. Joseph, entitled "An Act Relating to Taxing of Net Proceeds of the Saline Products of Lakes and Springs."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 127 was read the first time and referred to Committee on Mines and Minerals.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 110, by Mr. Roberts, entitled "An Act to Amend Section 1360, Revised Statutes of Utah,

1898, Relating to Annual Tax for Libraries in Cities of the First and Second Class."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 110 was read the first time and referred to Committee on Education.

House of Representatives,

Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 113, by Mr. Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors, and Prescribing Penalties for Violation Thereof."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 113 was read the first time and referred to Committee on Military Affairs.

House of Representatives,

Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 89, by Mr. Kinney, entitled "An Act for the Enforcement of Judgments in Counties Other Than the one in Which the Same was Entered."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 89 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 128, by Mr. Dean, entitled "An Act to Amend Section 4274, Revised Statutes of Utah, 1898, In Relation to Befouling Waters."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 128 was read the first time and referred to Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

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. McCrea, entitled "An Act to Amend Section 13 of Chapter 109, Laws of Utah, 1901, Relating to Concurrent Jurisdiction of City Courts in Cities of the First Class with District Courts."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 132 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 98, by Mr. Kinney, entitled "An Act to Amend Section 3232, Revised Statutes of Utah, 1898, as Amended by Chapter 6, Laws of Utah, 1899, Relating to Executions, and the Time Within Which Same May Issue."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 98 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 103, by Mr. Marks, entitled "An Act to Amend Section 2992, Revised Statutes of Utah, 1898, Relating to the Statutes of Limitations and the Manner of Pleading Cases."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 103 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 108, by Mr. Marks, entitled "An Act to Amend Section 15, Chapter 109, Laws of Utah, 1901, as Amended by Section 1, Chapter 39, Laws of Utah, 1903, Relating to the Manner of Commencing Actions and Issuing Summons and the Form Thereof in City Courts in Cities of the First Class."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 108 was read the first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 17, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 75, by

Mr. Bennion, entitled "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of Levy, Service and Publication of Assessments of Corporations and Making Certain Exceptions," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

McKAY, Chairman.

Report adopted.

S. B. No. 75 was read the second time.

Committee Room, Feb. 16, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 37, by Mr. Fishburn, entitled "An Act to Amend Sections 1906 and 1907, Revised Statutes of Utah, 1898, Relating to Annual School Census and Allotment of School Funds," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 37 was read the second time.

Committee Room, Feb. 16, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 38, by Fishburn, entitled "An Act to Amend Section 1826, Revised Statutes of Utah, 1898, Relating to Annual School Census," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 38 was read the second time.

Committee Room, Feb. 16, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 59, by Mr. Bennion, entitled "An Act Amending Sections 1916 and 1962 of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class; and Providing that Parents, Guar-

dians, or other Persons, Having Control of Children of Certain Ages, Shall be Required to Send Such Children to School During Certain Periods," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. In the title of the bill after "1962" add "and 1963," and at the end of the title after the word "Periods" add the following "and providing punishment to parents, guardians, or other persons having control of children for failure so to do."

2. On line 16, page 1, by striking out the word "fifteen and inserting in lieu thereof the word "sixteen."

3. By adding Section 1963, of Chapter 16, of the Revised Statutes of Utah, 1898, reading as follows:

"1963. Any parent, guardian, or other person having control of any child between eight and sixteen years of age who wilfully fails to comply with the requirements of the last preceding section, shall be guilty of a misdemeanor.

And as amended recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

S. B. No. 59 was read the second time.

Committee Room, Feb. 17, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 49, by Mr. Williams, being "An Act to Provide for the Purchase of Works of Art the Appointment of a Purchasing Committee and Prescribing its Manner of Appointment, Powers, and Duties; and Repealing Chapter 29 of the Laws of Utah, 1898," beg leave to report that they have had the same under consideration and recommend the following amendments thereto:

1. On page 1, line 6, after the word "resident" add the word "professional."

2. On page 1, line 9, after the word "art" add the words "which have been or shall be exhibited in Art exhibitions of acknowledged standing."

And with these amendments recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

S. B. No. 49 was read the second time.

Committee Room, Feb. 16, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 5, entitled "An Act to Repeal Chapter 29, Laws of Utah, 1899, Creating a State Institute of Art," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

BENNION, Chairman.

Report adopted.

Committee Room, Feb. 17, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 13, by Mr. McKay, being "An Act Providing for Investigations of the Proper Use of Irrigation Water, and the Reclamation of Alkali Lands," beg leave to report that we have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 13 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, Feb. 16, 1905.

Mr. President:—Your Committee on Fish and Game, to whom was referred S. B. No. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds; for Appointment of a State Fish and Game Commissioner, and County Fish and Game Wardens and Prescribing thier Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903," beg leave to report that they have had the same under consideration and offer the following amendments thereto:

1. In the Title, line 3, after the word "Commissioner" by inserting the words "special deputies."

2. Page 1, line 3, after the word "Commissioner" by inserting "hereafter called State Commissioner."

3. Page 1, line 16, after the word "to" by striking out the word "an" and inserting the words "the constitutional."

4. Page 2, line 6, after the word "deputies" by striking out the word "and" and inserting the word "to."

5. Line 9, same page, by inserting the word "special" after the word "said."

6. Line 29, same page, after the word "to" by striking out the word "an" and inserting "the constitutional."

7. Page 3, line 1, by striking out the words "Fish and Game."

8. Line 15, same page, after the word "Commissioners"by inserting the words "special deputies," and after the word "every" by inserting the word "County."

9. Page 6, line 35, by striking out the word "twenty" and inserting "fifteen."

10. Page 7, line 5, by striking out the word "twenty," and inserting "fifteen."

11. Page 9, line 7, by striking out the words "Utah, Bear, and Sevier Lakes;" line 8, same page, by striking out the words "in the Weber River below its junction with the Ogden River; in the Bear River below the bridge at Bear River City;" lines 11 and 12, same page, by striking out the words "and in Bear Lake, only in the months of September and October."

12. Page 9, by striking out lines 17, 18, 19, 20, and part of line 21.

13. Page 9, line 23, after the word "only" by inserting the following: "It shall be lawful to use gill nets not exceeding fifty yards long and six feet wide, with meshes not less than three inches square, in Bear Lake only, between June 15th and September 15, of each year.

14. Page 12, line 6, by striking out "15th" and "December" and substituting "1st" and "January."

15. Page 13, line 7, by striking out the words "October" and "March" and substituting the words "August" and "February."

16. Page 14, line 15, after the word "person" by inserting "or for any resident who is not a citizen of the United States."

17. Page 14, line 26, by striking out the words "This Act shall take effect upon approval," and add the following: "All Acts and parts of Acts in conflict with this Act, are hereby repealed."

And as amended recommend that the bill be passed.

BARBER, Chairman.

Report adopted.

S. B. No. 55 was read the second time .

Senate Judiciary Committee Room,
Feb. 17, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 11, by Mr. Kuchler, entitled "An Act Amending Section 3, Chapter 112, Laws of Utah, 1901, as Amended by Section 1, Chapter 126, Laws of Utah, 1903, Relating to Change of Venue in Civil and Criminal Actions in Municipal Court Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court where the Judge of the Municipal Courts is Disqualified, and Providing for a Judge Pro Tempore in Municipal Courts, in Certain Cases and Fixing his Compensation," beg leave to report that they have had the same under consideration, and offer a substitute therefor, being S. B. No. 88, entitled "An Act Relating to Change of Venue in Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro Tempore in Municipal Courts, and Fixing his Compensation, and Repealing Section 3 of Chapter 112, Laws of Utah, 1901, as Amended by Section 1 of Chapter 126, Laws of Utah, 1903," and recommend that the substitute be passed and that H. B. No. 11 do not pass.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 88 was read the first and second times.

INTRODUCTION OF BILLS.

S. B. No. 86, by Lawrence, entitled "An Act to Amend Sections 753, 754, and 757 of the Revised Stat-

utes of Utah, 1898, Relating to the Practice of Dentistry; and Defining the Practice of Dentistry, Providing for the Revocation of License, and Providing for the Punishment of Associations or Companies Practicing Dentistry Unless the Same Conform to the Requirements of this Act," was read the first time and referred to Committee on Public Health.

S. B. No. 87, by Lawrence, entitled "An Act to Prohibit Bucket Shops and Bucketshopping Within this State," was read the first time and referred to Committee on Judiciary.

THIRD READING OF BILLS.

S. B. No. 67, by Gardner, entitled "An Act to Amend Section 4212 of the Revised Statutes of Utah, 1898, and Providing for the Punishment of the Crime of Fornication," 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: Barber, Ben nion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Walton, Mr. President.

Absent and not voting: Bamberger, Callister, Lewis, Loose, Rasband, Williams.

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

S. B. No. 24, by Walton, entitled "An Act to Amend Sections 800, 801, and 816 of the Revised Statutes of Utah, 1898, Relating to the Registering of voters," was amended, read the third time, and passed by the followinging vote:

Ayes, 11; nays, 1; absent and not voting, 6.

Those voting in the affirmative were: Barber, Bennion, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Walton Mr. President.

Voting in the negative: Gardner.

Absent and not voting: Bamberger, Callister, Lewis, Loose, Rasband, Williams.

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

H. B. No. 78, by Hawley, entitled "An Act to Amend Section 3199, Revised Statutes of Utah, 1898, Relating to the Docketing of Judgments," 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: Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Walton, Mr. President.

Absent and not voting: Bamberger, Callister, Lewis, Loose, Rasband, Williams.

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

THIRD READING SENATE BILL DEFERRED.

S. B. No. 83, by Committee on Public Institutions, entitled "An Act Amending Sections 2155 and 2156, Revised Statutes of Utah, 1898, as Amended by Chapter 115 of the Laws of Utah, 1903, Relating to the Government and Control of the State Insane Asylum or the State Mental Hospital," on motion of Mr. Hollingsworth, was laid on the table, to come up on Monday.

At 3:45, on motion of Mr. Hollingsworth, the Senate adjourned until Monday at 2 p. m.

FORTY-THIRD DAY.

Senate Chamber,
Feb. 20, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 20, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the

Secretary of State, S. B. No. 33, entitled "An Act to Amend Section 2421 of the Revised Statutes of Utah, 1898, and Chapter 69 of the Laws of Utah, 1899, Defining the Duties of State Auditor."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 136, by Mr. Kinney, entitled "An Act to Provide for the Approval and Custody of Official Bonds of State Officers, Officials of State Institutions, or Other Persons, When Such Bonds to the State are Required to be Given."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 136 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City Feb. 16, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, with amendment to the Senate amendment, H. B. No. 45, by Mr. Kinney, entitled "An Act to Amend Section 3747, of the Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Lawrence, the Senate concurred in the House amendment to the Senate amendment.

The bill was read, as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Lewis.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

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. 13, by Mr. McKay, entitled "An Act Providing for investigation of the Proper use of Irrigation Water and the Reclamation of Alkali Lands." The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 68, entitled "An Act to Amend Section 3329 of the Revised Statutes of Utah, 1898, Relating to Motions and Orders," and H. B. No. 32, entitled "An Act Amending Section 3724 of the Revised Statutes of Utah, 1898, Relating to the Dismissal Without Prejudice, of actions pending before a Justice of the Peace."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

SENATE PETITION.

S. P. No. 6, presented by Gardner, asking that legislation be enacted recognizing the services of petitioners in suppressing Indian hostilties in Utah from 1850 to 1872, signed by J. M. Westwood et al., was referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 20, 1905.

Mr. President:—Your Committee on Live Stock, to whom was referred H. B. No. 106, by Maughan, entitled "An Act to Amend Section 72 of the Revised Statutes of Utah, 1898, Relating to Trespass," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

CLEGG, Chairman.

Report adopted.

H. B. No. 106 was read the second time.

Committee Room, Feb. 20, 1905.

Mr. President:—Your Committee on Railroads, to whom was referred H. B. No. 74, entitled "An Act to Amend Section 315, Revised Statutes of Utah, 1898, as Amended by Chapter 81, Laws of Utah, 1901, Relative to the Contents of the Articles of Agreement of Incorporations," beg leave to report that they have had the same under consideration and recommend that the same be passed.

LOOSE, Chairman.

Report adopted.

H. B. No. 74 was read the second time.

Senate Judiciary Committee Room,
Feb. 20, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 84, by Mr. Park, entitled "An Act to Amend Section 1299 of the Revised Statutes of Utah, 1898, Making Certain Exemption from Liability to Act as Juror," beg leave to report that they have had

the same under consideration and recommend that the bill be passed. LAWRENCE, Chairman.

Report adopted.

S. B. No. 84 was read the second time.

Committee Room, Feb. 20, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 76, by Mr. Bamberger, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property Under the Control of the State and its Political Subdivisions, and Their Respective Institutions or Offices, to Attachment, Garnishment, and Execution, Under the Procedure Applicable in Other Cases," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 76 was read the second time.

Senate Judiciary Committee Room.
Feb. 20, 1905.

Mr. President:—Your Committee on Federal Relations, to whom was referred H. J. R. No. 4, by Mr. Wilson, beg leave to report that they have had the same under consideration, and recommend that the resolution be passed, and that the Senate appoint a committee of two to act with a like committee of the House to formulate a programme. CLEGG, Chairman.

Report adopted.

H. J. R. No. 4, was read the second time, and under a suspension of the rules, 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Loose, McKay, Park, Rasband, Walton, Williams.

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

Absent and not voting: Bamberger, Loose.

Whereupon the President appointed Senators Park and Bennion to act as such committee.

Senate Judiciary Committee Room.
Feb. 20, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 103, by Mr. Marks, entitled "An Act to Amend Section 2992, Revised Statutes of Utah, 1898, Relating to the Statute of Limitations and the manner of Pleading Cases," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 103 was read the second time.

Committee Room, Feb. 20, 1905.

Mr. President:—Your Committee on Mines and Minerals, to whom was recommitted H. B. No. 16, by Curtin, entitled "An Act Amending Sections 9, 10, and 11, Chapter 85, Session Laws of Utah, 1901, to Prohibit the Use of Explosive Oil and to Regulate the Use of Powder in the Coal and Hydro-Carbon Mines," beg leave to report that they have had the same under consideration and recommend that the same do not pass.

LOOSE, Acting Chairman.

Report adopted.

Senate Judiciary Committee Room.
Feb. 20, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 52, by Mr. Hollingsworth, entitled "An Act to Amend Sections 322 and 338 of the Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and Sections 340 and 444 of the Revised Statutes of Utah, 1898, Relating to the Powers of Corporations; the Manner of Making Amendments to Articles of Incorporation; the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the same by Execution of Trust Deeds or Mortgages, and Defining What Shall be

Deemed Railroad Companies; and Approving and Validating Amendments made to Articles of Incorporation and the Organization of Consolidated Corporations, as well as Acts Done Thereunder," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Page 3, line 4, after the word "that" by inserting the following "if all the stockholders vote in favor of such amendment at any meeting of the stockholders the notice required by Sec. 339 aforesaid need not be given; and provided further that."

2. Line 9, same page, after the word "corporation" by inserting the words "provided further that."

3. Line 18, same page, by striking out the word "existing" and inserting the words "heretofore created under the laws of the Territory or State of Utah," and striking out the words "that" and "may be" in line 19.

4. Line 27, same page, after the word "County" by inserting the words "or Counties," and striking out the word "such" and substituting the word "each."

5. Page 4, line 26, after the word "association" by inserting the word "of such new corporation organized to purchase the assets of the old companies."

6. Line 33, same page, after the word "the" by inserting the words "other existing laws of this State relating to corporations organized for general purposes, or the terms of the."

7. Page 6, line 7, after the word "situated" by inserting the words "and need not be left or filed in said office."

8. Line 34, same page, by striking out the words "period of time," and substituting the words "time when."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 52 was read the second time.

Senate Judiciary Committee Room,
Feb. 20, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 62, by Mr. Lawrence, (by request), entitled "An Act Authorizing Cities of the

First and Second Classes to Issue Scrip Against the Funds to be Raised by Special Taxes, and to Dispose of Such Scrip, and Providing for the Manner of Issuing the same, and the Enforcement and Redemption Thereof," beg leave to report that they have had the same under consideration, and offer the following amendments thereto:

1. Page 2, line 10, by striking out the words "or to the holder thereof."

2. Line 12, same page, by changing the word "seven" to read "six."

3. Line 27, same page, by inserting the word "record" before the word "holder," and striking out the words "without notice of said payment, and of his own accord," and substituting the words "upon being notified by mail by the City Treasurer."

4. Page 3, line 6, by striking out the words "and may be foreclosed as other liens," and adding the following: "And at any time after delinquency of the last installment the property described in such scrip shall be sold by the city treasurer, as agent for the holder of such scrip, in the same manner as provided by law or ordinance for the sale of land for delinquent special taxes to make the sum delinquent on said scrip and the costs and expenses of such sale."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 62 was read the second time.

Committee Room, Feb. 20, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 46, by Callister, "An Act Amending Section 1305, Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 46 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, Feb. 20, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 17, by Hollingsworth, "An Act Requiring a Bond to be Given by the Secretary of State," beg to report that they have carefully engrossed and enrolled the same, and herewith present the same for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 17 was read by title, and signed by the President in open session, in the presence of the Senate.

REPORT OF JOINT COMMITTEE.

Committee Room, Salt Lake City, Utah,
Feb. 16, 1905.

To the President of the Senate and Speaker of the House:

Your Committee on Program for the celebration of Washington's Birthday, beg leave to report as follows: That we have agreed upon the following program to be rendered in the Legislative Hall at 11 a. m., Wednesday, 22nd inst., viz:

S. H. Love — President Joint Assembly.
Quartet.
Ten minute speech—Washington.....Speaker Hull.
Ten minute speech—Lincoln.....Senator Lawrence.
Quartet.
Ten minute speech—Garfield .....J. H. Wootton.
Ten minute speech—McKinley.....Senator Walton.
The President of the United States.....Theo. Botkin.

And that an invitation be extended to His Excellency the Governor, all State Officials, Senators and Representative in Congress, and Representatives of the Press.

J. B. WILSON,
Chairman Joint Committee.

Report adopted.

INTRODUCTION OF BILLS.

S. B. No. 89, by Hollingsworth, entitled "An Act Amending Section 2 of Chapter 43, Laws of Utah, 1899, Relating to Present Ownership Maps," was read the first time and referred to Committee on Ways and Means.

S. B. No. 90, by Hollingsworth, entitled "An Act Amending Section 546, Revised Statutes of Utah, 1898, Relating to Deputies and Assistants, and County, Precinct and District Officers, was read the first time and referred to Committee on County and Municipal Corporations.

S. B. No. 91, by Rasband entitled "An Act to Amend Chapter 25, Section 31 of the Session Laws of Utah, 1903, 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, and to Provide Penalties for the Violation of any Provision of this Act," was read the first time and referred to Committee on Judiciary.

SPECIAL ORDER.

S. B. No. 42, by Hollingsworth, 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, to Make an Appropriation Therefor, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 96, Laws of Utah, 1903," was read the third time, as amended, and passed by the following vote:

Ayes, 10; nays, 6; absent and not voting, 2.

Those voting in the affirmative were: Bennion, Callister, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Williams, Mr. President.

Those voting in the negative were: Barber, Clegg, Gardner, Loose, Rasband, Walton.

Absent and not voting: Bamberger, Lewis.

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

THIRD READING OF BILLS.

S. B. No. 49, by Williams, entitled "An Act to Provide for the Purchase of Works of Art, the Appointment of a Purchasing Committee and Prescribing its Manner of Appointment, Powers, and Duties; and Repealing Chapter 29 of the Laws of Utah, 1899," was read the third time, and passed by the following vote:

Ayes, 11; nays, 4; absent and not voting, 3.

Those voting in the affirmative were: Callister, Clegg, Hollingsworth, Johnson, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Barber, Bennion, Gardner, Mr. President.

Absent and not voting: Bamberger, Larsen, Lewis.

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

S. B. No. 59, by Bennion, entitled "An Act Amending Sections 1916 and 1962, and 1963, of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class and Providing that Parents, Guardians, or other Persons, Having Control of Children of Certain Ages, Shall be Required to Send Such Children to School During Certain Periods, and providing punishment to Parents, Guardians, or other Persons having Control of Children for Failure so to do," was amended, 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Lewis.

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

S. B. No. 75, by Mr. Bennion, entitled, "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of Levy, Service, and Publication of Assessments of Corporations and Making Certain Exceptions," 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, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen,

Lawrence, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Bamberger, Callister, Lewis, Loose, Williams.

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

S. B. No. 83, (being a substitute for S. B. No. 58, by Mr. Clegg, (by request,)) by Committee on Public Institutions, entitled "An Act Amending Sections 2155 and 2156, Revised Statutes of Utah, 1898, as Amended by Chapter 115 of the Laws of Utah, 1903, Relating to the Government and Control of the State Insane Asylum or the State Mental Hospital," was amended, 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Lewis.

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

S. B. No. 88, (being a substitute for H. B. No. 11), by Committee on Judiciary, entitled "An Act Relating to Change of Venue in Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro Tempore in Municipal Courts, and Fixing his Compensation, and Repealing Section 3 of Chapter 112, Laws of Utah, 1901, as Amended by Section 1 of Chapter 126, Laws of 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 Bennion, Callister, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Clegg, Lewis.

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

THIRD READING OF BILLS DEFERRED.

S. B. No. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds; for Appointment

of a State Fish and Game Commissioner; Special Deputies, and County Fish and Game Wardens, and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903," was made the Special Order for 3 p. m. Thursday next, at the request of Mr. Lawrence.

H. B. No. 37, by Mr. Fishburn, entitled "An Act to Amend Sections 1906 and 1907, Revised Statutes of Utah, 1898, Relating to Annual School Census and Allotment of School Funds," was made the Special Order for 3:30 tomorrow, at the request of Mr. Clegg.

H. B. No. 38, by Fishburn, entitled "An Act to Amend Section 1826, Revised Statutes of Utah, 1898, Relating to Annual Census," was made the Special Order for 3:45 tomorrow, at the request of Mr. Bennion.

MISCELLANEOUS BUSINESS.

Salt Lake City, Feb. 20, 1905.

The Honorable President and Members of the Utah State Senate:

Gentlemen:—You are respectfully invited to be present at Fire Department Headquarters at 10 a. m. Tuesday, February 21st, to witness an exhibition drill given by the officers and members of the department.

If the day and hour set is not a convenient one for the attendance of your honorable body, you are respectfully requested to notify the undersigned appointing a time for your visit.

Yours very respectfully,
WM. H. BYWATER,
Chief Salt Lake Fire Department.

Communication filed.

On motion of Mr. Gardner, the invitation was accepted.

Mr. Johnson moved that a Senate Conference Committee be appointed to confer with the House Committee on S. B. No. 23 and H. B. No. 62. Upon the motion

carrying, the President appointed Senators Walton, Johnson, and Lawrence to act as such committee.

At 5 o'clock, on motion of Mr. Lawrence, the Senate adjourned until tomorrow at 2 p. m.

FORTY-FOURTH DAY.

Senate Chamber,
Feb. 21, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-third day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 21, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 13, entitled "An Act Providing for Investigations of the Proper use of Irrigation Water, and the Reclamation of Alkali Lands."

Very respectfully,
JOHN C. CUTLER, Covernor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 17, entitled "An Act Requiring a Bond to be Given by the Secretary of State."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 46, entitled "An Act Amending Section 1305, Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 86, by Mr. Tolton, entitled "An Act to Amend Section 9, Chapter 72, Laws of Utah, 1899, Relating to Court Stenographers and Fees to be Collected."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 86 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

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

amended, H. J. M. No. 4, by Mr. Austin, memorializing Congress for a grant of Land for a State Park.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 4 was read the first time and referred to Committee on Federal Relations.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended by the Senate, S. B. No. 36, by Committee on Military Affairs, entitled "An Act Ceding to the United States Jurisdiction over the Military Reservations of Fort Douglas and Fort Duchesne, Within this State."

The same is transmitted herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 36 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Miller, Roberts and Panter, as a Conference Committee to confer with a like committee from the Senate on H. B. No. 62, in connection with S. B. No. 23.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

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

amended, S. B. No. 40, by Mr. Hollingsworth, entitled "An Act Fixing the Fiscal Year of the State of Utah, and Providing When Reports Shall be Prepared, Compiled and Filed."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

Mr. Hollingsworth moved that the Senate do not concur in the House amendments, and that a Conference Committee be appointed to confer on S. B. No. 40. Carried.

The President appointed Senators Hollingsworth, Callister, and Lawrence to act as such committee.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Curtin, Gundry, and Marks, as a Conference Committee to confer with a like committee from the Senate on H. B. No. 16, by Mr. Curtin, entitled "An Act to Amend the Coal and Hydro-Carbon Mining Laws of Utah," etc.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication laid on the table.

House of Representatives,
Salt Lake City, Feb. 20, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day appointed Messrs. Joseph, Merrill, and McCrea, to confer with a like Committee from the Senate, on H. B. No. 5, by Mr. Joseph, entitled "An Act to Repeal the Law Creating a State Institution of Art."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication laid on the table.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day adopted the following motion by Mr. Wilson: "That the Honorable Senate be informed that this Body will be in session tomorrow at 11 a. m. in order to receive them for the purpose of carrying out the programme agreed upon in commemoration of the birth and life of George Washington, Lincoln, Garfield, and McKinley."

The same is transmitted herewith for your information.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 21, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was referred S. B. No. 68, by Johnson, entitled "An Act Forbidding the Carrying of Concealed Weapons," beg leave to report that they have had the same under consideration and recommend that the bill be passed. PARK, Chairman.

Report adopted.

S. B. No. 68 was read the second time.

Committee Room, Feb. 21, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 81, by Walton, entitled "An Act to Amend Section 981 of the Revised Statutes of Utah, 1898, Relating to the Fees of Constables," beg leave to report that they have had the same under consideration and recommend that the same be passed. LARSEN, Chairman.

Report adopted.

S. B. No. 81 was read the second time.

Committee Room, Feb. 21, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was referred H. B. No. 113, by Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors, and Prescribing Penalties for Violation Thereof," beg leave to report that they have had the same under consideration and recommend that the same be passed.

PARK, Chairman.

Report adopted.

H. B. No. 113 was read the second time.

SENATE PETITION.

S. P. No. 7, presented by Rasband, asking for an appropriation of $1,500 to be expended on road in Silver Creek Canyon, signed by J. M. Hixson, et al., was referred to Committee on Highways and Bridges.

INTRODUCTION OF BILLS.

S. B. No. 92, by Johnson, entitled "An Act to Regulate the Practice of Osteopathy in the State of Utah, and to Provide for a State Board of Examiners, and to License Osteopaths to Practice in this State, and to Punish Persons Violating the Provisions of this Act," was read the first time and referred to Committee on Public Health.

S. B. No. 93, by Rasband, (by request), entitled "An Act Establishing the Office of Inspector of Stationary Steam Boilers and Defining the Duties of the Inspector," was read the first time and referred to Committee on Judiciary.

S. B. No. 94, by Hollingsworth, entitled "An Act to Tax Gifts, Legacies, and Inheritance in Certain cases, and to Provide for the Assessment and Collection of the Tax, and Repealing Chapter 62, of the Laws of Utah, 1901, and Chapter 93 of the Laws of Utah, 1903," was read the first time and referred to Committee on Ways and Means.

S. B. No. 95, by Hollingsworth, entitled "An Act Creating a State Commission on Voting or Balloting

Machines, Defining their Powers, and Providing for the use at the Option of any Board of County Commissioners or City Council of Voting or Ballot Machines, for Receiving and Registering the Vote in one or more Election Districts of any County, City or Town at any or all Elections Held Therein, and for Ascertaining the Result of Such Elections; and Providing for the Punishment of all Violations of the Provisions of this Act," was read the first time and referred to Committee on Elections.

S. B. No. 96, by Walton, entitled "An Act Providing for the Establishment of a Course of Instruction in the Public Schools on the Subject of Sanitation and the Cause and Prevention of Disease," was read the first time and referred to Committee on Public Health.

S. B. No. 97, by Walton, entitled "An Act Requiring Reports to be made on Cases of Tuberculosis and Requiring Rules of State Board of Health, Relating to Such Disease, to be Complied With," was read the first time and referred to Committee on Public Health.

S. B. No. 98, by Walton, entitled "An Act Requiring Outhouses on School Grounds to be Maintained in a Sanitary Condition," was read the first time and referred to Committee on Public Health.

S. B. No. 99, by Walton, entitled "An ActProviding for an Annual Convention of Health Officers," was read the first time and referred to Committee on Public Health.

S. B. No. 100, by Walton, entitled "An Act to Establish and Maintain a State Laboratory for Bacteriological Purposes and Providing for the Appointment of, and Compensation of a Director Thereof, and making an Appropriation Therefor," was read the first time and referred to Committee on Public Health.

S. B. No. 101, by Walton, entitled "An Act Making it Unlawful to Expectorate upon the Floor of any Public Building or Church, or of any Car or Upon any sidewalk Within this State, and Requiring each Passenger Car to be Provided with Spittoons, and Fixing a Penalty for the Violation of this Act," was read the first time and referred to Committee on Public Health.

S. B. No. 102, by Walton, entitled "An Act Providing for the Registration of all Births and Deaths Within the State, and Defining the Duties of the State Board

of Health, and of the Secretary Thereof, in Relation Thereto, Providing for the Division of the State Into Registration Districts and the Appointment of Local Registrars, Defining their Duties and Fixing their Compensation, the Issuance of Birth and Death Certificates, and Burial Permits, Making an Appropriation to Carry the Provisions of this Act into effect, and Providing Penalties for Violation Thereof," was read the first time and referred to Committee on Elections.

S. B. No. 103, by Hollingsworth, entitled "An Act Relating to Life Insurance Companies Doing Business in This State, Prohibiting Discrimination in Favor of Individual, and Providing a Penalty for Violation Hereof," was read the first time and referred to Committee on Judiciary.

S. B. No. 104, by Hollingsworth, entitled "An Act Requiring Life Insurance Companies Doing Business in this State to Make Annual Statements; Requiring the Assets of Such Companies to Equal the Net Valuation of all its Outstanding Obligations, and Providing a Penalty for the Violation Hereof," was read the first time and referred to Committee on Judiciary.

S. B. No. 105, by Hollingsworth, 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 the Salaries of the County Auditor and His Deputies and Assistants During the time such Auditor, His Deputies and Assistants are Working upon the Tax Rolls, and Providing for the Apportionment of said sum to the Various Taxing Funds and Repealing Chapter 131, Laws of Utah, 1903," was read the first time and referred to Committee on Ways and Means.

S. B. No. 106, by Hollingsworth, entitled "An Act Amending Section 2655 of the Revised Statutes of Utah, 1898, Relating to Real Estate Held by any County Under Tax Deeds to it and the Manner of Disposing of Same," was read the first time and referred to Committee on Judiciary.

S. B. No. 107, by McKay, entitled "An Act Relating to Intoxicating Liquors and the Granting of Licenses to Sell the Same by Boards of County Commissioners, and

Providing that Before a License is Granted to Sell Liquor at Retail in a County Outside of the Limits of an Incorporated City or Town the Consent of a Majority of the Tax Paying Electors of the Precinct Wherein Such Liquor is sold must be obtained," was read the first time and referred to Committee on Public Institutions.

S. B. No. 108, by Walton, entitled "An Act Requiring the Disinfection of Public Buildings, Railway Coaches and Sleeping Cars, and Providing a Penalty for the Violation Thereof, and Declaring an Emergency," was read the first time and referred to Committee on Public Institutions.

S. B. No. 109, by Lawrence, entitled "An Act to Amend Section 2877 of the Revised Statutes of the State of Utah for 1898, Relating to Limitations Other than Real Property," was read the first time and referred to Committee on Judiciary.

S. B. No. 110, by Lawrence, (by request), entitled "An Act to Prevent Unjust Discrimination Against Publishers of Newspapers, by Persons, Association of Persons, and Corporations Engaged in the Business of Gathering and Distributing for Publication, Information or News, and Declaring Such Combinations to be Unlawful," was read the first time and referred to Committee on Judiciary.

S. B. No. 111, by Lawrence, entitled "An Act to Establish a Board of Commissioners for the Promotion of Uniformity of Legislation in the United States," was read the first time and referred to Committee on Judiciary.

S. B. No. 112, by Lawrence, (by request), entitled "An Act Amending Section 3683 of the Revised Statutes of Utah, 1898, Relating to the Service of Summons from Justice's Courts, and Repealing Chapter 70 of the Session Laws of Utah, 1899," was read the first time and referred to Committee on Judiciary.

S. B. No. 113, by Rasband, entitled "An Act to Amend Section 1 of Chapter 44 of the Session Laws of Utah, 1901, entitled "An Act to Prevent the Compelling of Employees of Persons or Corporations, to Trade with any Store, or Board at any Boarding House, by Means of Coercion, Intimidation, or Otherwise," was read the

first time and referred to Committee on Manufactures and Commerce.

S. B. No. 114, by Clegg, entitled "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection and Distribution of Taxes on Same, Providing Penalties for Violation of its Provisions and Repealing Chapter 105, Laws of Utah, 1901," was read the first time and referred to Committee on Live Stock.

S. B. No. 115, by Park, (by request), entitled "An Act to Amend Section 419 of the Revised Statutes of Utah, 1898, Relating to Tax on Insurance Premiums," was read the first time and referred to Committee on Ways and Means.

THIRD READING OF BILL DEFERRED.

S. B. No. 52, by Hollingsworth, entitled "An Act to Amend Sections 322 and 338 of the Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and Sections 340 and 444 of the Revised Stautes of Utah, 1898, Relating to the Powers of Corporations; the Manner of Making Amendments to Articles of Incorporation; the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the Same by Execution of Trust Deeds or Mortgages, and Defining What Shall be Deemed Railroad Companies; and Approving and Validating Amendments made to Articles of Incorporation and the Organization of Consolidated Corporations, as well as Acts Done Thereunder," was made the Special Order for 3 p. m. on Friday next.

H. B. No. 37, by Mr. Fishburn, entitled "An Act to Amend Sections 1906 and 1907, Revised Statutes of Utah, 1898, Relating to Annual School Census and Allotment of School Funds," Special Order for 3:30 p. m., was made the Special Order for 3:30 p. m. on Thursday next, at the request of Mr. Bamberger.

H. B. No. 38, by Fishburn, entitled "An Act to Amend Section 1826, Revised Statutes of Utah, 1898, Relating to Annual Census," Special Order for 3:45 p. m., was made the Special Order for 3:45 p. m. on Thursday next, at the request of Mr. Bamberger.

SPECIAL ORDER.

H. B. No. 42, by Wootten, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124, Laws of Utah, 1901, as Further Amended by Chapter 138, Laws of Utah, 1903," Special Order for 3 p. m., was read the third time, as amended, and passed by the following vote:

Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Voting in the negative: Barber.

Absent and not voting: Bennion, Lewis, Loose.

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

THIRD READING OF BILLS.

S. B. No. 62, by Lawrence, (by request), entitled "An Act Authorizing Cities of the First and Second Classes to Issue Scrip Against the Funds to be Raised by Special Taxes, and to Dispose of Such Scrip, and Providing for the Manner of Issuing the Same, and the Enforcement and Redemption Thereof," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Bennion, Lewis, Loose.

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

S. B. No. 84, by Park, entitled "An Act to Amend Section 1299 of the Revised Statutes of Utah, 1898, Making Certain Exemptions from Liability to Act as Juror," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Bennion, Lewis, Loose.

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

H. B. No. 74, by Committee on Railroads and Common Carriers," entitled "An Act to Amend Section 315, Revised Statutes of Utah, 1898, as Amended by Chapter 81, Laws of Utah, 1901, Relative to the Contents of the Articles of Agreement of Incorporations," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bennion, Larsen, Lewis, Loose.

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

H. B. No. 103, by Mr. Marks, entitled "An Act to Amend Section 2992, Revised Statutes of Utah, 1898, Relating to the Statute of Limitations and the Manner of Pleading Cases," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bennion, Lewis, Loose.

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

H. B. No. 106, by Maughan, entitled "An Act to Amend Section 72 of the Revised Statutes of Utah, 1898, Relating to Trespass," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bennion, Lewis, Loose.

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

RECOMMITTED.

S. B. No. 76, by Mr. Bamberger, entitled "An Act Subjecting the Salaries and Wages of Public Officials

and Employees and other Credits or Personal Property Under the Control of the State and its Political Subdivisions, and Their Respective Institutions or Officers, to Attachment, Garnishment, and Execution, Under Procedure Applicable in Other Cases," was recommitted to Committee on Judiciary, on motion of Mr. Lawrence.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 21, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Directors of the Deseret Agricultural and Manufacturing Society: Lester D. Freed; William C. Winder; Mrs. Priscilla J. Riter; Joseph A. Silver.

Commissioner of Bureau of Statistics: Charles DeMoisey.

State Bank Examiner: Charles A. Glazier.

Coal Mine Inspector: Gomer Thomas.

Fish and Game Commissioner: A. H. Moyes.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

EXECUTIVE SESSION.

At 4:18 the Senate went into executive session.

REGULAR SESSION RESUMED.

At 4:30, on regular session being resumed, the President announced that the Senate had confirmed the following appointments of the Governor:

Directors of the Deseret Agricultural and Manu-

facturing Society: Lester D. Freed, William C. Winder, Mrs. Priscilla J. Riter, Joseph A. Silver.

Commissioner of Bureau of Statistics: Charles McMoisey.

Coal Mine Inspector: Gomer Thomas.

At 4:35, on motion of Mr. Bamberger, the Senate adjourned until Thursday at 2 p. m.

FORTY-SIXTH DAY.

Senate Chamber,
Feb. 23, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-fourth day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 23, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to call the attention of your honorable body to Section 19 of Chapter 77, Session Laws of 1896, "An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, etc.," and also the following act, approved March 21st, 1899, constituting Chapter 88, Session Laws of 1899, granting preference rights to settlers on school lands:

"Actual and bona fide settlers or occupants who have improved state lands, and were, January 1st, 1894, actual settlers or occupants thereon, and where claims were filed with the State Board of Land Commissioners prior to June 30, 1897, shall have the preference right to purchase the land whereon such settlement was made, or of which occupancy was had, not exceeding such amount as would, on January 1st, 1897, or at the present

time, make the entire holding of such person not to exceed four hundred and eighty acres of land. Where settlers have resided upon, occupied, or cultivated any lands granted to the State for school purposes, prior to March 1st, 1869, or who on January 1st, 1894, held the same or the possession thereof by purchase from such settlers or occupants or their assigns, they may be permitted to purchase such lands at not less than twenty-five per cent of the appraised value; provided, that the purchase price shall not be less than $1.25 per acre; and provided further, that where certificates of sale for such lands have heretofore been issued by the State Board of Land Commissioners, the payments in accordance with the terms of said certificate shall be made. At the first regular session of the Legislature after full payment on any such certificate has been made, the holder of such certificate may file his claim for the difference between the sum paid on said certificate and the sum which should have been exacted if this law had been in force on June 30th, 1897."

Under the provisions of this act, there was appropriated out of the State treasury by the Legislature in its session of 1901, approximately $12,200; and in the session of 1903, approximately $10,700, this appropriation being charged to the State school land fund. It has been stated that a very small percentage of the money thus appropriated reaches the hands of those for whom it is intended. If, as a result of your investigations, it shall appear that this statement is correct, would it not be advisable, in view of the provisions of the Constitution of the State of Utah with reference to the care and keeping of the State school land funds, for the law under which the appropriations are made, to be repealed? The matter is respectfully submitted for the consideration of your honorable body.

Very respectfully,

JOHN C. CUTLER, Governor.

Communication referred to Committee on Public Lands.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 10, by Mr. Austin, entitled "An Act Making it Unlawful to Threaten Violence to Employes or to Destroy Property, and Providing Punishment Therefor."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 10 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 70, by Committee on Judiciary, entitled "An Act to Amend Sections 4334, 4335, 4336, 4337, and 4338, Revised Statutes of Utah, 1898, Relating to Burglary in the First and Second Degrees, Defining the Same and Penalties Therefor."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 70 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 40, by Mr. McCrea, entitled "An Act to Amend Section 2754, Revised Statutes of Utah, 1898, Relating to Revocation of Wills by the Subsequent Marriage of the Testator; by Subsequent Marriage and Birth of Issue—Evidence of Revocation—Presumption."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 40 was read by title and signed by the President, in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 88, by Kinney, entitled "An Act to Amend Section 3272, Revised Statutes of Utah, 1898, Relating to Pro ceedings Supplemental to Execution."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 88 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

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. 6, by Mr. Roberts, to the Honorable Senate and House of Representatives in Congress assembled: relating to Federal aid for road building in the various States.

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 6 was read, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

Mr. President:— I am directed to inform your honorable body that the House has this day passed H. C. R. No. 6, by Kinney, providing for an extension of the time in which bills may be introduced at this session of the Legislature.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. C. R. No. 6 went on the table under the rule.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

Mr. President:— I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 134, by Marks, entitled "An Act Providing for the Adverse Possession of Rights of Way."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk

Communication filed.

H. B. No. 134 was read the first time and referred to Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

Mr. President:— I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 123, by Hopes, entitled "An Act Authorizing Certain Funds Appropriated to Juab County for the Improvement and Construction of Highways and Bridges in said County, Between Eureka and Goshen, to be Expended on Roads Between Eureka, Mammoth, and Silver City."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 123 was read the first time and referred to Committee on Highways and Bridges.

House of Representatives,
Salt Lake City, Feb. 21, 1905.

Mr. President:— I am directed to inform your honorable body that the House has this day appointed Messrs. Roberts, Edwards, and Stringham, as a Conference Committee to confer with a like committee from the Senate, on the House amendments to Senate Bill No. 40.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

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, by Committee on Railroads and Common Carriers, entitled "An Act to Amend Section 315, Revised Statutes of Utah, 1898, as Amended by Chapter 81, Laws of Utah, 1901, Relative to the Contents of the Articles of Agreement of Incorporations."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 74 was read by title and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

Mr. President:— I am directed to inform your hon orable body that the Speaker of the House has this day signed in open session, in the presence of the House. H. B. No. 78, by Mr. Hawley, entitled "An Act to Amend

Section 3199, Revised Statutes of Utah, 1898, Relating to the Docketing of Judgments."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 78 was read by title, and signed by the President in open session, in the presence of the Senate.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Feb. 23, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 63, by Mr. Lawrence, entitled "An Act Amending Section 264 of the Revised Statutes of Utah, 1898, Relating to Special Taxes in Cities, Errors in Proceedings Concerning such Special Taxes, and Actions to Recover such Taxes Paid Under Protest, by Adding Provisions Thereto Relating to Relevy of such Special Taxes After Former Levy is Annulled, and Validating Special Taxes Heretofore Levied and Proceedings Relating Thereto," beg leave to report that they have had the same under consideration and offer the following amendments thereto:

Line 1, Section 1, by striking out the annotation "Errors not to tax. Action to Recover. Relevy. Validating Act," and substituting the following: "That Section 264 of the Revised Statutes of Utah, 1898, be and the same is hereby amended to read as follows:"

2. Page 1, line 3, by inserting before the word "No" the figures "26."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 63 was read the second time.

Senate Judiciary Committee Room,
Feb. 23, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 132 by McCrea, entitled

"An Act to Amend Section 13 of Chapter 109, Laws of Utah, 1901, Relating to Concurrent Jurisdiction of City Courts in Cities of the First Class with District Courts," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 132 was read the second time.

Senate Judiciary Committee Room,
Feb. 23, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 98, by Kinney, entitled "An Act to Amend Section 3232, Revised Statutes of Utah, 1898, as Amended by Chapter 6, Laws of Utah, 1899, Relating to Executions, and the Time Within Which Same May Issue," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 98 was read the second time.

Senate Judiciary Committee Room,
Feb. 23, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 89, by Kinney, entitled "An Act for the Enforcement of Judgments in Counties Other than the one in Which the Same was Entered," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 89 was read the second time.

Senate Judiciary Committee Room,
Feb. 23, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 136, by Kinney, entitled "An Act to Provide for the Approval and Custody of

Official Bonds of State Officers, Officials of State Institutions, or other persons when such Bonds to the State are Required to be Given," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In the Title by striking out the words "When Such Bonds to the State are," and the words "be Given" and inserting after the word "to" the words "Give Bond to the State."

2. By striking out all of Section 2.

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 136 was read the second time.

Committee Room, Feb. 23rd, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 80, by Committee on Military Affairs, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board, and Making Certain Appropriations for the Use of the Board," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

S. B. No. 80 was read the second time.

Committee Room, Feb. 23rd, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 36, by Committee on Military Affairs, entitled "An Act Ceding to the United States Jurisdiction over the Military Reservations of Fort Douglas and Fort Duchesne Within this State," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 36 was read by title, and signed by the President in open session, in the presence of the Senate.

PRESENTATION OF MEMORIAL.

S. J. M. No. 4, by Callister, To the Senate and House of Representatives of the United States of America, in Congress Assembled. Your Memorialists, the Honorable Governor and Legislature of the State of Utah, respectfully memorialize your Honorable bodies to enact such legislation, at an early date, as will adequately protect the production of alfalfa seed within the United States, was read the first time and referred to Committee on Agriculture and Irrigation.

INTRODUCTION OF BILLS.

S. B. No. 116, by Bamberger, entitled "An Act Amending Section 1 of Chapter 118 of the Laws of Utah, 1903, Establishing the Standard of Oils used for Illuminating Purposes, and Providing a Penalty for a Violation Thereof," was read the first time and referred to Committee on Manufactures and Commerce.

S. B. No. 117, by Williams, (by request), entitled "An Act Amending Chapter 86, Laws of Utah, 1903, Entitled 'An Act Fixing the Salaries of Judges of the District Court,'" was read the first time and referred to Committee on Judiciary.

S. B. No. 118, by McKay, entitled "An Act for the Conducting of Investigations and Experiments, by the Experimental Station of the Agricultural College of Utah, for the Establishment of the industry of Producing Silk, and Plants and Foods for the Silk-worm, on a Profitable Basis," was read the first time and referred to Committee on Ways and Means.

H. B. No. 119, by McKay, (by request), entitled "An Act Appropriating the Sum of $10,000.00 for the purpose of Providing for the Erection of Building for the Preservation of Historical and Archaeological Records and Relics and Matters Having Historical and Archaeological Interest, and for the Purchase of a Site Therefor, and for the Purchase of Matters Having Historical and Archaeological Interest," was read the first time and referred to Committee on Public Institutions.

S. B. No. 120, by Gardner, entitled "An Act to Provide for a Reclamation Commission to Act Jointly With

the Federal Government in the Investigation of the Unappropriated Water Resources of the State, to Secure for State the Benefits of an act of the Congress of the United States Approved June 17, 1902, entitled 'An Act Appropriating the Receipts from the Sale and Disposal of Public Lands in Certain States and Territories to the Construction of Irrigation Works for the Reclamation of Arid Lands,' and making an appropriation for the expenses of Such Investigations; and to Repeal Chapter 71, Laws of Utah, 1903, Entitled "Arid Land Reclamation Fund Commission,' " was read the first time and referred to Committee on Agriculture and Irrigation.

S. B. No. 121, by Barber, entitled "An Act Extending the Time for Complying with the Provisions of Title 69, Revised Statutes of Utah, 1898, in Relation to Townsites," was read the first time and referred to Committee on Judiciary.

S. B. No. 122, by Lawrence, (by request), entitled "An Act to Amend Title 17 of the Revised Statutes of Utah, 1898, Relating to Drainage Districts," was read the first time and referred to Committee on Judiciary.

S. B. No. 123, by Hollingsworth, entitled "An Act Amending Article 1, Title 3, of Chapter 83, Laws of Utah, 1899, Entitled 'An Act Relating to Negotiable Instruments(being an act to Establish a Law Uniform with the Laws of Other States on that Subject), and providing that Depositors Shall Notify Banks Within Three Months after the Return to such Depositors by any Bank of Vouchers Which were Forged or Raised, " was read the first time and referred to Committee on Banks and Banking.

S. B. No. 124, by Hollingsworth, entitled "An Act Amending Section 3421, Revised Statutes of Utah, 1898, Relating to Distance which Subpoena may run Under Code of Civil Procedure," was read the first time and referred to Committee on Judiciary.

S. B. No. 125, by Hollingsworth, entitled "An Act Relating to the Licensing of Peddlers and Canvassers of Agricultural and Domestic Implements and Machinery and Other Articles," was read the first time and referred to Committee on Manufactures and Commerce.

S. B. No. 126, by Callister, entitled "An Act Amending Section 253 of the Revised Statutes of Utah, 1898,

Relating to the Levy of Taxes by City Councils," was read the first time and referred to Committee on Judiciary.

S. B. No. 127, by Lawrence, entitled "An Act Providing for the Licensing of Persons and Companies Engaged in the Trading Stamp Business, and Providing a Penalty for Violation of any Provision of this Act," was read the first time and referred to Committee on Judiciary.

THIRD READING OF BILLS.

S. B. No. 81, by Walton, entitled "An Act to Amend Section 981 of the Revised Statutes of Utah, 1898, Relating to the Fees of Constables," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Johnson, Loose.

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

H. B. No. 37, by Fishburn, entitled "An Act to Amend Sections 1906 and 1907, Revised Statutes of Utah, 1898, Relating to Annual School Census and Allotment of School Funds," Special Order for 3:30 p. m., was read the third time and failed to pass by the following vote:

Ayes, 9; nays, 7; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Bennion, Hollingsworth, Larsen, Lawrence, McKay, Park, Williams, Mr. President.

Those voting in the negative were: Barber, Callister, Clegg, Gardner, Lewis, Rasband, Walton.

Absent and not voting, Johnson, Loose.

H. B. No. 38, by Fishburn, entitled "An Act to Amend Section 1826, Revised Statutes of Utah, 1898, Relating to Annual Census," Special Order for 3:45 p. m., was read the third time and failed to pass by the following vote:

Ayes, 7; nays, 8; absent and not voting, 3.

Those voting in the affirmative were: Bamberger,

Hollingsworth, Lawrence, McKay, Park, Williams, Mr. President.

Those voting in the negative were: Barber, Bennion, Callister, Clegg, Gardner, Lewis, Rasband, Walton.

Absent and not voting: Johnson, Larsen, Loose.

Mr. Bennion gave notice that he would tomorrow move the Senate to reconsider the vote by which H. B. No. 38 failed to pass.

THIRD READING OF BILLS DEFERRED.

S. B. No. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds; for Appointment of a State Fish and Game Commissioner; Special Deputies, and County Fish and Game Wardens, and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898, Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903," the Special Order for 3 p. m., was made the Special Order for 3:30 p. m. tomorrow, at the request of Mr. Callister.

S. B. No. 68, by Johnson, entitled "An Act Forbidding the carrying of Concealed Weapons," was made the Special Order for 3:30 p. m. next Monday, at the Request of Mr. Walton.

H. B. No. 113, by Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors, and Prescribing Penalties for Violation Thereof," was made the Special Order for 3:45 on next Monday, at the request of Mr. Lawrence.

MISCELLANEOUS BUSINESS.

S. C. No. 8, introduced by Gardner, being a claim of Benjamin E. Williams and Margaret Chisholm, for a refund of $950 paid for school lands, was read and referred to State Board of Examiners.

Mr. Bennion moved that House communication, relating to appointment of Conference Committee to confer on H. B. No. 16, be taken from the table, and a committee of three be appointed to confer with a like committee from the House, on H. B. No. 16. Carried.

The President thereupon appointed Senators Bennion, Barber, and Bamberger to act as such committee.

Mr. Johnson was excused until Monday, at the request of Mr. Walton.

At 3:15, on motion of Mr. Bennion, the Senate adjourned until tomorrow at 2 p. m.

FORTY-SEVENTH DAY.

Senate Chamber,
Feb. 24, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-sixth day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 23, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 17, entitled "An Act Requiring a Bond to be Given by the Secretary of State," and S. B. No. 46, entitled "An Act Amending Section 1305, Revised Statutes of Utah, 1898, Relating to Vacancies and Pay of Jury Commissioners."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

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

orable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 36, by Committee on Military Affairs, entitled "An Act Ceding to the United States Jurisdiction Over the Military Reservations of Fort Douglas and Fort Duchesne Within this State."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 35, by Roberts, entitled "An Act to Amend Section 1905, Revised Statutes of Utah, 1898, Relating to Compensation of Members of the Board of Education in Cities."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 35 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 138, by Committee on Agriculture and Horticulture, entitled "An Act Providing for the Establishment of a Central Utah Experiment Station, and Placing the same, with the Southern Utah Experiment Farm, Under the Direction and Management of the Agricultural College Experiment Station of Utah, and Repealing Chapter 85, Laws of Utah, 1899."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 138 was read the first time and referred to Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 67, by Roberts, entitled "An Act to Amend Section 972, Revised Statutes of Utah, 1898, Relating to the Fees of Clerks of the District Courts and County Clerks."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 67 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 95, by Edward, entitled "An Act to Amend Sections 2220, 2221, 2223, 2224, 2225, 2226, 2227, and 2271, Revised Statutes of Utah, 1898, and Section 2238, Revised Statutes of Utah, 1898, as Amended by Chapter 38, Laws of Utah, 1901, Relating to the State Board of Correction."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 95 was read the first time and referred to Committee on Public Institutions.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

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

appointed Messrs. Wootton, Miller, and Tolton, as a Conference Committee to confer with a like committee from the Senate on H. B. No. 42, "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils," etc.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

Mr. Lawrence moved that a Conference Committee of three be appointed to confer with House committee on H. B. No. 42. Carried.

Whereupon the President appointed Senators Lawrence, Larsen, and Walton to act as such committee.

House of Representatives,
Salt Lake City, Feb. 23, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 45, by Clegg, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Laws of Utah, 1903, 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 returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Lawrence, the Senate concurred in the House amendments. The bill was read as amended, and passed by the following vote:

Ayes, 14; nays, 0; absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bennion, Johnson, Lewis, Loose.

S. B. No. 45 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

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. 106, by Maughan, entitled "An Act to Amend Section 72, of the Revised Statutes of Utah, 1898, Relating to Trespass."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 106 was read by title, and signed by the President in open session, in the presence of the Senate.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 71, by Hollingsworth, entitled "An Act Amending Section 2592, of the Revised Statutes of Utah, 1898, Fixing Time When Fiscal Year Commences," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

1. At the end of line 5, page 1, by adding the words "of each year."

And as amended recommend that the bill be passed.
LAWRENCE, Chairman.

Report adopted.

S. B. No. 71 was read the second time.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 70, by Hollingsworth, entitled "An Act Exempting Wages Earned out of the State, and Payable out of the State, from Attachment or Garnishment, where Defendant is not Personally Served with Process," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 70 was read the second time.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 91, by Rasband, entitled "An Act to Amend Chapter 25, Section 31, of the Session Laws of Utah, 1903, 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 Sandard of Purity, or That are Impure, Unwholesome, Adulterated, or Misbranded, and to Provide Penalties for the Violation of any Provision of this Act," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Section 1, line 1, after the figures "31" by striking out the word "of," also by striking out the word "Session" in the same line.

2. Line 4, after the word "person" by striking out the words "or persons."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 91 was read the second time.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 46, by Kinney, entitled "An Act Providing an Additional Method for Taking Depositions Without the State," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

1. Page 1, line 11, the substitution of the word "ten" for the word "five."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 46 was read the second time.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 31, by Lawrence, entitled "An Act Fixing the Liability of Owners of, and Persons or Corporations Having Control of, Property or Premises Abutting upon Public Streets or Ways in Incorporated Cities and Towns, with Reference to Obstructions and Excavations by Such Owners or Persons or Corporations, Caused or Maintained upon or Under Such Streets or Ways, and Providing for Procedure Relative to Such Liability," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 117, by Williams, (by request), entitled "An Act Amending Section 86, Laws of Utah, 1903, Entitled 'An Act Fixing Salaries of Judges

of the District Court,'" beg leave to report that they have had the same under consideration and recommend that bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 24, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 86, by Tolton, entitled "An Act to Amend Section 9, Chapter 72, Laws of Utah, 1899, Relating to Court Stenographers and Fees to be Collected," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 86 was read the second time.

Committee Room, Feb. 23, 1905.

Mr. President:—Your Committee on Public Lands, to whom was referred H. B. No. 59, by Austin, entitled "An Act Creating a State Board of Park Commissioners, Providing the Manner of their Appointment, Fixing Their Compensation, Prescribing Their Powers and Duties, Making an Annual Appropriation and Fixing Penalties for a Violation of This Act," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.
H. B. No. 59 was read the second time.

Committee Room, Feb. 24, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 61, by Larsen, entitled "An Act for the Establishment and Maintenance of a Trade School Under the Supervision of the Agricultural College of Utah, in San Pete County, and for the Appoint-

ment of a Commission to Locate the Same," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

S. B. No. 61 was read the second time.

SENATE CLAIMS.

A communication from C. S. Tingey, Secretary of State Board of Examiners, transmitting claim of Weber County for $112.75, was read and filed.

S. C. No. 9 was read and referred to Committee on Appropriations and Claims.

A communication from C. S. Tingey, Secretary of the State Board of Examiners, transmitting a claim of H. G. Blumenthal for $401.60, was read and filed.

S. C. No. 10 was read and referred to Committee on Appropriations and Claims.

S. C. No. 11, by Lawrence, (by request), in favor of Cesare Ginn, for $267.75, was read and referred to State Board of Examiners.

THIRD READING OF BILLS.

S. B. No. 63, by Lawrence, entitled "An Act Amending Section 264 of the Revised Statutes of Utah, 1898, Relating to Special Taxes in Cities, Errors in Proceedings Concerning Such Special Taxes, and Actions to Recover Such Taxes Paid Under Protest, by Adding Provisions Thereto Relating to Re-levy of Such Special Taxes After Former Levy is Annulled, and Validating Special Taxes Heretofore Levied and Proceedings Relating Thereto," 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, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bennion, Johnson, Lewis, Loose.

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

SPECIAL ORDERS.

S. B. No. 52, by Hollingsworth, entitled "An Act to Amend Sections 322 and 338 of the Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and Sections 340 and 444 of the Revised Statutes of Utah, 1898, Relating to the Powers of Corporations; the Manner of Making Amendments to Articles of Incorporation; the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the Same by Execution of Trust Deeds or Mortgages, and Defining What Shall be Deemed Railroad Companies; and Approving and Validating Amendments made to Articles of Incorporation and the Organization of Consolidated Corporations, as well as Acts Done Thereunder," the Special Order for 3. p. m., was read the third time, and made the Special Order for 4 p. m. on Monday next, at the request of Mr. Hollingsworth.

S. B. No. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds, for Appointment of a State Fish and Game Commissioner; Special Deputies, and County Fish and Game Wardens, and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903," the Special Order for 3:30 p. m., was amended, read the third time, and passed by the following vote:

Ayes, 11; nays, 4; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Callister, Clegg, Hollingsworth, Lawrence, McKay, Park, Walton, Williams, Mr. President.

Those voting in the negative were: Bennion, Gardner, Larsen, Rasband.

Absent and not voting, Johnson, Lewis, Loose.

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

S. B. No. 80, by Committee on Military Affairs, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board, and Making Certain Appropriations for the Use of the Board," was amended, 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Johnson, Lewis, Loose.

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

Mr. Barber moved that when the Senate adjourn, it be until Monday next at 2 p. m. Carried.

H. B. No. 89, by Kinney, entitled "An Act for the Enforcement of Judgments in Counties Other than the One in Which the Same was Entered," 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: Bennion, Callister, Clegg, Gardner, Hollingsworth, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Barber, Johnson, Larsen, Lewis, Loose.

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

H. B. No. 98, by Kinney, entitled "An Act to Amend Section 3232, Revised Statutes of Utah, 1898, as amended by Chapter 6, Laws of Utah,, 1899, Relating to Executions, and the Time Within Which Same May Issue," was read the third time, as amended, and passed by the following vote:

Ayes, 13; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Barber, Johnson, Lewis, Loose.

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

H. B. No. 132, by McCrea, entitled "An Act to Amend Section 13 of Chapter 109, Laws of Utah, 1901, Relating to Concurrent Jurisdiction of City Courts in Cities of the First Class with District Courts," 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, Callister, Clegg, Gardner, Hollingsworth, Lawrence, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Barber, Johnson, Larsen, Lewis, Loose, Park.

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

H. B. No. 136, by Kinney, entitled "An Act to Provide for the Approval and Custody of Official Bonds of State Officers, Officials of State Institutions, or Other Persons Required to Give Bond to the State," 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Barber, Johnson, Lewis, Loose.

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

MISCELLANEOUS BUSINESS.

Mr. Bennion withdrew his notice of intention to ask the Senate to reconsider the vote by which H. B. No. 38 failed to pass.

A communication from State Auditor transmitting a report in accordance with H. J. R. No. 1 was read and, together with accompanying report, referred to Committee on Bounty Frauds.

At 5:05, on motion of Mr. Lawrence, the Senate adjourned.

FIFTIETH DAY.

Senate Chamber,
Feb. 27, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the forty-seventh day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, Feb. 24, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 36, entitled "An Act Ceding to the United States Jurisdiction Over the Military Reservations of Fort Douglas and Fort Duchesne Within this State."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

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. 45, by Kinney, entitled "An Act to Amend Section 3747 of the Revised Statutes of Utah, 1898, Relating to Undertakings, etc."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 45 was read by title and signed by the President in open session in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

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. 103, by Marks, entitled "An Act to Amend Section 2992, Revised Statutes of Utah, 1898, Relating to the Statute of Limitations, and the manner of pleading cases."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 103 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 51, by Dean, entitled "An Act to Provide for the Establishment of a State Board of Poultry Commissioners, Prescribing their Duties and Appropriating Funds for the Encouragement of the Poultry Industry."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 51 was read the first time and referred to Committee on Live Stock.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 158, by Marks, entitled "An Act to

Amend Section 1022, Revised Statutes of Utah, 1898, Defining the word 'folio.'"

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 158, was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 157, by Marks, entitled "An Act to Provide for Recording Instruments in the Office of County Recorder."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 157 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 24, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 80, by Cromar, entitled "An Act for the Protection of Alien Laborers."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 80 was read the first time and referred to Committee on Labor.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Manufactures

and Commerce, to whom was referred S. B. No. 113, by Rasband, entitled "An Act to Amend Section 1 of Chapter 44 of the Session Laws of Utah, 1901, Entitled 'An Act to Prevent the Compelling of Employees of Persons or Corporations, to trade with any Store or Board at any Boarding House, by Means of Coercion, Intimidation, or Otherwise," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

1. On line 10, by striking out the words "Or shall refuse to accept such order."

And as amended recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

S. B. No. 113 was read the second time.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 72, by Hollingsworth, entitled "An Act Amending Sections 2516, 2517, 2519, and 2596, of the Revised Statutes of Utah, 1898, Relating to the Time of Making Assessments for Purposes of Taxation, and as to the Time When Lien for Taxes Attaches," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

JOHNSON, Chairman.

Report adopted.

S. B. No. 72 was read the second time.

Committee Room, Feb. 24, 1905.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. J. M. No. 3, by Williams, "Memoralizing Congress to Enact such Legislation as will Better Protect the People Against Adulterated, Misbranded, and Deleterious Foods, Drugs, and Medicines," beg to report that they have had this Memorial under consideration and recommend the passage of the memorial. WILLIAMS, Chairman.

Report adopted.

S. J. M. No. 3 was read the second time.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 89, by Hollingsworth, entitled "An Act Amending Section 2 of Chapter 43, Laws of Utah, 1899, Relating to Present Ownership Maps," beg leave to report that they have had the same under consideration and recommend that the bill be passed. JOHNSON, Chairman.

Report adopted.

S. B. No. 89 was read the second time.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. C. R. No. 3, by Hollingsworth, beg leave to report that they have had the same under consideration and recommend that the Resolution be passed. JOHNSON, Chairman.

Report Adopted.

S. C. R. No. 3 was read the second time.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 15, by Rasband, entitled "An Act Amending Section 1, of Chapter 65 of the Laws of 1901, Creating a Board of Equalization, Providing the Manner of Its Appointment, Fixing the Terms of Office and Salaries of Its Members, Providing the Manner of Its Organization, Defining Its Duties," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

JOHNSON, Chairman.

Report Adopted.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Federal Relations, to whom was referred H. J. M. No. 4, by Austin, entitled "A Memorial to Congress for a Grant of Lands for a State Park," beg leave to report that they have had

the same under consideration and recommend that the same be passed. CLEGG, Chairman.

Report Adopted.

H. J. M. No. 4 was read the second time.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Conference Committee on S. B. No. 23 and H. B. No. 62, relating to the organization of the State Land Board, beg leave to report that they have agreed to substitute S. B. No. 23 for H. B. No. 62, with the following amendments thereto:

1. Page 1, line 7, by substituting $500,000 for $300,000.

2. Line 7 commencing with the word "with" striking out the balance of that sentence ending with the word "Commissioners," the same being lines 8, 9, 10, and 11, and substituting the following: "Same to be approved by the State Board of Examiners and filed with the Secertary of State."

And as amended recommend that the bill be passed.

WALTON,
Chairman Senate Conference Com.
MILLER,
Chairman House Conference Com.

Report Adopted.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 82, by Walton, entitled "An Act Amending Section 1890 of the Revised Statutes of Utah, 1898, as Amended by Chapter 65 of the Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Day's Labor," beg leave to report that they have had the same under consideration and recommend that the same be passed.

BENNION, Chairman.

Report Adopted.

S. B. No. 82 was read the second time.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 110, by Roberts, entitled "An Act to Amend Section 1360, Revised Statutes of Utah, 1898, Relating to Annual Tax for Libraries in Cities of the First and Second Class," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 110 was read the second time.

Committee Room, Feb. 24, 1905.

Mr. President:—Your Conference Committee, to whom was referred S. B. No. 40, by Hollingsworth, entitled "An Act Fixing the Fiscal Year of the State of Utah, and Providing When Reports Shall be Prepared, Compiled, and Filed, beg leave to report that it has had the matter under consideration and recommend that the following amendments to the bill made by the House stand, to-wit:

1. Page 1, line 1, after the word "State" inserting the words "of Utah."

2. Page 1, line 1, the substitution of the word "commence" for the word "terminate."

3. Line 2, the substitution of the words "1st day of December" in lieu of the words "30th day of November."

4. Page 1, line 5, the substitution of the word "on" for the word "at."

5. Line 10, the substitution of the word "fifteenth" for "first."

6. Line 11, the substitution of the word "December" for "January."

And further recommend that the House recede from its action in making the following amendments:

7. Page 1, line 2, the adding of the words "except for the levy and lien of taxes."

8. The adding of Section 5 reading "All acts and parts of acts in conflict herewith, are hereby repealed."

HOLLINGSWORTH,
CALLISTER,
LAWRENCE,
For the Senate.
ROBERTS,
EDWARDS,
STRIGHAM,
For the House.

Report adopted.

S. B. No. 40 was read as amended, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Gardner.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Public Lands, to whom was referred H. B. No. 62, by Roberts, entitled "An Act to Amend Chapter 35, Laws of Utah, 1901, entitled 'An Act to Amend Sections 1, 3, 17, and 42 of Chapter 64 of the Laws of Utah, 1899, and Sections 2, 4, and 34 of Chapter 64, Laws of Utah, 1898, entitled 'An Act Creating and Defining the Powers and Duties of the State Board of Land Commissioners, Providing for the Selection, Location Appraisement, Protection, Sale, Rental, and General Management of the Public Lands of the State, and for the Investment of the funds arising from the Sale and Leasing of such Lands, the Distribution of the Income Thereof, and for the Sale and Protection of the Timber on the Lands of the State, and Repealing Chapter 62, Laws of Utah, 1903,'" beg leave to report that they have had the same under consideration and recommend that the same do not pass.

WALTON, Chairman.

Report adopted.

Committee Room, Feb. 27, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 35, by Roberts, entitled "An Act to Amend Section 1905, Revised Statutes of Utah, 1898, Relating to Compensation of Members of the Board of Education in Cities," beg leave to report that they have had the same under consideration and recommend that the same be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 35 was read the second time.

Senate Judiciary Committee Room,
Feb. 27, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 65, by McCrea, entitled "An Act to Amend Sections 3095 and 3098, of the Revised Statutes of Utah, 1898, Concerning Garnishment, and to Provide for the Payment of fees to theGarnishee before Answer can be Required in Garnishment Proceedings, and to Repeal said Original Sections," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. By amending the Title by adding the proviso as follows: "Provided that the Payment of Costs by the Defendant shall not apply in cases provided for in Subdivision seven of Section 3245, as amended by Chapter 31 of the Laws of Utah, 1901."

2. In lines 8 and 9, page 1, by substituting the words "two dollars" for the words "one dollar and fifty cents."

3. In line 34, page 2, by striking out the word "three" and substituting the word "two."

4. Page 3, line 10, by striking out the words "one dollar and fifty cents" and substituting the words "two dollars."

5. Line 22, following the House amendment after the word "defendant" by adding the following: "Provided that the payment of costs by the defendant shall not apply in cases provided for in Subdivision seven of Section 3245, as amended by Chapter 31, of the Laws of Utah, 1901."

6. In line 24 by striking out the word "three" and substituting the word "two."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 65 was read the second time.

SENATE CLAIMS.

S. C. No. 12, introduced by Lawrence, being a claim for refund of $1,141.72 to A. G. Soderberg et al., was referred to State Board of Examiners.

S. C. No. 13, introduced by Barber, being a claim for refund of $80.40 to Alfred Hanson et al., was referred to State Board of Examiners.

SENATE CONCURRENT RESOLUTION.

S. C. R. No. 5, by Lewis, entitled "Providing for the appointment of a Joint Committee of the Senate and House of Representatives to Prepare a Bill for the Carrying out of the Provisions of Section 2, of Article IX., of the Constitution of the State of Utah, Relating to a Decennial Census of the Inhabitants of the State of Utah," was read and laid on the table, under the rule.

INTRODUCTION OF BILL

At the request of Mr. Park, unanimous consent was granted for the introduction of S. B. No. 128, by Park, entitled "An Act to Amend Sections 4148 and 4149 of the Revised Statutes of Utah, 1898, Defining Common Barratry, the Punishment Therefor and Proof Required for Conviction."

S. B. No. 128 was read the first time and referred to Committee on Judiciary.

THIRD READING OF BILLS.

S. B. No. 61, by Larsen, entitled "An Act for the Establishment and Maintenance of a Trade School Under the Supervision of the Agricultural College of Utah,

in San Pete County, and for the Appointment of a Commission to Locate the Same," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0; absent and not voting, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 70, by Hollingsworth, entitled "An Act Exempting Wages Earned out of the State, and Payable out of the State, from Attachment or Garnishment where Defendant is not Personally Served with Process," was amended in title to read:

"An Act Exempting Wages Earned out of the State, and Payable out of the State, from Attachment or Garnishment, where the Cause of Action Arose out of this State and where Defendant is not Personally Served with Process," was read the third time, as amended, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Loose.

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

S. B. No. 71, by Hollingsworth, entitled "An Act Amending Section 2592, of the Revised Statutes of Utah, 1898, Fixing Time When Fiscal Year Commences," was read the third time and passed by the following vote:

Ayes, 18; nays, 0; absent and not voting, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

SPECIAL ORDERS.

S. B. No. 68, by Johnson, entitled "An Act Forbidding the Carrying of Concealed Weapons," the Special

Order for 3:30 p. m., was read the third time and passed by the following vote:

Ayes, 15; nays, 3; absent and not voting, 0.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Barber, Loose, McKay.

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

H. B. No. 113. by Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors, and Prescribing Penalties for Violation Thereof," Special Order for 3:45 p. m., was read the third time, and recommitted to Committee on Military Affairs.

S. B. No. 52, by Hollingsworth, entitled "An Act to Amend Sections 322 and 338 of the Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and Sections 340 and 444 of the Revised Statutes of Utah, 1898, Relating to the Powers of Corporations; the Manner of Making Amendments to Articles of Incorporation; the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the Same by Execution of Trust Deeds or Mortgages, and Defining What Shall be Deemed Railroad Companies; and Approving and Validating Amendments made to Articles of Incorporation and the Organization of Consolidated Corporations, as well as Acts Done Thereunder," the Special Order for 4 p. m., was amended in title to read:

"An Act to Amend Sections 322 and 338 of the Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and Sections 340, 443, and 444 of the Revised Statutes of Utah, 1898, Relating to the Powers of Corporations; the Manner of Making Amendments to Articles of Incorporations; the Manner of Forming Consolidated Corporation; Authorizing Railroad Companies to Issue Bonds and Secure the same by Execution of Trust Deeds or Mortgages; to issue Preferred Stock, Common Stock, and Income Certificates, and defining what shall be deemed Railroad

Companies; and Approving and Validating Amendments made to Articles of Incorporation, and the Organization of Consolidated Corporations, as well as Acts done Thereunder."

The bill was read as amended in title and body and passed by the following vote:

Ayes, 16; nays, 2; absent and not voting, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

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

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

S. B. No. 52 was ordered reprinted.

S. B. No. 91, by Rasband, entitled "An Act to Amend Chapter 25, Section 31, of the Session Laws of Utah, 1903, 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, and to Provide Penalties for the Violation of any provision of this Act," 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, Bennion, Clegg, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Barber, Callister.

Absent and not voting, Gardner, Larsen.

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

H. B. No. 46, by Kinney, entitled "An Act Providing an Additional Method for Taking of Depositions Without the State," was read the third time and passed by the following vote:

Ayes, 16; nays, 2; absent and not voting, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Gardner, Hollingsworth,

Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Clegg, Johnson.

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

H. B. No. 86, by Tolton, entitled "An Act to Amend Section 9, Chapter 72, Laws of Utah, 1899, Relating to Court Stenographers and Fees to be Collected," was read the third time and recommitted to Committee on Judiciary, on motion of Mr. Lawrence.

H. B. No. 59, by Austin, entitled "An Act Creating a State Board of Park Commissioners, Providing the Manner of their Appointment, Fixing their Compensation, Prescribing their Powers and Duties, Making an Annual Appropriation, and Fixing Penalties for a Violation of This Act," was amended, read the third time, and laid on the table, to come up tomorrow with H. J. M. No. 4.

EXECUTIVE SESSION.

At 4:45 the Senate went into executive session.

REGULAR SESSION RESUMED.

Upon regular session being resumed at 4:50, the President announced that the Senate had confirmed the Governor's appointment of C. A. Glazier as State Bank Examiner.

MISCELLANEOUS BUSINESS.

Mr. Callister was excused from attending tomorrow's session.

COMMUNICATIONS.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

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

invitation of Dr. Beatty, Secretary of the State Board of Health, to meet and listen to a discussion upon the question of the prevention of diseases, on Wednesday evening, March 1, 1905, at 7:30 o'clock in the Hall of Representatives.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

Salt Lake City,
Feb. 27, 1905.

To the Honorable President and Members of the State Senate, Utah Legislature:

Gentlemen:—Believing that an evening set aside by the Legislature for the discussion of disease prevention in this State would result in great good, I respectfully suggest that this action be taken.

If desired I shall be glad to be present and participate in the discussion and also exhibit stereoptican views illustrating the causes and means of preventing the 1,500 deaths which annually occur in this State from preventable causes. I consider this particularly important in connection with the public health legislation which has been presented for your consideration by the State Board of Health.

Very respectfully,
T. B. BEATTY, Secretary.

Appreciating the importance of the subject of the public health, I heartily endorse the above suggestion.
JOHN C. CUTLER, Governor.

Communication filed.

On motion of Mr. Walton, the invitation was accepted, and Wednesday evening appointed for the visit.

A communication from State Auditor, submitting an additional statement called for by H. C. R. No. 1, together with such statement, was referred to Special Committee on Bounty Frauds.

At 4:55, on motion of Mr. Barber, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-FIRST DAY.

Senate Chamber,
Feb. 28, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has approved and filed with the Secretary of State the following bills:

H. B. No. 10, entitled "An Act Making it Unlawful to Threaten Violence to Employees, or to Destroy Property, and Providing Punishment Therefor;" H. B. No. 88, entitled "An Act to Amend Section 3272, Revised Statutes of Utah, 1898, Relating to Proceedings Supplemental to Execution;" H. B. No. 74, entitled "An Act to Amend Section 315, Revised Statutes of Utah, 1898, as Amended by Chapter 81, Laws of Utah, 1901, Relative to the Contents of the Articles of Agreement of Incorporations;" H. B. No. 70, entitled "An Act to Amend Sections 4334, 4335, 4336, 4337, and 4338, Revised Statutes of Utah, 1898, Relating to Burglary in the First and Second Degrees, Defining the same and the Penalties therefor;" H. B. No. 40, entitled "An Act to Amend Section 2754, Revised Statutes of Utah, 1898, Relating to Revocation of Wills by the Subsequent Marriage of the Testator, by Subsequent Marriage and birth of Issue,—Evidence of Revocation—Presumption;" H. B. No. 106, entitled "An Act to Amend Section 72 of the Revised Statutes of Utah, 1898, Relating to Trespass;" and H. J. M. No. 6, "To the Honorable Senate and House of Representatives, in Congress Assembled."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 75, by Bennion, entitled "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of Levy, Service, and Publication of Assessments of Corporations and Making certain Exceptions."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 75 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 140, by Marks, entitled "An Act Amending Section 1239, Revised Statutes of Utah, 1898, Providing for the Disposition of Property Found upon a Deceased Person."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 140 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 139, by Edward, entitled "An Act to Regulate the Purchase, Sale, Transfer, and Encumbrance of a Stock of Goods, Wares, or Merchandise in

bulk, or of any portion of a Stock of Goods, Wares, or Merchandise, Otherwise Than in the Usual Course of Trade, and Prescribing Penalties for the Violation Thereof."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 139 was read the first time and referred to Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 147, by Maughan, entitled "An Act to Amend Section 4430, Revised Statutes of Utah, 1898, as Amended by Chapter 101, Laws of Utah, 1903, Relating to Trespass and Injuries to Property."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 147 was read the first time and referred to Committee on Public Lands.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 151, by McCrea, entitled "An Act to Provide for the Dismissal of Criminal Actions in the Courts of Justices of the Peace, by the Justice or County Attorney, Requiring the Reasons for Such Dismissal to be Entered Upon the Docket of the Court, and Making the Order for Dismissal a bar to any Prosecution for the Same Offense if it is a misdemeanor."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 151 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 174, by Hawley, entitled "An Act Amending Section 4474, Revised Statutes of Utah, 1898, Providing for the Punishment of Persons Guilty of Altering Marks or Brands on Animals."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 174 was read the first time and referred to Committee on Live Stock.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 152, by McCrea, entitled "An Act to Amend Section 5068, Revised Statutes of Utah, 1898, as Amended by Chapter 9, Laws of Utah, 1901, 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."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 152 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 173, by Luther, entitled "An Act

Providing for Salting Cattle, Horses, and Sheep on the Public Ranges of this State."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 173 was read the first time and referred to Committee on Live Stock.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, Salt Lake City, Utah,
Feb. 27, 1905.

Mr. President:—Your committee, appointed to confer with a like committee from the House, on Senate Amendment to H. B. No. 42, by Wootton, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124, Laws of Utah, 1901, as Further Amended by Chapter 138, Laws of Utah, 1903," respectfully report that we have had said amendment under consideration and recommend its adoption with the following changes:

On page 13, line 30, by substituting the word "one" for the word "Twelve" and striking out the letter "s" at the end of the word "miles."

WOOTTON,
For House Con. Com.
LAWRENCE,
For Senate Con. Com.

Report adopted.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 27, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, with amendment to the Senate Amendment, H. B. No. 42, by Wootton, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124, Laws of

Utah, 1901, as further Amended by Chapter 138, Laws of Utah, 1903."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Lawrence, the Senate Concurred in the House amendment to the Senate amendment.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

REPORTS OF STANDING COMMITTEES.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 45, by Clegg, "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and Other Infectious Diseases in Sheep, and to provide revenue to Enforce the Same and Repealing Chapter 42, Laws of Utah, 1903 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,'" beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report Adopted.

S. B. No. 45 was read by title, and signed by the President in open session in the presence of the Senate.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on County and

Municipal Corporations, to whom was referred H. B. No. 77, by Hawley, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating to Reports and Settlements of County Treasurers," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LARSEN, Chairman.

Report Adopted.

H. B. No. 77 was read the second time.

COMMUNCATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

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. 45, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Laws of Utah, 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 returned to you herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORT OF STANDING COMMITTEE.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 127, by Lawrence, entitled "An Act Providing for the Licensing of Persons and Companies Engaged in the Trading Stamp Business," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Page 1, line 15, by striking out the word "the."
2. Line 22, after the word "misdemeanor" by striking out the balance of that line and all of line 23.
3. Page 2, by striking out all of lines 1, 2, 3 and 4.

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report Adopted.

S. B. No. 127 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. C. R. No. 2, by Lewis, beg leave to report that they have had the same under consideration and recommend that the Resolution be not passed.

LAWRENCE, Chairman.

Report Adopted.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 37, by Rasband, entitled "An Act to Amend Section 2428 of the Revised Statutes of Utah, 1898, Relating to the Duties of the State Treasurer," beg leave to report that they have had the same under consideration and recommend that bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 48, by Johnson, 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," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 104, by Hollingsworth, entitled "An Act Requiring Life Insurance Companies doing Business in this State to Make Annual Statements; Requiring the Assets of such Companies to Equal the Net Valuation of all its Outstanding Obligations, and Providing a Penalty for the Violation Hereof," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 124, by Hollingsworth, entitled "An Act Amending Section 3421, Revised Statutes of Utah, 1898, Relating to Distance Which Subpoena may run Under Code of Civil Procedure," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 124 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 32, by Callister, entitled "An Act Relating to and Making Provisions for the Operation of Foreign Corporations in this State, and to Amend Sections 351 and 352 of the Revised Statutes of Utah, 1898," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to

whom was referred S. B. No. 111, by Lawrence, entitled "An Act to Establish a Board of Commissioners for the Promotion of Uniformity of Legislation in the United States," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 111 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 121, by Barber, entitled "An Act Extending the Time for Complying with the Provisions of Title 69, Revised Statutes of Utah, 1898, in Relation to Townsites," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Page 1, line 2, by changing the figure "8" to "9."
2. By striking out all of Section 2.

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 121 was read the second time.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 90, by Hollingsworth, entitled "An Act Amending Section 546, Revised Statutes of Utah, 1898 Relating to Deputies and Assistants of County, Precinct, and District Officers," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LARSEN, Chairman.

Report adopted.

S. B. No. 90 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to

whom was referred H. B. No. 108, by Marks, entitled "An Act to Amend Section 15, Chapter 109, Laws of Utah, 1901, as Amended by Section 1, Chapter 39, Laws of Utah, 1903, Relating to the Manner of Commencing Actions and Issuing Summons and the Form Thereof in City Courts in Cities of the First Class," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 108 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 103, by Hollingsworth, entitled "An Act Relating to Life Insurance Companies doing Business in this State, Prohibiting Discrimination in Favor of Individual, and Providing a penalty for Violation Hereof," beg leave to report that they have had the same under consideration and recommend that the bill be not passed. LAWRENCE, Chairman.

Report adopted.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 128, by Dean, entitled "An Act to Amend Section 4274, Revised Statutes of Utah, 1898, in Relation to Befouling Waters," beg leave to report that they have had the same under consideration and recommend the following amendment:

On page 2, line 4, by striking out the House Amendment "one half mile" and substituting therefor the words "eight rods."

And with this amendment recommend that the bill be passed. McKAY, Chairman.

Report adopted.

H. B. No. 128 was read the second time.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 118, en-

titled "An Act for the Conducting of Investigations and Experiments, by the Experimental Station of the Agricultural College of Utah, for the Establishment of the Industry of Producing Silk, and Plants and Foods for the Silk Worm on a Profitable Basis," beg leave to report that they have had the same under consideration and recommend that the same do not pass.

McKAY, Chairman.

Report adopted.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 60, by Callister, entitled "An Act Making Further Appropriation for the Experimental Farms Provided for in Chapter 41, Laws of Utah, 1903," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

McKAY, Chairman.

Report adopted.

S. B. No. 60 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 79, by Johnson, entitled "An Act to Amend Sections 3064, 3065, 3066, and 3067 of the Revised Statutes of Utah, 1898, Relating to Attachments," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

1. Page 3, by striking out all of Sections 2 and 3.

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 79 was read the second time.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 4, by Joseph, entitled "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as Amended by the Laws of Utah, 1901, Relating to Sericulture," beg

leave to report that they have had the same under consideration and recommend the following amendment:

By striking out, after the word "the" the following words "Secretary of State by said Commission, and that the Secretary of State be authorized to dispose of said property to the best possible advantage to the State," and substituting therefor "Experimental Station of the Agricultural College of Utah for experiment purposes," and with this amendment, recommend that the bill be passed. McKAY, Chairman.

Report adopted.

H. B. No. 4 was read the second time.

Senate Judiciary Committee Room,
Feb. 28, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 22, by Park, (by request), entitled "An Act Fixing the Penalties for the Unauthorized Presentation of Dramatic Plays and Musical Compositions," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

At the request of Mr. Larsen, Chairman of Committee on County and Municipal Corporations, H. B. No. 134, by Marks, entitled "An Act Providing for the Adverse Possession of Rights-of-way," was referred to Judiciary Committee.

SENATE CLAIMS.

S. C. No. 14, introduced by Hollingsworth, being a claim for refund of $440 to John W. Chambers et al., was referred to State Board of Examiners.

S. C. No. 15, introduced by Bennion, being a claim of Ralph A. Badger, for refund of $2,400.56, was referred to State Board of Examiners.

S. C. No. 16, introduced by Bennion, being a

claim of George T. Badger, for refund of $40.76, was referred to State Board of Examiners.

S. C. No. 17, introduced by Bennion, being a claim of W. S. McCornick, for refund of $2,825.25, was referred to State Board of Examiners.

FIRST READING SENATE CONCURRENT RESOLUTION.

S. C. R. No. 5, by Lewis, entitled "Providing for the appointment of a Joint Committee of the Senate and House of Representatives to Prepare a Bill for the Carrying out of the Provisions of Section 2, of Article IX., of the Constitution of the State of Utah, Relating to a Decennial Census of the Inhabitants of the State of Utah," was read the first time and referred to Committee on Elections.

SPECIAL ORDERS.

H. B. No. 59, by Austin, entitled "An Act Creating a State Board of Park Commissioners, Providing the Manner of their Appointment, Fixing their Compensation, Prescribing their Powers and Duties, Making an Annual Appropriation, and Fixing Penalties for a Violation of This Act," Special Order for 3 p. m. 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, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Mr. President.

Those voting in the negative were: Johnson, Lewis.

Absent and not voting: Callister, Williams.

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

H. J. M. No. 4, by Austin, entitled "A Memorial to Congress for a Grant of Lands for a State Park," was amended, 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: Barber, Bennion, Clegg, Gardner, Hollingsworth, Larsen, Lawrence,

Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Voting in the negative: Johnson.

Absent and not voting, Bamberger, Callister, Loose.

THIRD READING OF BILLS.

S. B. No. 82, by Walton, entitled "An Act Amending Section 1890 of the Revised Statutes of Utah, 1898, as Amended by Chapter 65 of the Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Day's Labor," was amended, 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, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Callister, Williams.

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

S. B. No. 113, by Rasband, entitled "An Act to amend Section 1 of Chapter 44 of the Session Laws of Utah, 1901, Entitled 'An Act to Prevent the Compelling of Employees of Persons or Corporations, to trade with any Store or Board at any Boarding House, by Means of Coercion, Intimidation, or Otherwise," was amended in title to read:

"An Act to Amend Section 1 of Chapter 44 of the Laws Utah, 1901, Entitled 'An Act to Prevent the Compelling of Employees of Persons or Corporations, to Trade with any Store or Board at any Boarding House, by Means of Coercion, Intimidation, or Otherwise,'" and as amended in title and body, was read the third time and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 89, by Hollingsworth, entitled "An Act

Amending Section 2 of Chapter 43, Laws of Utah, 1899, Relating to Present Ownership Maps," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 72, by Hollingsworth, entitled "An Act Amending Sections 2516, 2517, 2519, and 2596 of the Revised Statutes of Utah, 1898, Relating to the Time of Making Assessments for Purposes of Taxation, and as to the Time When Lien for Taxes Attaches," 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, Bennion, Callister, Clegg, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Gardner, Larsen.

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

S. C. R. No. 3, by Hollingsworth, "Resolved, by the Senate, the House Concuring, that a Commission, consisting of three persons, be appointed by the Governor, for the purpose of drafting a bill, contemplating a uniform system of assessment and taxation in this State. This report of the said commission shall be submitted to the next session of the Legislature. For the purpose of gathering all data needed, the commission is hereby empowered to call upon the State Board of Equalization and any State officer for any and all information required by it," 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Larsen.

S. J. M. No. 3, by Williams, "Memorializing Congress to Enact such Legislation as will Better Protect the People Against Adulterated, Misbranded, and Deleterious Foods, Drugs, and Medicines," 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 Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

H. B. No. 65, by McCrea, entitled "An Act to Amend Sections 3095 and 3098, of the Revised Statutes of Utah, 1898, Concerning Garnishment, and to Provide for the Payment of Fees to the Garnishee before Answer can be Required in Garnishment Proceedings, Provided that the Payment of Costs by the Defendant shall not apply in Cases Provided for in Subdivision Seven of Section 3245, as Amended by Chapter 31 of the Laws of Utah, 1901," was amended, read the third time and passed by the following vote:

Ayes, 18; nays, 0; absent and not voting, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

H. B. No. 35, by Roberts, entitled "An Act to Amend Section 1905, Revised Statutes of Utah, 1898, Relating to Compensation of Members of the Board of Education in Cities," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

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

H. B. No. 110, by Roberts, entitled "An Act to Amend Section 1360, Revised Statutes of Utah, 1898, Relating to Annual Tax for Libraries in Cities of the First and Second Class," was read the third time and, on motion of Mr. Bamberger, the enacting clause was striken out.

MISCELLANEOUS BISINESS.

To the Honorable President and Members of the State Senate:

Gentlemen:—A large quantity of records, schedules and papers that are more than two years old and are no longer of any value has accumulated in this office.

I therefore ask your honorable body, acting under the provisions of Section 6, Chapter 55, Laws of Utah, 1901, to grant me authority to destroy all such valueless matter that is more than two years old.

Respectfully,
CHARLES DeMOISEY,
Commissioner.

Salt Lake City, Feb. 28, 1905.

On motion of Mr. Lawrence, Mr. DeMoisey was authorized to destroy all valueless papers in his office, that are more than two years old.

A communication from the Secretary of State Board of Examiners, advising the rejection of S. C. No. 7, William N. Nalder, $540.00, and S. C. No. 6, James Howard et al., $202.14, was read. Communication and claims were referred to Committee on Appropriations and Claims.

At 4 p. m., on motion of Mr. Lawrence, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-SECOND DAY.

Senate Chamber,
March 1, 1905.

The Senate met at 2 p. m., pursuant to adjourment, President Love presiding.

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-first day's session were read and approved.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

A communication from Secretary of State Board of Examiners, returning S. C. No. 13, of Alfred Hansen, for $137.82, and S. C. No. 12, of A. G. Soderberg et al., for $1,141.72, was read and, together with said claims, was referred to Committee on Appropriations and Claims.

A communication from Secretary of State Board of Examiners, transmitting claim of Warren W. Strong, for $1,500.00, was read, and, together with S. C. No. 18, was referred to Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 45, entitled 'An Act to Amend Section 3747, Revised Statutes of Utah, 1898, Relating to Undertakings on Appeal from Justice's Court," and H. B. No. 103, entitled "An Act to Amend Section 2992, Revised Statutes of Utah, 1898, Relating to the Statute of Limitations and the Manner of Pleading Cases."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended by House and Senate Conference Committee, S. B. No. 40, by Hollingsworth, entitled "An Act Fixing the Fiscal Year of the State of Utah and Providing when Reports shall be Prepared, Compiled, and Filed."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 40 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 59, by Bennion, entitled "An Act Amending Sections 1916, 1962, and 1963 of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class; and Providing that Parents, guardians, or other Persons, having Control of Children of Certain ages, Shall be Required to Send Such Children to School During Certain Periods; and Providing Punishment to Parents, Guardians, or Other Persons having Control of Children for Failure so to do."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 49, by Williams, entitled "An Act to Provide for the Purchase of Works of Art, the Appointment of a Pur-

chasing Committee and Prescribing its Manner of Appointment, Powers and Duties; and Repealing Chapter 29 of the Laws of Utah, 1899."

The same is returned herewith.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,

Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended H. B. No. 163, by Marks, entitled "An Act to Amend Section 974, Revised Statutes of Utah, 1898, as Amended by Chapter 18, Laws of Utah, 1899, Relating to Fees of Sheriffs."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 163 was read the first time and referred to Committee on Judiciary.

House of Representatives,

Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 175, by Hawley, entitled "An Act Amending Section 4136, Revised Statutes of Utah, 1898, Providing a Penalty for Bribing or Attempting to Bribe a Witness or Person About to be called as a Witness."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 175 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 159, by Marks, entitled "An Act to Amend Section 973, Revised Statutes of Utah, 1898, Providing for the Collection of Fees of County Recorders."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 159 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 176, by Marks, entitled "An Act to Amend Section 15, Revised Statutes of Utah, 1898, as Amended by Chapter 100, Laws of Utah, 1901, Relating to Estrays and Trespassing Animals."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 176 was read the first time and referred to Committee on Livestock.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 114 by Kinney, entitled "An Act Amending Sections 3669 and 3671, Revised Statutes of Utah, 1898, and Adding a new Section to be known as 3671-A, Relating to Change of Venue of Actions Pending Before Justices of the Peace."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 114 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 165, by Marks, entitled "An Act to Amend Section 4355, Revised Statutes of Utah, 1898, Defining Larceny."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 165 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 171, by Hawley, entitled "An Act in Relation to the Making of false Representation in Writing by a Person of his Assets or Financial Responsibility for the Purpose of Obtaining Credit Thereon, and Providing a Penalty Therefor."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 171 was read the first time and referred to Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 57, by Committee on Judiciary, entitled "An Act Amending Section 487, Revised Statutes of Utah, 1898, Respecting County Boundary lines and

Directing the State Engineer to Survey and Locate any Such Lines about Which there is a Dispute or Uncertainty."

The same is transmitted herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Hollingsworth, the Senate Concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Callister.

S. B. No. 57 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, Feb. 28, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 53, by Committee on Judiciary, Substitute for S. B. No. 35, entitled "An Act Granting Powers to Boards of County Commissioners to Provide Penalties for the Violation of Ordinances Enacted by Such Boards."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 1, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed Messrs. J. A. Anderson, Fishburn, and McCrea as a Conference Committee to Confer with a like committee from the Senate on amendments to H. B. No. 3.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 75, by Bennion, entitled "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of Levy, Service, and Publication of Assessments of Corporations and Making Certain Exceptions," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 75 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Live Stock, to whom was referred H. B. No. 173, by Luther, entitled "An Act Providing for Salting Cattle, Horses, and Sheep, on the Public Ranges of this State, beg leave to report that they have had the same under consideration and recommend that the same be passed.

CLEGG, Chairman.

Report adopted.

H. B. No. 173 was read the second time.

Committee Room, Feb. 28, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 120, by Gardner, entitled "An Act to Provide for a Reclamation Commission to Act Jointly with the Federal Government in the Investigation of the Unappropriated Water Resources of the State, to secure for the State the Benefits of an Act of Congress of the United States, Approved June 17, 1902, Entitled 'An Act Appropriating the Receipts from the Sale and Disposal of Public Lands in Certain States and Territories to the Contruction of Ir-

rigation Works for the Reclamation of Arid Lands, and Making an Appropriation for the Expenses of Such Investigations; and to Repeal Chapter 71, Laws of Utah, 1903, Entitled 'Arid Land Reclamation Fund Commission,' " beg leave to report that they have had the same under consideration and recommend the following amendments:

1. In the Title by striking out after the words "An Act" lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, down to and including the words "and to," on line 11, and by changing "repeal" to "repealing" on line 11.

2. By striking out Sections 1, 2, 3, 4, 5, 6.

3. On page 2, line 32, by changing "6" to "1," and adding "that" and on line 33, by adding after the word "Commission," "be and the same."

4. By striking out all of Section 7.

And as amended recommend that the bill be passed.

McKAY, Chairman.

Report adopted.

S. B. No. 120 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Banks and Banking, to whom was referred H. B. No. 3, by J. A. Anderson, entitled "An Act to Amend Section 2441, Revised Statutes of Utah, 1898, Relating to Bank Examiner," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

LEWIS, Chairman.

Report adopted.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 107, by McKay, entitled "An Act Relating to Intoxicating Liquors and Granting of Licenses to Sell the Same by Board of County Commissioners, and Providing That Before a License is Granted to sell Liquors at Retail in the County Outside of the Limits of an Incorporated City or Town, the Consent of a Majority of the Tax Paying Electors of the Precinct Wherein Such Liquor is sold Must be Ob-

tained," beg leave to report that they have had the same under consideration and recommend the following amendment:

1. In the Title after the words "An Act" by adding "Amending Section 1243, Revised Statutes of Utah, 1898," and with this amendment recommend that the bill be passed.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 107 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Banks and Banking, to whom was referred S. B. No. 123, by Hollingsworth, entitled "An Act Amending Article 1, Title 3, of Chapter 83, Laws of Utah, 1899, Entitled 'An Act Relating to Negotiable Instruments, (being an Act to establish a Law uniform with the Laws of other States on that Subject,) and Providing that Depositors shall notify Banks Within three Months After the Return to Such Depositors by any Bank, of Vouchers Which were Forged or Raised," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LEWIS, Chairman.

Report adopted.

S. B. No. 123 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred S. B. No. 74, by Rasband, 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, and Fixing Penalties for Violation of this Act," beg leave to report that they have had this bill under consideration and recommend that the same be not passed.

BAMBERGER, Chairman.

MINORITY REPORT.

Committee Room, March 1, 1905.

Mr. President:—I, a minority of the Committee on Mines and Minerals, to whom was referred S. B. No. 74, by Rasband, 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, and Fixing Penalties for Violation of this Act," beg leave to report that I dissent from the majority report of the Committee, and recommend that the bill be passed.

RASBAND.

Committee report adopted and minority report rejected.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 69, by Hollingsworth, entitled "An Act Amending Section 18 of the Revised Statutes of Utah, 1898, Relating to Trespassing Animals and Local Fence Laws," beg leave to report that they have had the same under consideration and recommend that same do not pass.

CLEGG, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 1, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 76, by Bamberger, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property Under the Control of the State and its Political Subdivisions, and Their Respective Institutions or Offices, to Attachment, Garnishment, and Execution, Under the Procedure Applicable in Other Cases," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. In the title of the bill after the word "cases" add "and designating upon whom process shall be served."

2. On line 11, after the word "cases" add the following: "except as hereinafter provided."

3. By adding Section 2, which reads as follows:

"Section 2. The Process shall be served only upon the Auditor of the legal subdivision garnished, and in case there is no Auditor, then on the clerk of the County, city, town, district, board of education, or other subdivision of the State or board or institution, or either of the same, and the answer of such auditor or clerk shall be final and conclusive, and the truth of such answer shall not be subject to further examination or proceedings of any kind."

And with these amendments recommend that the bill be passed. LAWRENCE, Chairman.

Report adopted.

S. B. No. 76 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. C. R. No. 4, by Joseph, beg leave to report that they have had the same under consideration and recommend that the resolution do not pass. HOLLINGSWORTH, Chairman.

Report adopted.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Live Stock, to whom was referred H. B. No. 51, by Dean, entitled "An Act to Provide for the Establishment of a State Board of Poultry Commissioners, Prescribing their Duties, and Appropriating Funds for the Encouragement of the Poultry Industry," beg leave to report that they have had the same under consideration and recommend that the bill be passed. CLEGG, Chairman.

Report adopted.

H. B. No. 51 was read the second time.

Committee Room, Feb. 28, 1905

Mr. President:—Your Committee on Livestock, to whom was referred H. B. No. 174, by Hawley, entitled

"An Act Amending Section 4474, Revised Statutes of Utah, 1898, Providing for the Punishment of Persons Guilty of Altering Marks or Brands on Animals," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

CLEGG, Chairman.

Report adopted.

H. B. No. 174 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was recommitted H. B. No. 113, by Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors, and Prescribing Penalties for Violation Thereof," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

PARK, Chairman.

Report adopted.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was referred S. B. No. 64, by Park, entitled "An Act Relating to Certain Staff Organizations of the State Militia; the Appointment of Officers; Their Qualifications; the Composition of the Organizations, and the Appointment of Company Armorers," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

PARK, Chairman.

Report adopted.

S. B. No. 64 was read the second time.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March, 1, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the

Secretary of State, S. B. No. 45, entitled "An Act to Establish a State Board of Sheep Commissioners, Provide for the Control and Suppression of Scab and other Infectious Diseases in Sheep, and to Provide Revenue to Enforce the Same, and Repealing Chapter 42, Laws of Utah, 1903, 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.'"

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

House of Representatives,
Salt Lake City, March 1, 1905.

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. 75, by Bennion, entitled "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of Levy, Service and Publication of Assessments of Corporations, and Making Certain Exceptions."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

SENATE PETITIONS.

S. P. No. 8, by Williams, signed by Ralph Jenkens et al., relating to claims for refund of moneys paid for school lands, was referred to Committee on Appropriations and Claims.

S. P. No. 9, by Callister, signed by A. M. Thompson et al, asking that $500.00 be appropriated to expend on a certain state bridge, was read and referred to Committee on Highways and Bridges.

THIRD READING OF BILLS.

S. B. No. 124, by Hollingsworth, entitled "An Act Amending Section 3421, Revised Statutes of Utah, 1898, Relating to Distance Which Subpoena may run Under Code of Civil Procedure," was amended, 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger.

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

S. B. No. 121, by Barber, entitled "An Act Extending the Time for Complying with the Provisions of Title 69, Revised Statutes of Utah, 1898, in Relation to Townsites," was read the third time and passed by the following vote:

Ayes, 18. Nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 60, by Callister, entitled "An Act Making Further Appropriation for the Experimental Farms Provided for in Chapter 41, Laws of Utah, 1903," was amended, read the third time and passed by the following vote:

Ayes, 18, nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

The President called Mr. Barber to the chair.

S. B. No. 111, by Lawrence, entitled "An Act to Establish a Board of Commissioners for the Promotion of Uniformity of Legislation in the United States," was

amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Bennion, Loose, Mr. President.

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

S. B. No. 90, by Hollingsworth, entitled "An Act Amending Section 546, Revised Statutes of Utah, 1898, Relating to Deputies and Assistants of County, Precinct, and District Officers," was amended, read the third time, and, on motion of Mr. Bamberger, the enacting clause was stricken out.

S. B. No. 127, by Lawrence, entitled "An Act Providing for the Licensing of Persons and Companies Engaged in the Trading Stamp Business," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

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

H. B. No. 108, by Marks, entitled "An Act to Amend Section 15, Chapter 109, Laws of Utah, 1901, as Amended by Section 1, Chapter 39, Laws of Utah, 1903, Relating to the Manner of Commencing Actions and Issuing Summons and the Form thereof in City Courts in Cities of the First Class," was amended, 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Voting in the negative: Bamberger.

Absent and not voting: Mr. President.

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

H. B. No. 77, by Hawley, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating to Reports and Settlements of County Treasurers," was amended, read the third time, and, on motion of Mr. Lawrence, was recommitted to Committee on Judiciary.

H. B. No. 4, by Joseph, entitled "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as Amended by the Laws of Utah, 1901, Relating to Sericulture," was recommitted to Committee on Agriculture and Irrigation, on motion of Mr. Callister.

H. B. No. 128, by Dean, entitled "An Act to Amend Section 4274, Revised Statutes of Utah, 1898, in Relation to Befouling Waters," was read the third time, and, on motion of Mr. Bennion, the enacting clause was striken out.

The President resumed the chair.

MISCELLANEOUS BUSINESS.

Mr. Callister gave notice that he would tomorrow move the Senate to reconsider the vote by which S. B. No. 60 passed.

At 4:50 p. m., on motion of Mr. Rasband, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-THIRD DAY

Senate Chamber,
March 2, 1905.

The Senate met at 2 p. m., pursuant to adjournment, President Love 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 1, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your Honorable Body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 75, entitled "An Act Amending Sections 359 and 360 of the Revised Statutes of Utah, 1898, Providing for Notice of levy, Service, and Publication of Assessments of Corporations and Making Certain Exceptions."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 1, 1905.

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. 102, by Merrill, entitled "An Act to Amend Section 2583, Revised Statutes of Utah, 1898, as Amended by Chapter 65, Laws of Utah, 1901, Relating to the State Board of Equalization."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 102 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 1, 1905.

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. 223, by Judiciary Committee, entitled "An Act to Amend Section 443, Re-

vised Statutes of Utah, 1898, Relating to the Creation of Preferred and Special Stock and Income Certificates."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 223 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 1, 1905.

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. 155, by Kinney, entitled "An Act to Amend Section 978, Revised Statutes of Utah, 1898, Relating to Fees of Precinct Officers."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 155 was read the first time and referred to Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 1, 1905.

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. 203, by Fishburn, entitled "An Act to Amend Section 338, Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, Relating to the Manner of Making Amendments to Articles of Incorporation."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 203 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 1, 1905.

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

orable body that the House has this day passed, as amended, H. B. No. 166, by Marks, entitled "An Act to Amend Section 3952, Revised Statutes of Utah, 1898, Relating to Final Accounts and Settlement of Estates."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 166 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 1, 1905.

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 Marks, entitled "An Act to Amend Sections 1778 and 1781, Revised Statutes of Utah, 1898, Relating to the Biennial Report of the State Superintendent of Public Instruction and Calling for Attendance upon Conventions."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 143 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, March 1, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 167, by Marks, entitled "An Act to Amend Section 3961, Revised Statutes of Utah, 1898, Relating to Partition and Distribution of the Property of Estates."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 167 was read the first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 57, by Committee on Judiciary, the same being a substitute for S. B. No. 28, by Hollingsworth, entitled "An Act Amending Section 487, Revised Statutes of Utah, 1898, Respecting County Boundary Lines, and Directing the State Engineer to Survey and Locate any Such Lines About Which there is a Dispute or Uncertainty," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 57 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 2, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was referred S. B. No. 65, by Park, entitled "An Act to Amend Sections 1429, 1430, 1431, 1432, 1434, 1436, 1437, 1438, 1442, 1445, 1454, 1456, 1475, and 1488, Revised Statutes of Utah, 1898, Relating to the Composition of the Militia, Appointment, Qualifications, and Duties of Officers, their relative Rank, Retirement and pay of Officers and Men; Provisions for those Injured in Service; and to Military Courts," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In the title by inserting the figures "1439" after the figures "1438."

2. Page 1, line 5, by striking out the words "From and after the 1st day of January, 1905."

3. Page 2, line 5, by substituting the word "twelve" for "fifteen" in each place that it occurs on that line.

4. Page 2, line 13, after the word "Captains" by striking out the balance of that line, all of line 14 and line 15, to and including the word "Lieutenant," also on line 16 the words "and battalions respectively."

5. Page 3, line 1, by substituting the words "When said" for "each" and inserting the word "is" after the word "band" and also after the word "and."

6. Page 4, line 25, by substituting "$600" for "$66."

7. Page 5, line 18, after the word "State" by striking out the balance of that line, and all of lines 19 and 20, to and including the word "General."

8. Line 22, same page, by striking out the words "with at least two sureties."

9. Line 23, after the word "Governor" by inserting the words "and shall receive an annual salary of $300."

10. Page 5, between lines 26 and 27, by adding a new subdivision to be known as 1439, to read as follows:

"1439. Field officers of battalions and regiments shall be elected by ballot by the commissioned line officers of the organization to serve for a term of three years, unless sooner discharged. Company officers shall be elected in like manner by the members of their respective companies to serve for a like term. In all cases a majority vote of the whole number of persons entitled to vote shall be necessary to a choice; Provided, that the term of office under this section shall be continuous upon the re-enlistment of the officers."

11. Page 5, line 33, by substituting the word "eight" for "nine."

12. Page 6, line 11, by striking out the words "be advanced in grade nor resigned from the" and substituting "re-enter active service."

13. Line 12, by striking out the words "by an act of the Legislature" and substituting "With the approval of the commander-in-chief."

14. Page 7, line 9, by substituting the word "temporarily" for the word "actually."

15. By striking out all of Section 2.

And as amended recommend that the bill be passed.

PARK, Chairman.

Report adopted.

S. B. No. 65 was read the second time.

Committee Room, March 1, 1905,

Mr. President:—Your Committee on Public Lands, to whom was referred H. B. No. 147, by Maughan, en-

titled "An Act to Amend Section 4430, Revised Statutes of Utah, 1898, as Amended by Chapter 101, Laws of Utah, 1903, Relating to Trespass and Injuries to property," beg leave to report that they have had the same under consideration and recommend that the bill be passed. WALTON, Chairman.

Report adopted.
H. B. No. 147 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Elections, to whom was referred S. B. No. 95, by Hollingsworth, entitled "An Act Creating a State Commission on Voting or Balloting Machines, Defining their Powers, and Providing for the Use at the Option of any Board of County Commissioners or City Council of Voting or Ballot Machines for Receiving and Registering the votes in one or More Election Districts of any County, City, or Town, at any or all Elections held Therein; and for Ascertaining the Result at Such Elections, and Providing for the Punishment of All Violations of the Provisions of this Act," beg leave to report that they have had the same under consideration and recommend that the bill be passed. RASBAND, Chairman.

Report adopted.
S. B. No. 95 was read the second time.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 152, by McCrea, entitled "An Act to Amend Section 5068, Revised Statutes of Utah, 1898, As Amended by Chapter 9, Laws of Utah, 1901, 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," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 158, by Marks, entitled "An Act to Amend Section 1022, Revised Statutes of Utah, 1898, Defining the word "Folio," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

On motion of Mr. Bennion, H. B. No. 158 was recommitted to Committee on Judiciary.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 176, by Marks, entitled "An Act to Amend Section 15, Revised Statutes of Utah, 1898, as Amended by Chapter 100, Laws of Utah, 1901, Relating to Estray and Trespassing Animals," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 175, by Hawley, entitled "An Act Amending Section 4136, Revised Statutes of Utah,1898,Providing a Penalty for Bribing or Attempting to Bribe a Witness or Person about to be Called as a Witness," beg leave to report that they have had the same under consideration, and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 175 was read the second time.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to

whom was referred H. B. No. 151, by McCrea, entitled "An Act to Provide for the Dismissal of Criminal Actions in the Courts of Justices of the Peace, by the Justice or County Attorney, Requiring the Reasons for such Dismissal to be Entered upon the Docket of the Court, and Making the Order for Dismissal a bar to any Prosecution for the Same Offense if it is a Misdemeanor," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 151 was read the second time.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 203, by Fishburn, entitled "An Act to Amend Section 338, Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, Relating to the Manner of Making Amendments to Articles of Incorporation," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 203 was read the second time.

Senate Judiciary Committee Room,
March 2, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 223, by Judiciary Committee, entitled "An Act to Amend Section 443, Revised Statutes of Utah, 1898, Relating to the Creation of Preferred and Special Stock and Income Certificates," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 223 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled bills, to whom was referred S. B. No. 40, by Hollingsworth, entitled "An Act Fixing the Fiscal Year of the State of Utah, and Providing when Reports shall be Prepared, Compiled, and Filed," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 40 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 2, 1905.

Mr. President:—Your Committee on Elections, to whom was referred S. C. R. No. 5, by Lewis, being a resolution "Providing for the Appointment of a Joint Committee of the Senate and House of Representatives to Prepare a bill for the Carrying out of the Provisions of Section 2 of Article IX., of the Constitution of the State of Utah, Relating to a Decennial Census of the Inhabitants of the State of Utah," beg leave to report that they have had the same under consideration and recommend that the same do not pass.

RASBAND, Chairman.

Report adopted.

INTRODUCTION OF BILL

At the request of Mr. Lawrence, consent was given to introduce S. B. No. 130, by Committee on Bounties, entitled "An Act to Encourage the Destruction of Certain wild Animals; to Provide Bounties for the killing Thereof; Making an Appropriation for the Payment of Such Bounties; Providing the Manner in Which such Bounties may be procured; Providing Penalties for the Procurement of such Bounties by Fraud, and for Violation of this Act, and Repealing Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903."

The bill was read the first and second times.

SENATE CLAIMS.

S. C. No. 18, introduced by Clegg, being a claim of Mrs. Jude Allen et al., for $174.26, was referred to Committee on Appropriations and Claims.

S. C. No. 19, introduced by Lawrence, being a claim of Amy L. Tingey et al., for $91.00, was referred to Committee on Appropriations and Claims.

THIRD READING OF BILLS.

S. B. No. 79, by Johnson, entitled "An Act to Amend Sections 3064, 3065, 3066, and 3067 of the Revised Statutes of Utah, 1898, Relating to Attachments," was amended, 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, Bennion, Callister, Clegg, Johnson, Larsen, Lawrence, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Barber, Gardner, Hollingsworth, Lewis, Loose.

Absent and not voting McKay.

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

S. B. No. 120, by Gardner, entitled "An Act Repealing Chapter 71, Laws of Utah, 1903, Entitled 'Arid Land Reclamation Fund Commission,'" 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

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

S. B. No. 107, by McKay, entitled "An Act Amending Section 1243, Revised Statutes of Utah, 1898, Relating to Intoxicating Liquors and Granting of Licenses to Sell the Same by Board of County Commissioners, and Providing that Before a License is Granted to sell Liquors at Retail in the County, outside of the Limits of

an Incorporated City or Town, the Consent of a Majority of the Tax Paying Electors of the Precinct Wherein Such Liquor is sold Must be Obtained," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lawrence.

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

The President called Mr. Bennion to the Chair.

S. B. No. 123, by Hollingsworth, entitled "An Act Amending Article 1, Title 3, of Chapter 83, Laws of Utah, 1899, Entitled 'An Act Relating to Negotiable Instruments, (being an Act to Establish a Law Uniform with the Laws of Other States on that Subject), and Providing that Depositors shall notify Banks Within three Months After the Return of Such Depositors by any Bank, of Vouchers which were Forged or Raised," was amended in title to read:

"An Act Amending Article 1, Title 3, of Chapter 83, Laws of Utah, 1899, Entitled 'An Act Relating to Negotiable Instruments, (being an Act to Establish a Law uniform with the Laws of Other States on that Subject), and Providing that Depositors shall Notify Banks Within three Months after the Return to Such Depositors by any Bank, of Vouchers Which were Forged or Raised, and Exempting Banks from Liability after the Expiration of Such Period, Unless Notice is Given," and as amended, 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: Bennion, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband.

Those voting in the negative were: Bamberger, Barber, Callister, Clegg, Johnson, Walton, Williams.

Absent and not voting: Mr. President.

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

THIRD READING OF BILL DEFERRED.

The third reading of S. B. No. 64, by Park, entitled "An Act Relating to Certain Staff Organizations of the State Militia; the Appointment of Officers; their Qualifications; the Composition of the Organizations, and the Appointment of Company Armorers," was deferred until after S. B. No. 65 is passed upon tomorrow, at the request of Mr. Park.

S. B. No. 76, by Bamberger, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property Under the control of the State and its Political Subdivisions, and their Respective Institutions or Offices, to Attachment, Garnishment, and Execution, Under the Pro cedure Applicable in Other Cases, and Designating upon Whom Process shall be Served," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

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

H. B. No. 173, by Luther, entitled "An Act Providing for Salting Cattle, Horses, and Sheep on the Public Ranges of this State," was read the third time, and passed by the following vote:

Ayes, 11; nays, 5; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Hollingsworth, Johnson, Larsen, McKay, Walton, Williams.

Those voting in the negative were: Gardner, Lawrence, Loose, Park, Rasband.

Absent and not voting: Lewis, Mr. President.

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

H. B. No. 113, by Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors, and Prescribing Penalties for Vio-

lation Thereof," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

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

The President resumed the chair.

H. B. No. 51, by Dean, entitled "An Act to Provide for the Establishment of a State Board of Poultry Commissioners, Prescribing their Duties, and Appropriating Funds for the Encouragement of the Poultry Industry," was read the third time, and failed to pass by the following vote:

Ayes, 9, nays, 9.

Those voting in the affirmative were: Bamberger, Barber, Callister, Clegg, Hollingsworth, Larsen, McKay, Walton, Mr. President.

Those voting in the negative were: Bennion, Gardner, Johnson, Lawrence, Lewis, Loose, Park, Rasband, Williams.

H. B. No. 174, by Hawley, entitled "An Act Amending Section 4474, Revised Statutes of Utah, 1898, Providing for the Punishment of Persons Guilty of Altering Marks or Brands on Animals," was read the third time, and passed by the following vote:

Ayes, 15; nays, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Hollingsworth, Johnson, Lewis.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 2, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Members of Board of Dental Examiners: E. A. Tripp, A. C. Wherry, Stanley H. Clawson, H. W. Davis.

Members of Board of Education: D. H. Christensen, William Allison.

Members of Board of Health: Dr. T. B. Beatty, Dr. Fred Stauffer, Dr. W. R. Calderwood.

Members of Board of Medical Examiners: Dr. D. C Budge, Dr. A. S. Condon, Dr. Charles L. Olsen, Dr. A. C. Ewing, Dr. Elias S. Wright, Dr. F. E. Straup, Dr. R. W. Fisher.

State Chemist: Herman Harms.

Regents of University of Utah: Mrs. Rebecca E. Little, Mrs. A. B. Kinney, Frank Pierce, Dr. C. G. Plummer, Richard W. Young.

Members of State Board of Barbers: Dr. Chauncey M. Benedict, J. D. Harris, Albert E. Walker.

Very respectfully,
JOHN C. CUTLER, Governor.

EXECUTIVE SESSION.

On motion of Mr. Johnson, the Senate went into executive session, at 4:30 p. m.

REGULAR SESSION RESUMED.

Upon regular session being resumed at 5:10 p. m., the President announced that the Senate had confirmed the following appointments of the Governor:

Members of Board of Dental Examiners: E. A. Tripp, A. C. Wheery, Stanley H. Clawson, H. W. Davis.

Members of Board of Education: D. H. Christensen, William Allison.

Members of Board of Health: Dr. T. B. Beatty, Dr. Fred Stauffer, Dr. W. R. Calderwood.

Members of Board of Medical Examiners: Dr. D. C. Budge, Dr. A. S. Condon, Dr. Charles L. Olsen, Dr. A. C. Ewing, Dr. Elias S. Wright, Dr. F. E. Straup, Dr. R. W. Fisher.

State Chemist: Herman Harms.

Regents of University of Utah: Mrs. Rebecca E. Little, Mrs. A. B. Kinney, Frank Pierce, Dr. C. G. Plummer, Richard W. Young.

Members of State Board of Barbers: Dr. Chauncey M. Benedict, J. D. Harris, Albert E. Walker, and that the Senate refused to advise and consent to the appointment of A. H. Moyes as Fish and Game Commissioner.

Mr. Callister withdrew his notice of intention to ask the Senate to reconsider the vote by which S. B. No. 60 failed to pass.

Mr. Bennion gave notice that he would tomorrow ask the Senate to reconsider the vote by which H. B. No. 51 failed to pass.

At 5:15 p. m., on motion of Mr. Williams, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-FOURTH DAY.

Senate Chamber,
March 3, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-third day's session were read and approved.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 2, 1905.

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. 40, "An Act Fixing the Fiscal year of the State of Utah, and Providing When Reports shall be Prepared, Compiled, and Filed."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 2, 1905.

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. 89, by Kinney, entitled "An Act for the Enforcement of Judgments in Counties Other than the one in Which the Same was Entered."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 89 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 2, 1905.

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. 98, by Kinney, entitled "An Act to Amend Section 3232, Revised Statutes of Utah, 1898, as Amended by Chapter 6, Laws of Utah, 1899, Relating to Executions, and the Time Within Which same may Issue."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 98 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 2, 1905.

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, by McCrea, entitled "An Act to Amend Section 13 of Chapter 109, Laws of Utah, 1901, Relating to Concurrent Jurisdiction of City Courts in Cities of the First Class with District Courts."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 132 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed Messrs. Dean, Wilson, and Stringham to confer with a like Committee from the Senate on H. B. Nos. 51 and 128.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 2, 1905.

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. 23, by Wal-

ton, entitled "An Act to Amend Sections 4, 9, and 32 of Chapter 64, of the Laws of Utah, 1899, and Section 1 of said Chapter 64, as the same is Amended by Chapter 35 of the Laws of Utah, 1901, also Section 34 of said Chapter 64, as Amended by Chapter 62, Laws of Utah, 1903, Relating to the State Board of Land Commissioners."

The same is returned for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 23 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 186, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the Sum of $2,500.00 to David Wilcken, for Meritorious Services Rendered the State and for Permanent Bodily Injury Sustained."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 186 was read the first time and referred to Committee on Appropriations and Claims.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 190, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the sum of $2,500.00 to Zebulon Jacobs, for Services Rendered to the State and for Permanent bodily Injury."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 190 was read the first time and referred to Committee on Appropriations and Claims.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 34, by Roberts, entitled "An Act to Amend Section 1828, Revised Statutes of Utah, 1898, Relating to Records and Reports of District School Board, Compensation."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 34 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended. H. B. No. 118, by Fishburn, entitled "An Act Providing for Uniform Examinations of County School Teachers Throughout the State, and Repealing Sections 1794, 1795, 1796, 1797, and 1798 of the Revised Statutes of Utah, 1898, and all Acts Amendatory Thereto, and all Acts and Parts of Acts in Conflict Herewith."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 118 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 168, by Edwards, entitled "An Act

to Amend Section 2059, Revised Statutes of Utah, 1898, Relating to Compensation of County Commissioners."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 168 was read the first time and referred to Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 2, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 124 by Cottam, entitled "An Act Providing Revenue for Common School Districts Where the Revenue from the State, County, and District School tax is Insufficient."

The same is transmitted herewith for your action.

Rspectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 124, was read the first time and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Highways and Bridges, to whom was referred H. B. No. 123, by Hopes, entitled "An Act Authorizing Certain Funds Appropriated to Juab County for the Improvement and Construction of Highways and Bridges in said County, Between Eureka and Goshen, to be Expended on Roads Between Eureka, Mammoth and Silver City," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LARSEN, Chairman.

Report adopted.

H. B. No. 123 was read the second time.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 94, by Hollingsworth, entitled "An Act to Tax Gifts, Legacies, and Inheritance in Certain Cases, and to Provide for the Assessment and Collection of the Tax, and Repealing Chapter 62, of the Laws of Utah, 1901, and Chapter 93, of the Laws of Utah, 1903," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

JOHNSON, Chairman.

Report adopted.

S. B. No. 94 was read the second time.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Public Health to whom was referred S. B. No. 92, by Johnson, entitled "An Act to Regulate the Practice of Osteopathy in the State of Utah, and to Provide for a State Board of Examiners, and to License Osteopaths to Practice in this State, and to Punish Persons Violating the Provisions of this Act," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

WALTON, Chairman.

MINORITY REPORT.

Committee Room, March 3, 1905.

Mr. President:—The undersigned, a minority of the Committee on Public Health, to whom was referred S. B. No. 92, by Johnson, entitled "An Act to Regulate the Practice of Osteopathy in the State of Utah, and to Provide for a State Board of Examiners, and to License Osteopaths to Practice in this State and to Punish Persons Violating the Provisions of this Act," begs leave to dissent from the majority report of the committee, and recommend that the bill be passed.

McKAY.

Committee report rejected, and Minority report adopted.

S. B. No. 92 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 96, by Walton, entitled "An Act Providing for the Establishment of a Course of Instructions in the Public Schools on the Subject of Sanitation and the Cause and Prevention of Disease," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

S. B. No. 96 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 97, by Walton, entitled "An Act Requiring Reports to be Made on Cases of Tuberculosis, and Requiring Rules of State Board of Health, Relating to Such Disease, to be Complied With," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

S. B. No. 97 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 98, by Walton, entitled "An Act Requiring Outhouses on School Grounds to be Maintained in a Sanitary Condition," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

S. B. No. 98 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 99, by Walton, entitled "An Act Providing for an Annual Convention of Health Officers," beg leave to report that they have had the

same under consideration and recommend that the bill be passed. WALTON, Chairman.

Report adopted.
S. B. No. 99 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 101, by Walton, entitled "An Act Making it Unlawful to Expectorate Upon the Floor of any Public Building, or Church, or of any Car, or Upon any Sidewalk within this State, and Requiring Each Passenger Car to be Provided with Spittoons, and Fixing a Penalty for the Violation of this Act," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.
S. B. No. 101 was read the second time.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred S. B. No. 108, by Walton, entitled "An Act Requiring the Disinfection of Public Buildings, Railway Coaches, and Sleeping Cars, and Providing a Penalty for the Violation Thereof, and Declaring an Emergency," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

HOLLINGSWORTH, Chairman.

Report adopted.
S. B. No. 108 was read the second time.

Committee Room, March, 1, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 95, by Edwards, entitled "An Act to Amend Sections 2220, 2221, 2223, 2224.2225, 2226, 2227 and 2271, Revised Statutes of Utah, 1898, and Section 2238, Revised Statutes of Utah, 1898, as Amended by Chapter 98, Laws of Utah, 1901, Relating to the State Board of Corrections," beg leave to

report that they have had the same under consideration and recommend that the bill do not pass.

HOLLINGSWORTH, Chairman.

MINORITY REPORT.

Committee Room, March 1, 1905.

Mr. President:—We, a minority of the Public Institutions Committee, to whom was referred H. B. No. 95, by Edwards, entitled "An Act to Amend Sections 2220, 2221, 2223, 2224, 2225, 2226, 2227, and 2271, Revised Statutes of Utah, 1898, and Section 2238, Revised Statutes of Utah, 1898, as Amended by Chapter 98, Laws of Utah, 1901, Relating to the State Board of Corrections," beg leave to report that we dissent from the majority report of the Committee, and recommend that the bill be passed.

LARSEN,
GARDNER,
WILLIAMS.

H. B. No. 95 was recommitted to Committee on Public Institutions, on motion of Mr. Williams.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Public Lands, to whom was referred S. B. No. 43, by Walton, entitled "An Act Creating the Reservoir Land Grant Fund, and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands, and Amending Section 2, Chapter 59, Session Laws of Utah, 1901," beg leave to report that they have had the same under consideration and recommend that the same be passed.

WALTON, Chairman

Report adopted.

S. B. No. 43 was read the second time.

Committee Room, March 1, 1905.

Mr. President:—Your Committee on Municipal Corporations, to whom was referred H. B. No. 155, by Kinney, entitled "An Act to Amend Section 978, Revised

Statutes of Utah, 1898, Relating to Fees of Precinct Officers," beg leave to report that they have had the same under consideration and recommend that the bill be passed. LARSEN, Chairman.

Report adopted.
H. B. No. 155 was read the second time.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 106, by Hollingsworth, entitled "An Act Amending Section 2655 of the Revised Statutes of Utah, 1898, Relating to Real Estate Held by any County Under Tax Deeds to it and the Manner of Disposing of Same," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

JOHNSON, Chairman.

Report adopted.
S. B. No. 106 was read the second time.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Ways and Means, to whom was referred S. B. No. 105, by Hollingsworth, 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 the Salaries of the County Auditor and his Assistants During the time such Auditor, his Deputies and Assistants are Working upon the Tax Rolls, and Providing for the Apportionment of said sum to the Various Taxing Funds, and Repealing Chapter 131, Laws of Utah, 1903," beg leave to report that they have had the same under consideration and recommend that the bill be passed. JOHNSON, Chairman.

Report adopted.
S. B. No. 105 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 39, by Clegg, (by request),

entitled "An Act to Amend Section 972, of the Revised Statutes of Utah, 1898, Relating to the Fees of Clerks of the District Courts and County Clerks," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 157, by Marks, entitled "An Act to Provide for Recording Instruments in the Office of County Recorders," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 157 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 86, by Tolton, entitled "An Act to Amend Section 9, Chapter 72, Laws of Utah, 1899, Relating to Court Stenographers and Fees to be Collected," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 86 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 110, by Lawrence, (by request), entitled "An Act to Prevent Unjust Discrimination Against Publishers of Newspapers, by Persons, Associations of Persons, and Corporations engaged in the

Business of Gathering and Distributing for Publication, Information or News," and Declaring such Combinations to be Unlawful," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
S. B. No. 110 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 87, by Lawrence, entitled "An Act to Prohibit Bucket Shops and Bucketshopping Within this State," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
S. B. No. 87 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 77, by Hawley, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating to Reports and Settlements of County Treasurers," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 3, 1905.

Mr. President:—Your Committee on Live Stock, to whom was referred S. B. No. 114, by Clegg, entitled "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection, and Distribution of Taxes on Same, Providing Penalties for Violation of its Provisions and Repealing Chapter 105, Laws of Utah, 1901," beg leave to report that they have had

the same under consideration, offer the following amendments thereto:

1. Page 7, by changing Section "16" to read Section "15," and having same following line 14, on page 7.

2. Line 23, same page, by substituting the word "commissioner" for "treasurer."

3. Line 29, same page, by substituting the word "commissioner" for "treasurer."

4. Line 31, same page, after the word "State" by inserting the words "order a."

5. Line 34, by changing Section "17" to read Section "16."

6. By adding Section 15 as now appears on page 7, to read Section 17.

And as amended recommend that the bill be passed.

CLEGG, Chairman.

Report adopted.

S. B. No. 114 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 102, by Merrill, entitled "An Act to Amend Section 2583, Revised Statutes of Utah, 1898, as Amended by Chapter 65, Laws of Utah, 1901, Relating to the State Board of Equalization," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 159, by Marks, entitled "An Act to Amend Section 973, Revised Statutes of Utah, 1898, Providing for the Collection of Fees of County Recorders," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 159 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 128, by Park, entitled "An Act to Amend Sections 4148 and 4149, of the Revised Statutes of Utah, 1898, Defining Common Barratry, the Punishment Therefor and Proof Required for Conviction," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
S. B. No. 128 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was recommitted H. B. No. 158, by Marks, entitled "An Act to Amend Section 1022, Revised Statutes of Utah, 1898, Defining the word "Folio," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Line 9, by substituting the word "numbers" for the word "figures," also the word "or" for "and," on the same line,and as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.
H. B. No. 158 was read the second time.

Senate Judiciary Committee Room,
March 3, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 67, by Roberts, entitled "An Act to Amend Section 972, Revised Statutes of Utah, 1898, Relating to the Fees of Clerks of the District Courts, and County Clerks," beg leave to report that they

have had the same under consideration, offer the following amendments thereto:

1. Page 3, between lines 2 and 3, by inserting the following:

"For filing petition for letters testamentary, or of administration or guardianship, in any one case (two dollars) to be paid upon the filing of such petition."

2. Page 3, between lines 20 and 21, following the House amendment, by inserting the following:

"For any assignment for the benefit of creditors, the fees to be collected shall be the same in amount as fees collected in probate actions; that is to say, $2 upon the filing of the deed of assignment and such sum upon the filing of the inventory as would have been required to be paid in a probate action for filing such an inventory."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 67 was read the second time.

THIRD READING OF BILLS.

S.B. No. 65, by Park, entitled "An Act to Amend Sections 1429, 1430, 1431, 1432, 1434, 1436, 1437, 1438, 1439, 1442, 1445, 1454, 1456, 1475, and 1488, Revised Statutes of Utah, 1898, Relating to the Composition of the Militia, Appointment, Qualifications, and Duties of Officers their Relative Rank, Retirenent and pay of Officers and men; Provisions for those Injured in Service; and to Military Courts," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

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

S. B. No. 64, by Park, entitled "An Act Relating to Certain Staff Organizations of the State Militia; the Ap-

pointment of Officers; their Qualifications; the Composition of the Organizations, and the Appointment of Company Armorers," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

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

H. B. No. 203, by Fishburn, entitled "An Act to Amend Section 338, Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, Relating to the Manner of Making Amendments to Articles of Incorporation," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lewis, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Lawrence, Loose, Mr. President.

Absent and not voting: Larsen.

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

H. B. No. 223, by Judiciary Committee, entitled "An Act to Amend Section 443, Revised Statutes of Utah, 1898, Relating to the Creation of Preferred and Special Stock and Income Certificates," 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: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Voting in the negative: Mr. President.

Absent and not voting: Larsen.

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

H. B. No. 151, by McCrea, entitled "An Act to Pro-

vide for the Dismissal of Criminal Actions in the Courts of Justices of the Peace, by the Justice or County Attorney, Requiring the Reasons for such Dismissal to be Entered upon the Docket of the Court, and Making the Order for Dismissal a bar to any Prosecution for the Same Offense if it is a Misdemeanor," 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, Callister, Clegg, Gardner, Hollingsworth, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Johnson, Larsen.

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

H. B. No. 175, by Hawley, entitled "An Act Amending Section 4136, Revised Statutes of Utah, 1898, Providing a Penalty for Bribing or Attempting to Bribe a Witness or Person about to be Called as a Witness," 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Barber.

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

H. B. No. 147, by Maughan, entitled "An Act to Amend Section 4430, Revised Statutes of Utah, 1898, as Amended by Chapter 101, Laws of Utah, 1903, Relating to Trespass and Injuries to Property," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 95, by Hollingsworth, entitled "An Act

Creating a State Commission on Voting or Balloting Machines, Defining their Powers, and Providing for the Use at the Option of any Board of County Commissioners or City Council of Voting or Ballot Machines for Receiving and Registering the vote in one or More Election Districts of any County, City, or Town, at any or all Elections held Therein; and for Ascertaining the result of Such Elections, and Providing for the Punishment of all Violations of the Provisions of this Act," was amended in title to read:

"An Act Creating a State Commission on Voting or Balloting Machines, Defining their Powers, and Providing for the Use at the Option of any Board of County Commissioners or City Council of Voting or Balloting Machines for Receiving and Registering the vote in one or More Eelection Districts of any County, City, or Town, at any or all Elections held Therein; and for Ascertaining the Result of Such Elections, and Providing for the Punishment of All Violations of the Provisions of this Act," and as amended in title and body, was read the third time.

Mr. Hollingsworth moved that when the Senate adjourn, it be until tomorrow at 2 p. m.

Motion carried.

Roll call on S. B. No. 95 was deferred until tomorrow at 3 p. m., at the request of Mr. Hollingsworth.

S. B. No. 130, by Committee on Bounties, entitled "An Act to Encourage the Destruction of Certain wild Animals; to Provide Bounties for the Killing Thereof; Making an Appropriation for the Payment of Such Bounties; Providing the Manner in Which such Bounties may be Procured; Providing Penalties for the Procurement of such Bounties by Fraud, and for Violation of this Act, and Repealing Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 3, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 40, entitled "An Act Fixing the Fiscal year of the State of Utah, and Providing When Reports shall be Prepared, Compiled, and filed.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 3, 1905.

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. 59, by Austin, entitled "An Act Creating a State Board of Park Commissioners, Providing the Manner of their Appointment, Fixing their Compensation, Prescribing their Powers and Duties, Making an Annual Appropriation and Fixing Penalties for a Violation of this Act."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 59 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 3, 1905.

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. 136, by Kinney, entitled "An Act to Provide

for the Approval and Custody of Official Bonds of State Officers, Officials of State Institutions, or Other Persons Required to give Bond to the State."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 136 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 3, 1905.

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. 4, by Austin, entitled "A Memorial to Congress Praying for a Grant of Land for a State Park."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. M. No. 4 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 3, 1905.

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. 223, by Judiciary Committee, entitled "An Act to Amend Section 443, Revised Statutes of Utah, 1898, Relating to the Creation of Preferred and Special Stock and Income Certificates."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 223 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 3, 1905.

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, by Kinney, entitled "An Act Providing an Additional Method for taking of Depositions Without the State."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 46 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 3, 1905.

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. 203 by Fishburn, entitled "An Act to Amend Section 338, Revised Statutes of Utah, 1898, As Amended by Chapter 94, Laws of Utah, 1903, Relating to the Manner of Making Amendments to Articles of Incorporation."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 203 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 3, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body

the following appointments, and ask your advice and consent thereto:

Members of the State Board of Sheep Commissioners: Lewis R. Anderson, J. S. Ostler, John E. Austin.

Very respectfully,
JOHN C. CUTLER, Governor.

EXECUTIVE SESSION.

On motion of Mr. Johnson, the Senate went into executive session, at 4:50 p. m.

REGULAR SESSION RESUMED.

Regular session resumed at 4:55 p. m.

Mr. Bennion withdrew his notice of intention to ask reconsideration of the vote by which H. B. No. 51 failed to pass.

On motion of Mr. Hollingsworth, the Secretary was directed to address a communication to the Speaker of the House, asking why S. B. No. 57, which was transmitted to the House on March 2, for the signature of the Speaker, had not been returned to the Senate for transmission to the Governor.

At 5:05 p. m., on motion of Mr. Clegg, the Senate adjourned.

FIFTY-FIFTH DAY.

Senate Chamber,
March 4, 1905.

The Senate met at 2 p. m., pursuant to adjournment, Senator Walton, President Pro Tempore, presiding.

Roll call; quorum present.

Prayer by Senator McKay.

The minutes of the fifty-fourth day's session were read and approved.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

Communiactions from the Secretary of State Board of Examiners, returning without the approval of the Board, S. C. No. 8, of Benjamin E. Williams, et al., $950.00, S. C. No. 10, of Cesare Ginn, $267.75, S. C. No. 14, of John W. Chambers, et al., $440.00, S. C. No. 17, of W. S. McCornick, $2,825.25, S. C. No. 18, of Mrs. Jude Allen, et al., $174.26, and approving S.C. No. 15, of Ralph A. Badger, for $2,400.56, for $2,274.23, and S. C. No. 16, of George T. Badger, for $40.76.

Communications and claims were referred to Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 67, by Gardner, entitled "An Act to Amend Section 4212, Revised Statutes of Utah, 1898, and Providing for the Punishment of the Crime of Fornication."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 47, by Lawrence, entitled "An Act Amending Section 222, Revised Statutes of Utah, 1898, Relating to Officers of Cities and Towns Being interested in Contracts, Work, Business or Transactions of said City or Town, by adding Thereto a Provision Prohibiting Such Officers from Receiving Money or Compensation in Addition to Salary."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 83, by Committee on Public Institutions, entitled "An Act Amending Sections 2155 and 2156, Revised Statutes of Utah, 1898, as Amended by Chapter 115 of the Laws of Utah, 1903, Relating to the Government and Control of the State Insane Asylum or the State Mental Hospital.

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 68, by Johnson, entitled "An Act Forbiding the Carrying of Concealed Weapons."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 160, by Edward, (by request), entitled "An Act Amending Section 1404, Revised Statutes of Utah, 1898, Relating to Liens on Personal Property."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 160 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 209, by Luther, entitled "An Act to Amend Section 845, Revised Statutes of Utah, 1898, Relating to Polling Places, Booths, Ballots, Ballot Boxes, Expense, and Alteration of Election Districts.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 209 was read the first time and referred to Committee on Elections.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 111, by Fishburn, entitled "An Act to Amend Section 887, Revised Statutes of Utah, 1898, as Amended By Chapter 64, Laws of Utah, 1903; also Section 890, Revised Statutes of Utah, 1898, as Amended by Chapter 138, Laws of Utah, 1901; also Section 838, Revised Statutes of Utah, 1898, as Amended by Section 2, of Chapter 80, Laws of Utah, 1899; also Section 864, Revised Statutes of Utah, 1898, as Amended by Chapter 35, Laws of Utah, 1903; also Sections 309, 817, 824, 827, 828, 830, 831, 836, 839, 840, 841, 842, 843, 859, 860, 863, 864, 865, 867, 868, 869, 873, and 891, Revised Statutes of Utah, 1898; also Section 2, of Chapter 109, Laws of Utah, 1901; also Section 1, of Chapter 112, Laws of Utah, 1901, Relating to Elections."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 111 was read the first time and referred to Committee on Elections.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 144, by Marks, entitled "An Act to Amend Sections 1806 and 1809, Revised Statutes of Utah, 1898, Relating to School Elections, How Called, Canvass of Votes."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 144 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 146, by Marks, entitled "An Act to Amend Section 1785, Revised Statutes of Utah, 1898, Relating to the Duties of County Superintendents."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 146 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 178, by Marks, entitled "An Act Amending Section 388, Revised Statutes of Utah, 1898, Relating to the Making of Reports to the Secretary of State by Banking Corporations and Private Bankers, and Providing for the Publication Thereof."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 178 was read the first time and referred to Committee on Banks and Banking.

House of Representatives,
Salt Lake City, March 3, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. J. R. No. 3, by Miller, "Proposing an Amendment to Section 2, Article 10, of the Constitution, Relating to Education, Public School system. Maintenance."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. R. No. 3 went on the table, under the rule.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 4, 1905.

Mr. President:—Your Special Conference Committee, to whom was referred S. B. No. 10, entitled "An Act Repealing Chapter 137 of the Session Laws of Utah, 1901, and Chapter 48 of the Session Laws of Utah, 1903, and Reserving any Right Which may Have Accrued, any Penalties which May Have been Incurred, and any Actions or Proceedings which may Have been Commenced Thereunder," beg leave to report that they met with a Conference Committee from the House, and have agreed upon a substitute measure, same being S. B. No. 130, heretofore reported, and recommend that S. B. No. 10 do not pass.

LAWRENCE,
Chairman Senate Conference Committee.

Report adopted.

Senate Judiciary Committee Room,
March 4, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 140, by Marks, entitled

"An Act Amending Section 1239, Revised Statutes of Utah, 1898, Providing for the Disposition of Property Found Upon a Deceased Person," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 140 was read the second time.

Senate Judiciary Committee Room,
March 4, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 166, by Marks, entitled "An Act to Amend Section 3952, Revised Statutes of Utah, 1898, Relating to Final Accounts and Settlement of Estates," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 166 was read the second time.

Senate Judiciary Committee Room,
March 4, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 112, by Lawrence, (by request), entitled "An Act Amending Section 3683, of the Revised Statutes of Utah, 1898, Relating to the Service of Summons from Justice's Courts, and Repealing Chapter 70, of the Session Laws of Utah, 1899," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In the title by striking out the words "and Repealing" and substituting therefor the words "as Amended by," also by striking out the word "Session" in the fourth line of the Title.

2. Line 2, after the figures "1898" by inserting the words "as amended by Chapter 70 of the Laws of Utah, 1899."

3. Line 4, by striking out the word "section."

4. Line 22, after the word "misdemeanor" by striking out the balance of that line and all of line 23.

5. By striking out all of Section 2 and Section 3.

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 112 was read the second time.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 165, by Marks, entitled "An Act to Amend Section 4355, Revised Statutes of Utah, 1898, Defining Larceny," beg leave to report that they have had the same under consideration and offer the following amendment thereto:

1. Page 1, line 8, strike out the word "refuses" and insert the word "fails" and as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 165 was read the second time.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 168, by Edward, entitled "An Act to Amend Section 2059, Revised Statutes of Utah, 1898, Relating to Compensation of County Commissioners," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LARSEN, Chairman.

Report adopted.

H. B. No. 168 was read the second time.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 125, by Hollingsworth, entitled "An Act Relating to the Licensing of Peddlers and Canvassers of Agricultural and Domestic Implements and Machinery and other Articles," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

In the Title by adding after the word "Articles" the following: "And Providing a Penalty for the Violation of this Act."

And as amended recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

S. B. No. 125 was read the second time.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 100, by Walton, entitled "An Act to Establish and Maintain a State Laboratory for Bacteriological Purposes, and Providing for the Appointment of and Compensation of a Director Thereof, and Making an Appropriation Therefor," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

S. B. No. 100 was read the second time.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred S. B. No. 86, by Lawrence, entitled "An Act to Amend Sections 753, 754, and 757, of the Revised Statutes of Utah, 1898, Relating to the Practice of Dentistry; and Defining the Practice of Dentistry, Providing for the Revocation of License, and Providing for the Punishment of Associations or Companies Practicing Dentistry, Unless the Same Conform to the Requirements of this Act," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. In the Title after the figures "1898, by adding, "As Amended by Chapter 79, Laws of Utah, 1903."

2. On line 2, Section 1, after the figures "1898" by adding "As amended by Chapter 79, Laws of Utah, 1903."

And as amended recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

S. B. No. 86 was read the second time.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 54, by McKay, (by request), entitled "An Act Creating a State Board of Horticulture, and Placing the Same Under Control of the Agricultural College of Utah, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, of Chapter 104, of the Session Laws of Utah, 1903," beg leave to report that they have had the same under consideration and recommend as substitute therefor, S. B. No. 129, by Joint Committee, entitled "An Act Creating a State Board of Horticulture, Providing for County Fruit Tree Inspectors, Defining their Duties, Providing for the Publication and Distribution of their Reports, Defining the Duties of Orchardists and Nurserymen, and Repealing Title 28 of the Revised Statutes of Utah, 1898, and Chapter 47, Session Laws of Utah, 1899, and Chapter 104, Session Laws of Utah, 1903," and recommend that S. B. No. 129, the substitute bill, be passed.

McKAY, Chairman.

Report adopted.

S. B. No. 129 was read the first and second times.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Labor, to whom was referred H. B. No. 80, by Cromar, entitled "An Act for the Protection of Alien Laborers," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

GARDNER, Chairman.

Report adopted.

THIRD READING OF BILLS.

S. B. No. 95, by Hollingsworth, entitled "An Act Creating a State Commission on Voting or Balloting Machines, Defining their Powers, and Providing for the Use at the Option of any Board of County Commissioners or City Council of Voting or Balloting Machines for Receiving and Registering the vote in one or More Election Districts of any County, City, or Town, at any or all El-

ections held Therein; and for Ascertaining the Result of Such Elections, and Providing for the Punishment of all Violations of the Provisions of this Act," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Larsen, Loose, Mr. President.

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

S. B. No. 108, by Walton, entitled "An Act Requiring the Disinfection of Public Buildings, Railway Coaches, and Sleeping Cars, and Providing a Penalty for the Violation Thereof, and Declaring an Emergency," was amended in title to read:

"An Act Requiring the Disinfection of Public Buildings, Railway Coaches, and Sleeping Cars, and Providing a Penalty for the Violation Thereof," and as amended in title and body, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Loose, Mr. President.

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

S. B. No. 128, by Park, entitled "An Act to Amend Sections 4148 and 4149, of the Revised Statutes of Utah, 1898, Defining Common Barratry, the Punishment Therefor and Proof Required for Conviction," was amended in title to read:

"An Act to Amend Sections 4148 and 4149, of the Revised Statutes of Utah, 1898, Defining Common Barratry, Providing Punishment Therefor, and Prescribing Conditions under Which Conviction may be had," and as amended in title and body, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Loose, Mr. President.

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

The President pro tempore called Mr. Bennion to the chair.

S. B. No. 97, by Walton, entitled "An Act Requiring Reports to be Made on Cases of Tuberculosis, and Requiring Rules of State Board of Health, Relating to Such Disease, to be Complied With," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Lewis, Loose, Mr. President.

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

S. B. No. 99, by Walton, entitled "An Act Providing for an Annual Convention of Health Officers," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Lewis, Loose, Mr. President.

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

S. B. No. 101, by Walton, entitled "An Act Making it Unlawful to Expectorate Upon the Floor of any Public Building, or Church, or of any Car, or Upon any Sidewalk within this State, and Requiring Each Passenger Car to be Provided with Spittoons, and Fixing a Penalty for the Violation of this Act," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Lawrence, Lewis, McKay, Park, Walton, Williams.

Those voting in the negative were: Johnson, Larsen, Rasband.

Absent and not voting: Loose, Mr. President.

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

S. B. No. 94, by Hollingsworth, entitled "An Act to Tax Gifts, Legacies, and Inheritance in Certain Cases, and to Provide for the Assessment and Collection of the Tax, and Repealing Chapter 62, of the Laws of Utah, 1901, and Chapter 93, of the Laws of Utah, 1903," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Loose, Mr. President.

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

S. B. No. 106, by Hollingsworth, entitled "An Act Amending Section 2655 of the Revised Statutes of Utah, 1898, Relating to Real Estate Held by any County Under Tax Deeds to it and the Manner of Disposing of Same," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Loose, Mr. President.

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

S. B. No. 105, by Hollingsworth, 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 the Salaries of the County

Auditor and his Assistants During the time such Auditor, his Deputies and Assistants are Working upon the Tax Rolls, and Providing for the Apportionment of said sum to the Various Taxing Funds, and Repealing Chapter 131, Laws of Utah, 1903," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Lewis, Loose, Mr. President.

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

S. B. No. 98, by Walton, entitled "An Act Requiring Outhouses on School Grounds to be Maintained in a Sanitary Condition," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Lewis, Loose, Mr. President.

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

S. B. No. 96, by Walton, entitled "An Act Providing for the Establishment of a Course of Instructions in the Public Schools on the Subject of Sanitation and the Cause and Prevention of Disease," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Lewis, Loose, Mr. President.

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

THIRD READING OF BILLS DEFERRED.

At the request of Mr. Lawrence, S. B. No. 110, and

S. B. No. 87, were made Special Orders for Monday for 3 and 3:30 p. m., respectively.

At the request of Mr. Johnson, S. B. No. 92 was made the Special Order for 4 p. m., on Monday.

S. B. No. 114, by Clegg, entitled "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection, and Distribution of Taxes on Same, Providing Penalties for Violation of its Provisions, and Repealing Chapter 105, Laws of Utah, 1901," was amended, read the third time, and, at the request of Mr. Clegg, roll call was deferred until Monday.

S. B. No. 43, by Walton, entitled "An Act Creating the Reservoir Land Grant Fund, and Providing for the Procuring of Reservoir Sites, and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands, and Amending Section 2, Chapter 59, Session Laws of Utah, 1901," was amended, read the third time, and roll call deferred until bill is printed.

At 4:30 p. m., on motion of Mr. Hollingsworth, the Senate adjourned until Monday, at 2 p. m.

FIFTY-SEVENTH DAY

Senate Chamber,
March 6, 1905.

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

Roll call; quorum present.

Prayer by Rabbi Freund.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 4, 1905.

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

orable body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 98, entitled "An Act to Amend Section 3232, Revised Statutes of Utah, 1898, As Amended by Chapter 6, Laws of Utah, 1899, Relating to Executions, and the Time Within Which Same may Issue;" H. B. No. 89, entitled "An Act for the Enforcement of Judgments in Counties Other than the one in Which the Same was Entered;" H. B. No. 132, entitled "An Act to Amend Section 13, of Chapter 109, Laws of Utah, 1901, Relating to Concurrent Jurisdiction of City Courts in Cities of the First Class, with District Courts;" H. B. No. 223, entitled "An Act to Amend Section 443, Revised Statutes of Utah, 1898, Relating to the Creation of Preferred and Special Stock and Income Certificates;" and H. B. No. 203, entitled "An Act to Amend Section 338, Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, Relating to the Manner of Making Amendments to Articles of Incorporation."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 4, 1905.

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. 42, by Wootton, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as Amended by Chapter 124, Laws of Utah, 1901, as further Amended by Chapter 138, Laws of Utah, 1903."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 42 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 4, 1905.

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. 174, by Hawley, entitled "An Act Amending Section 4474, Revised Statutes of Utah, 1898, Providing for the Punishment of Persons guilty of Altering Marks or Brands on Animals."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 174 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 4, 1905.

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. 35, by Roberts, entitled "An Act to Amend Section 1905, Revised Statutes of Utah, 1898, Relating to Compensation of Members of the Board of Education in Cities."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 35 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 4, 1905.

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. 65, by McCrea, entitled "An Act to Amend Sections 3095 and 3098, of the Revised Statutes of Utah,

1898, Concerning Garnishment, and to Provide for the Payment of Fees to the Garnishee before Answer can be Required in Garnishment Proceedings; Provided that the Payment of Costs by the Defendant shall not Apply in Cases Provided for in Subdivision Seven of Section 3245, as Amended by Chapter 31, of the Laws of Utah, 1901."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 65 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 4, 1905.

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. 173, by Luther, entitled "An Act Providing for Salting Cattle, Horses and Sheep on the Public Ranges of this State."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 173 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 224, by McCrea, entitled "An Act Making any City, Town, Village or School District Liable Jointly with the Principal Contractor upon Public

Works, in Actions Instituted by Sub-contractor or Material Men Against Such Principal Contractor."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 224 was read the first time, and referred to Committee on Judiciary.

House of Representatives,

Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 145, by Marks, entitled "An Act to Amend Section 1844, Revised Statutes of Utah, 1898, Relating to the Duties of Teachers."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 145 was read the first time and referred to Committee on Education.

House of Representatives,

Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 126, by Hawley, entitled "An Act to Amend Section 2057, Revised Statutes of Utah, 1898, as Amended by Chapter 71, Laws of Utah, 1899, Relating to Regulating the Salaries of County Officers."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 126 was read the first time and referred to Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 204, by Kinney, entitled "An Act Amending Section 3, of Chapter 97, Laws of Utah, 1903, Relating to the Duties of State Chemist."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 204 was read the first time and referred to Committee on Public Health.

House of Representatives,
Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 192, by Peterson, entitled "An Act Amending Section 2934, Revised Statutes of Utah, 1898, as Amended by Chapter 25, Laws of Utah, 1901, Providing a Change of Venue in Civil Cases in the District Courts."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 192 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 170, by Hone, entitled "An Act to Prevent Deception in the Sale of Renovated Butter, and to License Manufacturers and Dealers in the Same.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 170 was read the first time and referred to Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, March 4, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 27, by Kinney, entitled "An Act to Establish a Uniform Standard of Weights and Measures."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 27 was read the first time and referred to Committee on Manufactures and Commerce.

House of Representatives,
Salt Lake City, March 4, 1905.

Mr. President:—I am directed by Mr. Speaker to inform your honorable body that S. B. No. 57 is herewith returned unsigned by the Speaker of the House. This bill was rejected by the House of Representatives on March 1st by the following vote: Ayes, 11; nays, 28; absent and not voting, 6.

It was transmitted to the Senate on February 28th, after notice of motion to reconsider had been given in the House, by a mistake of the Chief Clerk who overlooked the said notice, which mistake has been fully explained to the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication laid on table, subject to call.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 6, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 50, by Lawrence, entitled

"An Act to Amend Section 3, Chapter 65, of the Laws of Utah, 1899, entitled 'An Act in Relation to Corporate Suretyship on Bonds and Other Obligations, Providing for the Acceptance as Surety of Corporations Qualified to Act as Such, the Release of such Surety, the Safe Depositing of Assets for which Such Surety may be Liable, the Charging by Fiduciaries and Litigants of the Expense of Procuring such Surety,' "beg leave to report that we have had the same under consideration and offer the two following substitutes for said bill, being S. B. No. 131, entitled "An Act to Amend Section 425, of Chapter 6, of the Revised Statutes of Utah, 1898, Relating to Loan, Trust, and Guaranty Associations Becoming Sole Surety," and S. B. No. 132, entitled "An Act to Amend Section 3, Chapter 65, of the Laws of Utah, 1899, Entitled 'An Act in Relation to Corporate Suretyship on Bonds and Other Obligations, Providing for the Acceptance as Surety of Corporations Qualified to Act as such, the Release of such Surety, the Safe Depositing of Assets for which Surety may be Liable, the Charging by Fiduciaries and Litigants of the Expense of Procuring Such Surety," and recommend that S. B. Nos. 131, and 132 be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. Nos. 131 and 132 were read the first and second times.

Committee Room, March 4, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 23, by Walton, entitled "An Act to Amend Sections 4, 9, and 32, of Chapter 64, of the Laws of Utah, 1899, and Section 1, of said Chapter 64, as the same is Amended by Chapter 35, of the Laws of Utah, 1901; also Section 34, of said Chapter 64, as Amended by Chapter 62, Laws of Utah, 1903, Relating to the State Board of Land Commissioners," beg leave to report that they have carefully engrossed and enrolled same and transmit same herewith for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 23 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 6, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 143, by Marks, entitled "An Act to Amend Sections 1778 and 1781, Revised Statutes of Utah, 1898, Relating to the Biennial Report of the State Superintendent of Public Instruction, and calling for attendance upon Conventions," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 143 was read the second time.

Committee Room, March 6, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 138, by Committee on Agriculture and Horticulture, entitled "An Act Providing for the Establishment of a Central Utah Experiment Station, and Placing the same, with the Southern Utah Experiment Farm, under the Direction and Management of the Agricultural College Experiment Station of Utah, and Repealing Chapter 85, Laws of Utah, 1899," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

McKAY, Chairman.

Report adopted.

H. B. No. 138 was read the second time.

Committee Room, March 6, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 34, by Roberts, entitled "An Act to Amend Section 1828, Revised Statutes of Utah, 1898, Relating to Records and Reports of District School Board, Compensation," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

BENNION, Chairman.

Report adopted.

FIRST READING OF RESOLUTION.

H.J.R. No. 3, by Miller, "Proposing an Amendment to Section 2, Article 10, of the Constitution, Relating to Education, Public School System. Maintenance," was read the first time and referred to Committee on Education.

SPECIAL ORDERS.

S. B. No. 110, by Lawrence, (by request), entitled "An Act to Prevent Unjust Discrimination Against Publishers of Newspapers, by Persons, Associations of Persons, and Corporations engaged in the Business of Gathering and Distributing for Publication Information or News, and Declaring such Combinations to be Unlawful," the Special Order for 3 p. m., was read the third time, and passed by the following vote:

Ayes, 14; nays, 4.

Those voting in the affirmative were: Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Bamberger, Barber, Bennion, Mr. President.

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

S. B. No. 87, by Lawrence, entitled "An Act to Prohibit Bucket Shops and Bucketshopping Within this State," the Special Order for 3:30 p. m., 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Bamberger, Loose.

Absent and not voting: Park.

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

S. B. No. 92, by Johnson, entitled "An Act to Regulate the Practice of Osteopathy in the State of Utah, and

to Provide for a State Board of Examiners, and to License Osteopaths to Practice in this State and to Punish Persons Violating the Provisions of this Act," the Special Order for 4 p. m., was read the third time, and passed by the following vote:

Ayes, 11; nays, 7.

Those voting in the affirmative were: Barber, Bennion, Callister, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Walton, Mr. President.

Those voting in the negative were: Bamberger, Clegg, Gardner, Lewis, Park, Rasband, Williams.

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

Mr. Bennion gave notice that he would tomorrow move the Senate to reconsider the vote by which S. B. No. 92 passed.

THIRD READING OF BILLS.

S. B. No. 43, by Walton, entitled "An Act Creating the Reservoir Land Grant Fund, and Providing for the Procuring of Reservoir Sites, and the Construction of Reservoirs for the Purpose of Supplying Water to State Lands, and Amending Section 2, Chapter 59, Session Laws of Utah, 1901," was amended in title to read:

"An Act Amending Section 2, Chapter 59, Laws of Utah, 1901, Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State and Other Lands," and as amended in title, 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: Barber, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Bennion, Larsen, Lewis.

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

S. B. No. 114, by Clegg, entitled "An Act Defining and Classifying Transient Stock and Providing for the Assessment, Collection, and Distribution of Taxes on

Same, Providing Penalties for Violation of its Provisions, and Repealing Chapter 105, Laws of Utah, 1901," was read the third time, and failed to pass by the following vote:

Ayes, 7; nays, 6; absent and not voting, 3; excused, 2.

Those voting in the affirmative were: Barber, Callister, Hollingsworth, Johnson, McKay, Walton, Mr. President.

Those voting in the negative were: Clegg, Gardner, Loose, Park, Rasband, Williams.

Absent and not voting: Bamberger, Bennion, Larsen.

Excused: Lawrence, Lewis.

Mr. Clegg gave notice that he would tomorrow move the Senate to reconsider the vote by which S. B. No. 114 failed to pass.

H. B. No. 67, by Roberts, entitled "An Act to Amend Section 972, Revised Statues of Utah, 1898, Relating to the Fees of Clerks of the District Courts, and County Clerks," 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: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Larsen.

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

H. B. No. 77, by Hawley, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating to Reports and Settlements of County Treasurers," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

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

H. B. No. 86, by Tolton, entitled "An Act to Am Section 9, Chapter 72, Laws of Utah, 1899, Relatin Court Stenographers and Fees to be Collected," was d the third time, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamber, Barber, Bennion, Callister, Clegg, Gardner, Hollsworth, Johnson, Lawrence, Lewis, Loose, McKay, R, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

The title of the bill was made the title of the a

H. B. No. 123, by Hopes, entitled "An Act Aurizing Certain Funds Appropriated to Juab Countyr the Improvement and Constuction of Highways d Bridges in said County, Between Eureka and Goshco be Expended on Roads Between Eureka, Mammoth,d Silver City," was read the third time, and recommid to Committee on Highways and Bridges, on motiof Mr. Hollingsworth.

The President called Mr. Bennion to the chair.

H. B. No. 155, by Kinney, entitled "An Acto Amend Section 978, Revised Statutes of Utah, 1898lating to Fees of Precinct Officers," was read the id time and passed by the following vote:

Ayes, 13; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Benn, Callister, Gardner, Hollingsworth, Larsen, Lawre, Lewis, Loose, McKay, Park, Rasband, Walton, Willis.

Absent and not voting: Bamberger, Barber, Cl, Johnson, Mr. President.

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

The President resumed the chair.

H. B. No. 157, by Marks, entitled "An Act to ovide for Recording Instruments in the Office of Coy Recorders," was read the third time, and passed bye following vote:

Ayes, 14; nays, 2; absent and not voting, 2.

Those voting in the affirmative were: Benn, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, v-

is, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Barber, Callister.

Absent and not voting: Bamberger, Johnson.

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

H. B. No. 158, by Marks, entitled "An Act to Amend Section 1022, Revised Statutes of Utah, 1898, Defining the word 'Folio,'" 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Johnson, Loose.

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

H. B. No. 159, by Marks, entitled "An Act to Amend Section 973, Revised Statutes of Utah, 1898, Providing for the Collection of Fees of County Recorders," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Loose.

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

S. B. No. 86, by Lawrence, entitled "An Act to Amend Sections 753, 754, and 757, of the Revised Statutes of Utah, 1898, as Amended by Chapter 79, Laws of Utah, 1903, Relating to the Practice of Dentistry; and Defining the Practice of Dentistry, Providing for the Revocation of License, and Providing for the Punishment of Associations or Companies Practicing Dentistry, Unless the Same Conform to the Requirements of this Act," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

Mr. Bennion gave notice that he would tomorrow move the Senate to reconsider the vote by which S. B. No. 86 passed.

S. B. No. 100, by Walton, entitled "An Act to Establish and Maintain a State Laboratory for Bacteriological Purposes, and Providing for the Appointment of and Compensation of a Director Thereof, and Making an Appropriation Therefor," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 112, by Lawrence, (by request), entitled "An Act Amending Section 3683, of the Revised Statutes of Utah, 1898, Relating to the Service of Summons from Justice's Courts, as Amended by Chapter 70, of the Laws of Utah, 1899," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

S. B. No. 129, by Joint Committe, (substitute for H. B. No. 117, and S. B. No. 54), entitled "An Act Creating a State Board of Horticulture, Providing for County Fruit Tree Inspectors, Defining their Duties, Providing for the Publicatioin and Distribution of their Reports, Defining the Duties of Orchardists and Nurserymen, and Repealing Title 28, of the Revised Statutes of Utah,

1898, and Chapter 47, Session Laws of Utah, 1899, and Chapter 104, Session Laws of Utah, 1903," was amended in title to read:

"An Act Creating a State Board of Horticulture, Providing for the Publication and Distribution of its Reports, for the Appointment of County Fruit Tree Inspectors, Defining their Duties and the Duties of Orchardists and Nurserymen, Making an Appropriation for Carrying out the Provisions of this Act, and Repealing Chapter 104, Laws of Utah, 1903," and as amended in title and body, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 166, by Marks, entitled "An Act to Amend Section 3952, Revised Statutes of Utah, 1898, Relating to Final Accounts and Settlement of Estates," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 140, by Marks, entitled "An Act Amending Section 1239, Revised Statutes of Utah, 1898, Providing for the Disposition of Property Found Upon a Deceased Person," was amended, read the third time, and recommitted to Committee on Judiciary, on motion of Mr. Bennion.

H. B. No. 165, by Marks, entitled "An Act to Amend Section 4355, Revised Statutes of Utah, 1898, Defining Larceny," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Larsen, Loose, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Johnson, Lawrence, Mr. President.

Absent and not voting: Lewis.

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

H. B. No. 168, by Edward, entitled "An Act to Amend Section 2059, Revised Statutes of Utah, 1898, Relating to Compensation of County Commissioners," was read the third time, and, on motion of Mr. Hollingsworth, the enacting clause was stricken out.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 80, by Committee on Military Affairs, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board and Making Certain Appropriations for the Use of the Board."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Park, the Senate concurred in the House Amendments.

The bill was read, as amended, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Loose.

S. B. No. 80 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 23, entitled "An Act to Amend Sections 4, 9, and 32, of Chapter 64, of the Laws of Utah, 1899, and Section 1, of said Chapter 64, as the Same is Amended by Chapter 35, of the Laws of Utah, 1901; also Section 34, of said Chapter 64, as Amended by Chapter 62, Laws of Utah, 1903, Relating to the State Board of Land Commissioners."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1905.

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. 59, by Austin, entitled "An Act Creating a State Board of Park Commissioners, Providing the Manner of their Appointment, Fixing their Compensation, Prescribing their Powers and Duties, Making an annual Appropriation and Fixing Penalties for a Violation of this Act."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1905.

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. J. M. No. 4, by Austin, entitled "A Memorial to Congress Praying for a Grant of Lands for a State Park."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1905.

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. 136, entitled "An Act to Provide for the Approval and Custody of Official Bonds of State Officers, Officials of State Institutions, or other Persons Required to give Bond to the State."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

MISCELLANEOUS BUSINESS.

Consent was given to introduce the following bills:

S. B. No. 133, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal Years Nineteen Hundred and Five, and Nineteen Hundred and Six," which was read the first time and referred to Committee on Ways and Means.

S. B. No. 134, by Callister, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, Relating to Powers and Duties of Trustees," which was read the first time and referred to Committee on Education.

S. B. No. 135, by Callister, entitled "An Act to Provide for a State Oil Inspector, Prescribing his Duties, Providing for the Appointment of Deputies and for the Inspection of Illuminating Oils, and Products of Petroleum," which was read the first time and referred to Committee on Manufactures and Commerce.

At 6:10, on motion of Mr. Barber, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-EIGHTH DAY.

Senate Chamber,
March 7, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-seventh day's session were read and approved.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 7, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 23, entitled "An Act to Amend Sections 4, 9, and 32 of Chapter 64, of the Laws of Utah, 1899, and Section 1 of said Chapter 64, as the Same is amended by Chapter 35, of the Laws of Utah, 1901, also Section 34, of said Chapter 64, as Amended by Chapter 62, Laws of Utah, 1903, Relating to the State Board of Land Commissioners."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 6, 1905.

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. 108, by Marks, entitled "An Act to Amend Section 15, Chapter 109, Laws of Utah, 1901, as Amended by Section 1, Chapter 39, Laws of Utah, 1903, Relating to the manner of Commencing Actions and Issuing

Summons and the form Thereof in City Courts in Cities of the First Class."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 108 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 6, 1905.

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. 175, by Hawley, entitled "An Act Amending Section 4136, Revised Statutes of Utah, 1898, Providing a Penalty for Bribing, or Attempting to Bribe a Witness or Person about to be Called as a Witness."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 175 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 6, 1905.

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, by Maughan, entitled "An Act to Amend Section 4430, Revised Statutes of Utah, 1898, as Amended by Chapter 101, Laws of Utah, 1903, Relating to Trespass and Injuries to Property."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 147 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 6, 1905.

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. 151, by McCrea, entitled "An Act to Provide for the Dismissal of Criminal Actions in the Courts of Justices of the Peace, by the Justice or County Attorney, Requiring the Reasons for Such Dismissal to be Entered Upon the Docket of the Court, and Making the Order for Dismissal a Bar to any Prosecution for the Same Offense if it is a Misdemeanor."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 151 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 6, 1905.

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. 113, by Johnson, entitled "An Act to Prohibit the Sale of Firearms to Minors and the Carrying of Firearms by Minors and Prescribing Penalties for Violation Thereof."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 113 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. J. M. No. 3, by Williams, memorializing Congress to enact such Legislation as will better protect the people against adulterated, misbranded, and deleterious foods, drugs, and medicines."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. J. M. No. 3 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 91, by Rasband, entitled "An Act to Amend Chapter 25, Section 31, of the Session Laws of Utah, 1903, 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, and to Provide Penalties for the Violation of Any Provision of this Act."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 96, by Walton, entitled "An Act Providing for the Establishment of a Course of Instruction in the Public

Schools on the Subject of Sanitation and the Cause and Pevention of Disease."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 70, by Hollingsworth, entitled "An Act Exempting Wages Earned out of the State, and Payable out of the State, From Attachment or Garnishment, Where the Cause of Action Arises out of the State and Where Defendant is not personally Served with Process."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 6, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, and with amendments to the Senate amendments, S. B. No. 42, by Hollingsworth, 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, to Make an Appropriation Therefor in Addition to that Made by Section 10, of Chapter 96, Laws of Utah, 1903, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9, of Chapter 96, Laws of Utah, 1903."

The same is returned for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments, the

bill was read as amended, and passed by the following vote:

Ayes, 12; nays, 6.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Hollingsworth, Johnson, Lawrence, Lewis, McKay, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Clegg, Gardner, Larsen, Loose, Walton.

S. B. No. 42 was referred to Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred H. B. No. 190, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the sum of $2,500.00 to Zebulon Jacobs for Services Rendered to the State, and for Permanent Bodily Injury," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

Line 12, after the word "Jacobs" by inserting the following: "together with a written release of all claims and demands in full against the State of Utah for said injuries."

And as amended recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

H. B. No. 190 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred H. B. No. 186, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the sum of $2,500.00 to David Wilcken, for Meritorious Services Rendered the State and for Permanent Bodily Injury Sustained," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

Line 12, after the word "Wilcken" by inserting the following: "together with a written release of all claims

and demands in full against the State of Utah for said injuries," and as amended recommend that the bill be passed. WILLIAMS, Chairman.

Report adopted.

H. B. No. 186 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was recommitted H. B. No. 4, by Joseph, entitled "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as Amended by the Laws of Utah, 1901, Relating to Sericulture," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. By adding a new section to be known as Section 3, as follows:

"Sec. 3. for the purpose of carrying out the provisions of this act the sum of Five Hundred Dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated."

2. By changing Section "3" to read Section "4."

And with this amendment recommend that the bill be passed. McKAY, Chairman.

Report adopted.

H. B. No. 4 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 118, by Fishburn, entitled "An Act Providing for Uniform Examinations for County School Teachers throughout the State, and Repealing Sections 1794, 1795, 1796, 1797, and 1798, of the Revised Statutes of Utah, 1898, and all Acts Amendatory thereto, and all Acts and Parts of Acts in Conflict Herewith," beg leave to report that they have had the same under consideration and recommend the following amendment:

1. On line 19, by striking out after the word "temporarily" the words "pending the issuance by the State Board of Education, of such temporary certification," and inserting in lieu thereof "Provided that such teacher shall have made application to the State Board of Ed-

ucation for a Certificate and pending action by said Board on such application."

And with this amendment recommend that the bill be passed. BENNION, Chairman.

Report adopted.

H. B. No. 118 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 144, by Marks, entitled "An Act to Amend Sections 1806 and 1809, Revised Statutes of Utah, 1898, Relating to School Elections, how Called, Canvass of Votes," beg leave to report that they have had the same under consideration and recommend that the bill be passed. BENNION, Chairman.

Report adopted.

H. B. No. 144 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 145, by Marks, entitled "An Act to Amend Section 1844, Revised Statutes of Utah, 1898, Relating to the Duties of Teachers," beg leave to report that they have had the same under consideration and recommend that the bill be pased.

BENNION, Chairman.

Report adopted.

H. B. No. 145 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 124, by Cottam, entitled "An Act Providing Revenue for Common School Districts where the Revenue from the State, County, and District School Tax is Insufficient," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 124 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Highways and Bridges, to whom was recommitted H. B. No. 123, by Hopes, entitled "An Act Authorizing Certain Funds Appropriated to Juab County for the Improvement and Construction of Highways and Bridges in said County, between Eureka and Goshen, to be expended on roads between Eureka, Mammoth, and Silver City, in Juab County," beg leave to report recommending that the title be amended to read:

"An Act Authorizing Certain Funds Appropriated March 16, 1903, to Juab County for the Improvement and Construction of Highways and Bridges in said County Between Eureka and Goshen, be expended on roads between Eureka, Mammoth, and Silver City, in Juab County," and as amended recommend that the bill be passed.

LARSEN, Chairman.

Report adopted.

H. B. No. 123 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 146, by Marks, entitled "An Act to Amend Section 1785, Revised Statutes of Utah, 1898, Relating to the Duties of County Superintendents," beg leave to report that they have had the same under consideration and recommend that the bill be passed. BENNION, Chairman.

Report adopted.

H. B. No. 146 was read the second time.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Elections, to whom was referred H. B. No. 209, by Luther, entitled "An Act to Amend Section 845, Revised Statutes of Utah, 1898, Relating to Polling Places, Booths, Ballots, Ballot Boxes, Expenses, and Alternation of Election Districts," beg leave to report that they have had the

same under consideration and recommend that the bill do not pass.

RASBAND, Chairman.

Report adopted.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Public Institution, to whom was referred S. B. No. 119, by McKay, (by request), entitled "An Act Appropriating the Sum of $10,000.00 for the Purpose of Providing for the Erection of a building for the preservation of Historical and Archaeological Records and Relics, and Matters Having Historical and Archaeological Interest, and for the Purchase of a Site Therefor, and for the Purchase of Matters Having Historical and Archaeological Interest," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

HOLLINGSWORTH, Chairman.

Report adopted.

Committee Room, March 7, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 80, by Committee on Military Affairs, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board, and Making Certain Appropriations for the Use of the Board," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 80 was read by title, and signed by the President in open session, in the presence of the Senate.

INTRODUCTION OF RESOLUTION.

S. C. R. No. 6, by Bamberger, (by request), requesting that the Committee on Judiciary of the Senate of the Seventh Legislature of the State of Utah, prepare within thirty days after the beginning of the first session

of said body an act amending Article IV., of the Constitution of the State of Utah, went on the table, under the rule.

SENATE CLAIMS.

S. C. No. 21, introduced by Hollingsworth, being a claim of Willard Cragun and Jacob Thomas, for a refund of $599.53, paid for school land, was referred to State Board of Examiners.

S. C. No. 22, introduced by Walton, being a claim of Wm. N. Nalder et al., for a refund of $4,131.90, paid for school land, was referred to State Board of Examiners.

INTRODUCTION OF BILLS.

Consent was given to introduce the following bills:

S. B. No. 137, by Hollingsworth, entitled "An Act to Provide for, and establish a System of Primary Elections in Counties Having a Population of Ten Thousand, or in Excess Thereof, and in Such Other Counties as may, by Voluntary Action, as Herein Provided, Adopt the Provisions of this Act; for the Purpose of Securing to the Individual Elector the Most Complete Liberty and the Fullest Privilege in the Selection of Candidates for Public Office, in the Adoption of Policies and Principles by Political Parties, and in the Government of Political Parties and the Election of Their Delegates, Officers and Managers, Whereby There may be Made Nominations of Candidates for District, County, Municipal, Precinct, and all Other Public Offices to be Voted for Entirely Within the Confines of a Single County, and at any General Election, or on the same Date as any General Election; Whereby there May be Adopted Declarations of Political Party Principles and Policies and Rules of Political Party Government; and Whereby Officers, Managers and Committees of Political Parties, and Delegates to Conventions of Political Parties, may be Elected. 'Whereas, the Evils and Vices of the Convention System of Nominating and Selecting Candidates for Public Office. Declaring Political Principles and Politics, Making

Rules for Party Government and Electing Party Officers, Managers and Delegates, Have Become and are so Flagrant and Oppressive as to Deprive the Great Majority of our Citizens of that Fullness of Political Liberty Which by the Letter and the Spirit of our Constitution, Federal and State, Were Designed for Every Freeman:'" which was read the first time and referred to Committee on Elections.

S. B. No. 138, by Hollingsworth, entitled "An Act Concerning Land Titles; Registration of Titles; Recorders Made Ex-Officio Registrars; bringing Land Under Act; form of Application for Initial Registration of Title to Land; Registration of Land Title; Registering the Title; the Rights of Registered Owners; Transfer; Mortgages; Leases and Other Charges; Attorneys in Fact; Transmission; Trusts, Conditions and Limitations; Dealings of Assignees, Receivers, Masters, etc.; Tax Sales; Lis Pendens-Judgment-Decrees-Notice; Attachment-Execution, etc.-Liens; Memorial of Adverse Claim, etc.; Proceedings in Chancery; Indices, Indemnity Fund; Proceedings to Recover Compensation for Loss or Damage; Penalties; Fees; and Adoption by Counties," which was read the first time and referred to Committee on Judiciary.

S. B. No. 139, by Lawrence, entitled "An Act to Create and organize a Municipal Court in Certain Cities, and to Define the Powers, and Duties, and Jurisdiction Thereof, and Making the Judge of said Court Ex-Officio Justice of the Peace of Said Cities, and Ex-Officio Justice of the Peace of the Precincts Embraced in said Cities," which was read the first time and referred to Committee on Judiciary.

S. B. No. 140, by Lawrence, entitled "An Act to Repeal Section 4036 of the Revised Statutes of Utah, 1898," which was read the first time and referred to Committee on Judiciary.

THIRD READING OF BILLS.

S. B. No. 131, by Committee on Judiciary, (substitute for S. B. No. 50), entitled "An Act to Amend Section 425,

of Chapter 6, of the Revised Statutes of Utah, 1898, Relating to Loan, Trust, and Guaranty Associations Becoming Sole Surety," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen, Lewis.

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

S. B. No. 132, by Committee on Judiciary, (substitute for S. B. No. 50), entitled "An Act to Amend Section 3, Chapter 65, of the Laws of Utah, 1899, Entitled 'An Act in Relation to Corporate Suretyship on Bonds and Other Obligations, Providing for the Acceptance as Surety of Corporations Qualified to Act as Such, the Release of such Surety, the Safe Depositing of Assets for which Surety may be Liable, the Charging by Fiduciaries and Litigants of the Expense of Procuring Such Surety," was amended, 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen, Lewis.

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

At the request of Mr. Hollingsworth, S. B. No. 125 was placed at the foot of the calendar.

H. B. No. 138, by Committee on Agriculture and Horticulture, entitled "An Act Providing for the Establishment of a Central Utah Experiment Station, and Placing the same, with the Southern Utah Experiment Farm, under the Direction and Management of the Agricultural College Experiment Station of Utah, and Repealing Chapter 85, Laws of Utah, 1899," was amended, 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, Callister, Clegg, Gardner, Hollings-

worth, Johnson, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Voting in the negative: Lawrence.

Absent and not voting: Larsen, Lewis.

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

H. B. No. 143, by Marks, entitled "An Act to Amend Sections 1778 and 1781, Revised Statutes of Utah, 1898, Relating to the Biennial Report of the State Superintendent of Public Instruction, and calling for Attendance upon Conventions," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

MISCELLANEOUS BUSINESS.

Mr. Bennion withdrew his notices of intention to ask the Senate to reconsider the votes by which S. B. No. 86 and S. B. No. 92 passed.

Mr. Clegg withdrew his notice of intention to move the Senate to reconsider the vote by which S. B. No. 114 failed to pass.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 7, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to you honorable body the following appointments, and ask your advice and consent thereto:

Trustees of the Agricultural College of Utah: Thomas Smart, Susa Young Gates, Letitia Peery Richards.

Member of State Board of Pharmacy: C. H. McCoy.

State Fish and Game Commissioner: John Sharp.

Very respectfully,
JOHN C. CUTLER, Governor.

EXECUTIVE SESSION.

At 4 p. m., the Senate went into executive session.

REGULAR SESSION RESUMED.

Upon regular session being resumed at 4:55, the President announced that the Senate advised and consented to the following appointments made by the Governor:

Trustees of the Agricultural College of Utah: Thomas Smart, Susa Young Gates, Letitia Peery Richards.

Member of Board of Pharmacy: C. H. McCoy.

State Fish and Game Commissioner: John Sharp, and refused to advise and consent to the following appointments:

Members of the State Board of Sheep Commissioners: L. R. Anderson, J. S. Ostler, John E. Austin.

At 5 p. m., on motion of Mr. Bamberger, the Senate adjourned until tomorrow at 2 p. m.

FIFTY-NINTH DAY.

Senate Chamber,
March 8, 1905.

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

Roll call; quorum present.

Prayer by the Chaplain.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 7, 1905.

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. 86, by Tolton, entitled "An Act to Amend Section 9, Chapter 72, Laws of Utah, 1899, Relating to Court Stenographers and Fees to be Collected."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 86 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 7, 1905.

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. 80, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board and Making Certain Appropriation for the Use of the Board."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 7, 1905.

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, by Marks, entitled "An Act to Amend Section 1022, Revised Statutes of Utah, 1898, Defining the Word "Folio."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 158 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 7, 1905.

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. 159, by Marks, entitled "An Act to Amend Section 973, Revised Statutes of Utah, 1898, Providing for the Collection of Fees of County Recorders."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 159 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 7, 1905.

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. 77, by Hawley, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating to Reports and Settlements of County Treasurers."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 77 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 7, 1905.

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, by Marks, entitled "An Act to Provide for Recording Instruments in the Office of County Recorders."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 157 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 189, by Marks, entitled "An Act to Amend Section 1708, Revised Statutes of Utah, 1898, Relating to Pawnbrokers and Second Hand Dealers."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 189 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 181, by Marks, entitled "An Act Providing for Juvenile Courts, Providing for the Appointment of the Probation Officers, Outlining their Duties and Specifying their Compensation; Providing a Method of Procedure against Juvenile Delinquents, Specifying places for their Temporary and Permanent Detention, and the Compensation for their Care; Providing for the Time and Place of Trial; Defining Delinquent Child and Delinquent Person; and Providing Punishment for all Delinquents."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 181 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 208, by Thompson, entitled "An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations—Other than Real Property."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 208 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 198, by Merrill, entitled "An Act to Amend Section 3129, Revised Statutes of Utah, 1898, Relating to Jury Trials, the Demand Therefor and the Fees to be Paid."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 198 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. B. No. 35, entitled "An Act to Amend Section 1905, Revised Statutes of Utah, 1898, Relating to Compensation of Members of the Board of Education in Cities;" H. B. No. 173, entitled "An Act Providing for Salting Cattle, Horses, and sheep on the

Public Ranges of this State;" H. B. No. 174, entitled "An Act Amending Section 4474, Revised Statutes of Utah, 1898, Providing for the Punishment of Persons Guilty of Altering Marks or Brands on Animals;" H. B. No. 65, entitled "An Act to Amend Sections 3095 and 3098, of the Revised Statutes of Utah, 1898, Concerning Garnishment, and to Provide for the Payment of Fees to the Garnishee before Answer can be Required in Garnishment Proceedings, Provided that the Payment of Costs by the Defendant shall not apply in cases Provided for in Subdivision Seven of Section 3245, as Amended by Chapter 31, of the Laws of Utah, 1901;" H. B. No. 46, entitled "An Act Providing an Additional method for Taking of Depositions without the State;" and H. B. No. 42, entitled "An Act to Amend Section 206, Revised Statutes of Utah, 1898, Relating to the Powers of City Councils, as amended by Chapter 124, Laws of Utah, 1901, as Further Amended by Chapter 138, Laws of Utah, 1903."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 108, by Walton, entitled "An Act Requiring the Disinfection of Public Buildings, Railway Coaches, and Sleeping Cars, and Providing a Penalty for the Violation Thereof."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 113, by Rasband, entitled "An Act to Amend Section

1, of Chapter 44, of the Laws of Utah, 1901, entitled 'An Act to Prevent the Compelling of Employees of Persons or Corporations, to Trade with any Store, or Board at any Boarding House, by Means of Coercion, Intimidation, or Otherwise."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 21, by Lawrence, entitled "An Act Amending Section 3590, of the Revised Statutes of Utah, 1898, Providing for the Kinds of Property that May be Taken by the Exercise of the Rights of Eminent Domain."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H.B.No. 75, by Marks, entitled "An Act Providing for County School Districts of the First Class, Placing these Upon the Same Basis of Administration as School Districts in Cities of the Second Class, and Making Necessary Regulations Therefor."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 75 was read the first time and referred to Committee on Education.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 225, by Kinney, entitled "An Act Providing for a Census of the Inhabitants of Utah, and the Manner of Taking the Same."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 225 was read the first time and referred to Committee on Apportionment.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 205, by Marks, entitled "An Act to Amend Section 3748, Revised Statutes of Utah, 1898, Relating to Filing Undertakings on Appeal from Justice's and City Courts to the District Court, and Justification of Sureties."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 205 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 101, by Walton, entitled "An Act Making it Unlawful to Expectorate upon the Floor of any Public Building or Church, or of any Car, or Upon any Sidewalk Within this State, and Requiring each Passenger car to be

Provided with Spittoons, and Fixing a Penalty for the Violation of this Act."

The same is returned herewith.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,

Salt Lake City, March 7, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day refused to concur in the Senate amendments to H. B. No. 138, and a Conference Committee has been Appointed to Confer With a like Committee from the Senate.

The Speaker appointed appointed Messrs. Miller, Hawley, and Austin, as such Committee.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

Mr. Bamberger moved that a Conference Committee of three be appointed to confer with the committee appointed by the House. Carried.

The President appointed Senators Bamberger, McKay, and Johnson to act as such committee.

REPORTS OF STANDING COMMITTEES.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 171, by Hawley, entitled "An Act in Relation to the Making of False Representation in Writing by a Person of his Assets or Financial Responsibility for the Purpose of Obtaining Credit Thereon, and Providing a Penalty therefor," beg leave to report that they have had the same under consideration and recommend that the bill be passed. WILLIAMS, Chairman.

Report adopted.

H. B. No. 171 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 114, by Kinney, entitled "An Act Amending Section 3669, and 3671, Revised Statutes of Utah, 1898, and Adding a new Section to be known as 3671-A, Relating to Change of Venue of Actions Pending Before Justices of the Peace," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 114 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 140, by Marks, entitled "An Act Amending Section 1239, Revised Statutes of Utah, 1898, Providing for the Disposition of Property Found Upon a Deceased Person," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 182, by Peterson, entitled "An Act Amending Section 2934, Revised Statutes of Utah, 1898, as Amended by Chapter 25, Laws of Utah, 1901, Providing a Change of Venue in Civil Cases in the District Courts," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 160, by Edward, (by request), entitled "An Act Amending Section 1404, Revised Statutes of Utah, 1898, Relating to Liens on Personal Property," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In line 8, by striking out the words "in like manner."
2. In line 12, by striking out the words "one year," and inserting in lieu thereof "six months."
3. In line 15, by striking out the word "ninety," and substituting the word "sixty."
4. In line 3, page 2, by substituting the word "mortgagee" for "mortgagor."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 160 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 224, by McCrea, entitled "An Act Making any City, Town, Village or School District Liable Jointly with the Principal Contractor upon Public Works, in Actions Instituted by Sub-contractor or Material Men Against such Principal Contractor," beg leave to report that they have had the same under consideration, offer the following amendment thereto:

In line 25, page 1, after the House amendment, by striking out the word "or" before "village" and inserting after the word "village "or school district."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 224 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 134, by Marks, entitled "An Act Providing for the Adverse Possession of Rights-of-Way," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 163, by Marks, entitled "An Act to Amend Section 974, Revised Statutes of Utah, 1898, as Amended by Chapter 18, Laws of Utah, 1899, Relating to Fees of Sheriffs," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Page 3, by striking out all of lines from 16 to 32 inclusive, and substituting the following:

"For receiving and paying over money on Execution, or other process as follows: If the amount collected does not exceed $100.00, 3 per cent thereon; if the amount exceeds $100.00, and is less than $200.00, 3 per cent on the first $100.00, and 2 per cent on the balance; if the amount exceeds $300.00, and is less than $1,000.00, 3 per cent on the first $100.00, 2 per cent on the second $100.00, and 1½ per cent on the balance; if the amount collected exceedes $1,000.00, 3 per cent on the first $100.00, 2 per cent on the second $100.00, 1½ per cent on the next $700.00, and ¾ of one per cent on the balance."

And as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 163 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 109, by Lawrence, entitled "An Act to Amend Section 2877 of the Revised Statutes of the State of Utah, for 1898, Relating to Limitations other than Real Property," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. Line 4, by striking out the annotation "Actions for statutory Liabilities and Actions for trespass, waste, fraud, etc."

2. Line 8, after the word "State" by inserting the words "shall be begun within."

3. Line 10, by inserting the word "within" after the word "property."

4. Line 18, by inserting the word "within" after the word "thereof."

And as amended recommend that the bill be passed.
LAWRENCE, Chairman.

Report adopted.

S. B. No. 109 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. J. R. No. 1, by Kinney, "Proposing an Amendment to Section 3, Article XIII., of the Constitution as Amended November 6, 1900, Relating to Uniform Tax and Exemption Therefrom," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In the Title by striking out the word "an" and adding an "s" to the word "Amendment," in the first line; on the second line, after the figures "1900," by inserting the words "and Section 12, of said Article XIII.," and by adding an "s" to the word "Exemption" in third line of the Title. After the word "Therefrom" on the third line, by adding the following: "And Authority

of the Legislature to Provide for a Stamp tax or a tax Based on Income, Occupation, Licenses, or Franchises."

2. Line 9, after the figures "1900" by inserting "and Section 12 of said Article XIII.," and after the word "be" same line, by inserting the words "and the same are hereby."

3. By striking out the annotation "Legislature to Provide Uniform Tax Exemptions" on line 10 and 11.

4. Page 2, between lines 4 and 5, by inserting the following:

"12. (Stamp, Income, License, Franchise, or Mortgage Tax Permissible.) Nothing in this constitution shall be construed to prevent the Legislature from providing a stamp tax, or a tax based on income, occupation, licenses, or franchises."

5. Line 6, page 2, by substituting the word "these" for "this" and adding an "s" to the word "Proposition."

6. Line 10, same page, by substituting the word "these" for "this" and adding an "s" to the word Propositions."

8. Line 16, after the word "Constitution" by inserting the following: "also the words 'For the amendment to Section 12, Article XIII., of the Constitution' and 'Against the amendment to Section 12, Article XIII.' of the Constitution.' "

9. Line 17, by adding "s" to the word "amendment."

10. Line 22, by substituting the word "These" for "this" and adding an "s" to the word "amendment."

And as amended recommend that the Resolution be passed.

LAWRENCE, Chairman.

Report adopted.

H. J. R. No. 1 was read the second time.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 11, by Larsen, entitled "An Act to Establish Schools of Agriculture and Domestic Economy; to Provide for the Creation of County School Boards and Prescribing their Qual-

ifications, Terms of Office, Duties and Powers; for the Apportionment of Taxes, and to Appropriate Money for Said Purposes," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

McKAY, Chairman.

Report adopted.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 27, by Kinney, entitled "An Act to Establish a Uniform Standard of Weights and Measures," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

WILLIAMS, Chairman.

Report adopted.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Agriculture and Irigation, to whom was referred S. B. No. 4, by Larsen, entitled "An Act to Establish an Agricultural Experiment Farm, to Provide for the Appointment of a Commission, to Procure Site and for a Permanent Board of Management, and Prescribing their Qualifications, Powers, Duties, and Terms of Office; and to Appropriate Money for said Purpose," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

McKAY, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 167, by Marks, entitled "An Act to Amend Section 3961, Revised Statutes of Utah, 1898, Relating to Partition and Distribution of the Property of Estates," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 85, by Bennion, entitled "An Act Providing for the Appropriation of Money for the Purpose of Paving Streets upon Which Rreal Estate is Abutting Belonging to the State of Utah, on State Street in Salt Lake City, Utah," beg leave to report that they have had the same under consnderation and recommend that the bill do not pass.

WILLIAMS, Chairman.

Report adopted.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Banks and Banking, to whom was referred H. B. No. 178, by Marks, entitled "An Act Amending Section 388, Revised Statutes of Utah, 1898, Relating to the Making of Reports to the Secretary of State by Banking Corporations and Private Bankers and Providing for the Publication Thereof," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LEWIS, Chairman.

Report adopted.

H. B. No. 178 was read the second time.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Appropriations and Claims, beg leave to introduce the following S. B. No. 142, entitled "An Act Making an Appropriation out of the State Reservoir Land Grant Fund and Repealing Chapter 120, Session Laws of Utah, 1903, Entitled Reservoir Sites," and having had the same under consideration recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

S. B. No. 142 was read the first and second times.

Committee Room, March 8, 1905.

Mr. President:—Your committee on Manufactures and Commerce to whom was referred H. B. No. 139, by Edward, entitled "An Act to Regulate the Purchase, Sale, Transfer, and Encumbrance of a Stock of Goods, Wares, or Merchandise, in bulk or of any portion of a Stock of Goods, Wares and Merchandise, Otherwise than in the Usual Course of trade, and Prescribing Penalties for the violation thereof," beg leave to report that they have had the same under consideration and recommend that the same be passed.

WILLIAMS, Chairman.

Report adopted.

H. B. No. 139 was read the second time.

Senate Judiciary Committee Room,
March 8, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 18, by Lawrence (by request), entitled "An Act Providing for Recording Plats of Cemeteries, and the Evidence of Burial Rights Therein" in Cities of the First Class," beg leave to report that they have had the same under consideration, and recommend that the accompanying bill, being S. B. No. 145, by Judiciary Committee, entitled "An Act Providing for the Recording of Plats of all Cemeteries and the Evidence of Burial Rights therein," be substituted therefor and passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 145 was read the first and second times.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Military Affairs, to whom was referred S. P. No. 2 and No. 6, beg leave to report that they have had the same under consideration and offer the accompanying S. C. R. No. 7, and recommend that the same be passed.

PARK, Chairman.

Report adopted.

S. C. R. No. 7, by Committee on Military Affairs, "Resolved by the Senate, the House concurring, that the

Senators and Representative of Utah in the Congress of the United States of America be, and are Hereby Requested to Use their Efforts to the End that Congress shall Recognize the Faithful Services of the Indian War Veterans of Utah by Accepting Records of such Service Between the years 1850 to 1872, Inclusive, from the State of Utah, and Filed with the Secretary of War, and by Granting pay for Thirty Days as Privates of Volunteer Militia to such Indian War Veterans of Utah as shall File such Proof, and that the Provisions of the Act of July 27th, 1802, as Amended by the Act of June 27th, 1902, shall be Applicable to said Indian War Veterans."

S. C. R. No. 7, under suspension of the rules, was read the first and second times.

REPORTS OF SPECIAL COMMITTEE.

Salt Lake City, Utah, March 7, 1905.

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

In compliance with the recommendations of the Governor contained in his communication dated February 2nd, 1905, and with your immediate instructions, the Joint Committe appointed to investigate to the end that "steps might be taken to reduce duplication of studies in the University of Utah and the Agricultural College to the least possible minimum," and to formulate recommendations as to legislation which would cover the matter, has given the question as thorough a consideration as time would permit. The investigation has extended over a period of three weeks, and both sides have been given fair representation in the several hearings. The question at issue is a large and important one, involving the most vital interests of the State, and we hesitate to decide it summarily, even on the evidence obtained. In the light of our investigations we do feel that the duplication of courses at the institutions mentioned is a matter of serious and mature thought, and hence, in view of the emphatic opinions on both sides of the question, and a desire for fairness, justice and equality to all concerned, we, the undersigned members of the Committee, favor the passage of the measures accompanying this report.

We recommend that the Regents of the University and the Trustees of the Agricultural College be instructed to increase the entrance fee to their respective institutions to ten dollars for resident students, and not less than fifteen dollars for non-resident preparatory students, and not less than thirty-five dollars for non-resident collegiate students. We further recommend that the appropriations for both institutions be reduced to the lowest amount consistent with thorough, efficient work, but that the School of Mines at the University be allowed its full quota of appropriation asked for by the Regents.

A. G. BARBER,
T. H. MERRILL,
H. S. JOSEPH,
GEO. AUSTIN,
W. H. MAUGHAN.

JOINT SENATE AND HOUSE BILL NO. 1.

(Being S. B. No. 150.)

An Act creating a Commission to make findings with reference to the respective functions of the Agricultural College of Utah and the University of Utah, and to report the same to the Seventh Legislature of Utah.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF UTAH:

Section 1. A Commission is hereby created consisting of nine members to be appointed as follows: Two from Cache County, one from Weber County, two from Salt Lake County, one from Juab County, one from Utah County, one from Beaver County, with the Governor as ex-officio member and Chairman.

Section 2. That the purpose of said Commission shall be to formulate a plan whereby the Agricultural College of Utah and the University of Utah, may be put upon such a basis as regards their control and duplication of studies consistent with the finances and the educational advantages of the State, and report their findings to the Seventh Legislature of the State of Utah.

Section 3. The Commission is hereby authorized to appoint a Sub-Committee to visit the educational institutions of other States.

Section 4. The sum of $1,000, or so much thereof as may be necessary, is hereby appropriated for the purpose of carrying out the provisions of this act.

JOINT SENATE AND HOUSE BILL NO. 2.

An Act Amending Section 2087, Revised Statutes of Utah, 1898.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF UTAH:

Section 1. That Section 2087, Revised Statutes of Utah, 1898, be and the same is hereby amended to read as follows:

2087. The courses of instruction for the succeeding two years, and until otherwise provided for by law, shall comprise agriculture, domestic science and arts, commerce, elementary surveying, irrigation engineering, mechanic arts, military science and tactics, history, language, and the various branches of mathematical, physical, and natural science with special reference to their Application in the industries of life. But the Agricultural College shall not offer courses in mining or electrical engineering, liberal arts, pedagogy, or the profession of law or medicine.

JOINT SENATE AND HOUSE BILL NO. 3.

An Act Amending Section 2292, Revised Statutes of Utah, 1898.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF UTAH:

Section 1. That Section 2292, Revised Statutes of Utah, 1898, be and the same is hereby amended to read as follows:

2292. The University for the next two years and until otherwise provided for by law shall be the highest branch of the system of public education, as far as practicable, its courses and methods shall be arranged to supplement the instruction of the subordinate branches of such system, with a view to afford a thorough education to students of both sexes in the arts, the sciences,

literature, and the civil professions; but the University must not include in its courses irrigation engineering, commerce, agriculture, nor domestic science and arts except that students in the normal course may be given the required work in domestic arts to prepare them to give instruction in that subject.

REPORT OF FIVE MEMBERS OF SPECIAL COMMITTEE IN RE GOVERNOR'S MESSAGE AS TO DUPLICATION OF STUDIES IN UNIVERSITY OF UTAH AND AGRICULTURAL COLLEGE OF UTAH.

Salt Lake City, March 8, 1905.

To Hon. S. H. Love, President of the Senate, and Hon. Thomas Hull, Speaker of the House of Representatives:

Gentlemen;—On February 2, 1905, Governor John C. Cutler transmitted a communication to the Senate and to the House of Representatives, stating in part "It appears that there is an unnecessary duplication of studies in the University of Utah, and the Agricultural College of Utah." "I beg to suggest to your Honorable body, that steps be taken to reduce such duplication to the least possible minimum," and further stating: "I beg to suggest, therefore, that a joint committee be appointed from the Senate and the House of Representatives, to canvass the situation thoroughly, and formulate recommendations as to legislation, covering this important matter."

Pursuant to the suggestion, a special joint committee, consisting of five members of the Senate and five members of the House of Representatives, was appointed namely: Senators Barber, Bennion, Park, Williams and Hollingsworth, and Representatives Austin, Joseph, Maughan, Merrill and McCrea.

At a meeting of the committee held February 3rd, Senator Hollingsworth was elected Chairman, and Representative McCrea, Secretary of the committee.

Since that day, almost daily meetings of the committee have been held, and conscientious and painstak-

ing care and consideration given the matter. The committee at the outset fully comprehended the far reaching and lasting effects resulting from any action the Legislature might take in the premises. We have heard oral statements from President Kerr, Dr. Widtsoe, and Professor Jensen, of the Agricultural College, and President Kingsbury, Dr. Merrill,and Professor Stewart of the University of Utah. We have also considered written statements prepared by the Presidents of the two institutions. The members of the Committee presenting this report, regret exceedingly, that the Committee was unable to agree, and therefore submit but one report for your consideration. We are of the opinion, that under the suggestion of the Governor, and the action taken thereon by the Legislature, the Committee was authorized to consider and recommend the enactment of such legislation as will not only reduce the duplication of studies in the two institutions to the least possible minimum, but such as will entirely and for all time completely eradicate all such duplication. Therefore, the members of the committee presenting this report, are agreed that such duplication can only be completely and for all time, eradicated, by an amendment to the Constitution of our State. We therefore submit herewith, a proposed amendment to Section 4, Article 10, of the Constitution of the State of Utah, relating to the location rights, courses of study, etc., of the University of Utah and the Agricultural College of Utah, and recommend its passage. By so doing this great educational question will be submitted at the general election in November, 1906, to the electors of this State, so that they may decide as to whether they desire to expend continually in the future, an unnecessary amount of money through duplication of the higher educational work of our State.

From the testimony and written statements, the members of the Committee presenting this report, have found that a very large portion of the educational work given or offered in the University, is given or offered in the Agricultural College; that about the only subjects given or offered in the Agricultural College and not given or offered in the University of Utah are agriculture and kindred subjects, and the greater part of Domestic Science and Arts; and that the only subject given or

offered in the University of Utah and not given or offered in the Agricultural College are training school work, some subjects in the Mining Engineering course, Greek, some Latin, some courses in the Department of Educa tion, one course in Sociology, and a few other subjects of minor importance.

Three fourths at least, of the work done in one institution is duplicated in the other. We have found that if college courses in agriculture and kindred subjects, leading to a degree, and college courses in Civil Engineering and Mechanical Engineering, leading to degrees, in these courses be given or offered in the Agricultural College, then it is absolutely necessary to duplicate the larger part of the work of the University. For instance the agriculture course leading to a degree of B. S. in agriculture at the Agricultural College, includes studies, nearly all of which are also given not only in our University but in nearly every university. In any agriculture course, leading to a degree in agriculture, two thirds or more of the work is ordinary university work. By looking over the course in Domestic Science, we find the same to be true. In the course of Commerce, nearly all the subjects are University subjects, the specific subjects dealing actually with Commerce being Economic and Law subjects. In all the engineering courses offered in the Agricultural College, except a part of the subject called Irrigation, the subjects are ordinary University subjects. Therefore, as stated, we have found three-fourths, if not more, of all the educational work done in one of these institutions, is done in the other. We have further found that of all the students in the two institutions, comparatively few are doing college work.

So small are the classes in the Sophomore, Junior and Senior year in the two institutions, that in most instances, two or more times the number of students in both institutions could be taught by one instructor at the same time, and thus save thousands of dollars in the item of salaries alone. We also find that not only the salaries of several instructors could be saved by consolidation, but one set of expensive apparatus, one set of expensive machinery for engineering, one set of expensive books needed in higher eduation, one set of scienti-

fic magazines and one set of laboratory facilities. The management of the two institutions, if consolidated, would cost far less each year than is now the case. One administration, one President, one Secretary and one Treasurer, would suffice for the two institutions, if the management was centered in one. Our State has, in our opinion, expended vast sums of money unnecessarily for higher education, through maintaining the University of Utah and the Agricultural College separately, and should these two higher educational institutions still remain separate and be maintained separately, as they have heretofore, then the appropriations which will have to be made, will grow year by year, larger and larger. Had the money which has been put into these two institutions for the last ten years been put into one institution, we would have today an institution of higher learning in the State of Utah, which would be a credit to the State, and which would have obviated the necessity of so many of our young people going from home in order to obtain these educational opportunities. The history of State education in the older States shows most conclusively that the best results have always been reached through the consolidation of the State educational institutions. The State cannot possibly maintain two separate institutions aspiring to become universities, and make each one an institution creditable to the State of Utah.

We have learned that in at least eighteen States, the agricultural colleges are united with the State universities. Just recently the State of Georgia united her Agricultural College with the University. We also learn from an indisputable source that a union of the Agricultural College of the State with the University of that State is solely a State question. The revenue of $40,000.00 per annum now received by our Agricultural College from the Federal Government, would, under the proposed consolidation, be paid to such state officers as may be designated by law to receive it. The Federal Government requires only that the Agricultural College, whether a separate institution or a department of the State University, be specified by State law to be a college for the benefit of agriculture and the mechanic arts, and that there shall be given therein, instructions in

agriculture, mechanical arts, the English language and the various branches of Mathematical, Physical, Natural and Economical Sciences, with special reference to their application to the industries of life. No rights of the State of Utah, under the Federal grant thereto for Agricultural College and University purposes would be in any way impaired or affected by the proposed constitutional amendment.

We are convinced furthermore, that the consolidation will allay strife, save large sums of money to the taxpayers, make a better Agricultural College, a better School of Mines, a better Normal School, and a better school of Arts and Sciences, with the expenditure of the same amount of money. The question under consideration is not a new one. The matter occupied considerable attention during the last sessions of our Territorial Legislature. During the session of the Constitutional Convention in 1895, the matter of consolidating the Agricultural College and the University of Utah in exactly the same manner as contemplated in the proposed Constitutional amendment, was discussed at great length. Since statehood nearly every Legislature has had to consider the very same subject. At the last session of the Legislature the matter was as usual considered and discussed, and finally, after the Presidents of the two Boards of Control agreed in writing to put an end to duplication, the matter of enacting the necessary legislation was deferred. It now appears that the agreement so reached has not been followed, and that in fact no real good, that is, the eradication of the duplication of work, was in fact accomplished. Therefore, at this session, we are again confronted with this ever-recurring problem.

The plan, according to the proposed Constitutional Amendment, is to go to the very source of the evil, if it may be so termed, and consolidate the two institutions, and to do all and only college and university work at one place, and do only high school work at one place. Also to maintain an experiment station with High School work in Logan City, and an experiment station within street car reach of the University at Salt Lake City, wherein all the college and university work will be done. High School work does not at all duplicate the

college and university grade work, for where High School work ends, college and university work begins; just the same as the eighth grade work in the District schools ends where the High School work begins.

For these reasons, and the further ones which will be advanced when the matter is under discussion, we are of the opinion that a duplication can only effectually and for all time be overcome, by the passage of the Constitutional amendment submitted, and its subsequent approval by the electors. By so doing, thousands of dollars will be saved annually to the State, and our higher educatioinal work be made much more efficent in agriculture and kindred subjects, in Mining and Engineering work, in the Normal School work and in the educational work of the School of Arts and Sciences.

We recommend the passage of the proposed Amendment herewith submitted, to Section 4, Article 10 of our State Constitution.

C. R. HOLLINGSWORTH,
W. N. WILLIAMS,
SAMUEL C. PARK,
HARDEN BENNION,
WM. M. McCREA.

S. B. No. 149 by Joint Committee.

An Act Proposing an Amendment to Section 4, of Article X of the Constitution of the State of Utah, Relating to the Location, Rights, Courses of Study, etc., of the University and Agricultural College.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF UTAH, TWO-THIRDS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES CONCURRING THEREIN:

Section 1. There shall be submitted to the electors of this state, the following proposed amendment to Sec. 4, of Article X, of the Constitution of the State of Utah, to-wit:

Sec. 4. The Agricultural College is hereby made a department of, and shall be controlled by, the University of Utah, but the identity of the former is preserved, and both are hereby permanently located at Salt Lake City. The University of Utah shall include a School of

Arts and Sciences, a state Normal School, a State School of Mines, an Agricultural College, and such other schools as may be established by law. All the rights, immunities, franchises, and endowments heretofore granted or conferred, are hereby granted and perpetuated unto the Agricultural College and unto the University of Utah, including its various schools. All instruction in said University below college grade, except as to a normal training school which shall be maintained at Salt Lake City, shall be given in Logan and places other than Salt Lake City, as may be provided by law; provided, that in the event that the land granted to the State as the site of the Agricultural College shall be declared forfeited, the foregoing provisions respecting a preparatory or high school at Logan shall become void, and the Legislature in such event, may provide for preparatory or high school instruction in the University, either at Salt Lake City or elsewhere. All public school instruction of college and university grade shall be given in the University of Utah only at Salt Lake City. This amendment shall take effect and be in force from and after July 1st, 1907.

Section 2. The Secretary of the State shall cause the foregoing proposed amendment to be published in at least one newspaper in every county of the State where a newspaper is published, for two months immediately preceding the next general election, at which time the said amendment shall be submitted to the electors of this State for their approval or rejection. All official ballots used at such election shall have printed or written thereon, the words "For the Amendment to Sec. 4, of Article X. of the Constitution," and "Against the Amendment to Sec. 4 of Article X, of the Constitution," and shall otherwise be prepared and submitted to the electors as is or may be provided by law. Said ballots shall be received and said votes shall be taken, counted and canvassed, and returns thereof be made in the same manner and in all respects as is or may be provided by law in the case of the election of state officers.

The President called Mr. Bennion to the Chair.

On motion of Mr. Hollingsworth, the consideration of these reports was deferred until tomorrow at 10 a. m.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, and with amendment to the Senate amendment, S. B. No. 89, by Hollingsworth, entitled "An Act Amending Section 2, Chapter 43, Laws of Utah, 1899, Relating to Present Ownership Maps."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

S. B. No. 89 was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Loose, Mr. President.

S. B. No. 89 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 82, by Walton, entitled "An Act Amending Section 1890, Revised Statutes of Utah, 1898, as Amended by Chapter 65, Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Day's Labor."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Callister, Mr. President.

S. B. No. 82 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 107 by McKay, entitled "An Act Amending Section 1243, Revised Statutes of Utah, 1898, Relating to Intoxicating Liquors and the Granting of Licenses to sell the Same by Boards of County Commissioners, and Providing that Before a License is granted to sell Liquor at retail in a County Outside of the Limits of an Incorporated City or Town, the Consent of a Majority of the Tax Paying Electors of the Precinct Wherein Such Liquor is sold Must be Obtained."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

S. B. No. 107 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

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

orable body that the House has this day passed, as amended, S. B. No. 97, by Walton, entitled "An Act Requiring reports to be made on cases of Tuberculosis, and Requiring Rules of State Board of Health, Relating to Such Disease, to be Complied With."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Larsen, Mr. President.

S. B. No. 97 was referred to Committee on Engrossed and Enrolled Bills.

The President resumed the chair.

FIRST READING OF RESOLUTION.

S. R. No. 3, by Bamberger, was read the first time and referred to Committee on Judiciary.

SENATE CLAIMS.

A communication from Secretary of State Board of Examiners transmitting, with the approval of the Board, claim of E. C. Bagley for a refund of $283.80, paid for school lands, was read.

S. C. No. 23 and communication, referred to Committee on Appropriations and Claims.

S. C. No. 24, introduced by Barber, being a claim of David Lloyd, et al., for the refund of $3,304.96 paid for school land, was referred to State Board of Examiners.

INTRODUCTION OF BILLS.

Consent was given to introduce the following bills:

S. B. No. 144, by Johnson, entitled "An Act to Pro-

vide for the Regular and Contingent Expenses of the Sixth Session of the Legislature of the State of Utah," was read the first time, the rules were suspended, the bill 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, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Barber, Callister.

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

S. B. No. 146, by Park, entitled "An Act Providing for a Medal of Honor for each of the Indian War Veterans for Actual Service in Suppressing Indian Hostilities in Utah During the Years 1850 to 1872 inclusive," was read the first and second times, under a suspension of the rules.

S. B. No. 147, by Judiciary Committee, entitled "An Act Repealing Section 2531 Revised Statutes of Utah, 1898, Requiring County Recorders to Transmit Each Year to the County Assessors Abstracts of all Mortgages, Deeds of Trust, Contracts and Other Obligations by which Any Debt is Secured Remaining Unsatisfied at 12 m. on the First Monday in February of Each Year," was read the first and second times, under suspension of the rules.

S. B. No. 148, by Rasband, entitled "An Act Authorizing Certain Funds Appropriated March 16, 1903, to Summit County for the Improvement and Construction of Highways and Bridges in said County, Between Kamas and Ashley," was read the first time and referred to Committee on Highways and Bridges.

THIRD READING OF BILLS.

S. B. No. 125, by Hollingsworth, entitled "An Act Relating to the Licensing of Peddlers and Canvassers of Agricultural and Domestic Implements and Machinery and other Articles," was called up for third reading.

On motion of Mr. Hollingsworth, S. B. No. 136, by Hollingsworth, entitled "An Act Imposing a License Tax

upon Itinerant Venders, Peddlers and Canvassers of Agricultural and Domestic Implements and Machinery and Wagons, Buggies, Vehicles, and Other Articles; Providing for the Collection thereof, and Providing a Penalty for the Violation Hereof," was substituted for S. B. No. 125.

S. B. No. 136 was under suspension of the rules read the first and second times.

At the request of Mr. Williams, third reading was made Special Order for tomorrow at 3 p. m.

H. B. No. 4, by Joseph, entitled "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as Amended by the Laws of Utah, 1901, Relating to Sericulture," was amended, read the third time, and passed by the following vote:

Ayes, 16; nays, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Johnson, Lawrence.

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

Mr. Callister gave notice that he would tomorrow ask the Senate to reconsider the vote by which H. B. No. 4 passed.

H. B. No. 118, by Fishburn, entitled "An Act Providing for Uniform Examinations of County School Teachers throughout the State, and Repealing Sections 1794, 1795, 1796, 1797, and 1798, of the Revised Statutes of Utah, 1898, and all Acts Amendatory Thereto, and all Acts and Parts of Acts in Conflict Herewith," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay Park, Rasband, Walton, Williams, Mr. President.

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

H. B. No. 144, by Marks, entitled "An Act to Amend Sections 1806 and 1809, Revised Statutes of Utah, 1898,

Relating to School Elections, how Called, Canvass of Votes," was read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

H. B. No. 145, by Marks, entitled "An Act to Amend Section 1844, Revised Statutes of Utah, 1898, Relating to the Duties of Teachers," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Loose, Park.

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

H. B. No. 146, by Marks, entitled "An Act to Amend Section 1785, Revised Statutes of Utah, 1898, Relating to the Duties of County Superintendents," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Loose, Park.

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

H. B. No. 124, by Cottam, entitled "An Act Providing Revenue for Common School Districts where the Revenue from the State, County, and District School Tax is Insufficient," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Loose, Park.

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

H. B. No. 190, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the sum of $2,500.00 to Zebulon Jacobs for Services Rendered to the State, and for Permanent Bodily Injury," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen.

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

H. B. No. 123, by Hopes, entitled "An Act Authorizing Certain Funds Appropriated March 16, 1903, to Juab County for the Improvement and Construction of Highways and Bridges in said County Between Eureka and Goshen, to be Expended on Roads Between Eureka, Mammoth, and Silver City, in Juab County," was read the third time, and failed to pass by the following vote:

Ayes, 8; nays 10.

Those voting in the affirmative were: Barber, Clegg, Hollingsworth, Johnson, Larsen, Loose, McKay, Rasband.

Those voting in the negative were: Bamberger, Bennion, Callister, Gardner, Lawrence, Lewis, Park, Walton, Williams, Mr. President.

Mr. Callister gave notice that he would tomorrow move the Senate to reconsider the vote by which H. B. No. 123 failed to pass.

H. B. No. 186, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the sum of $2,500.00 to David Wilcken, for Meritorious Services Rendered the State and for permanent Bodily Injury Sustained," was read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollings-

worth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 8, 1905.

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. 42, 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, to Make an Appropriation Therefor, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9, of Chapter 96, Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

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. M. No. 3, entitled "Memorializing Congress to enact such Legislation as will Better Protect the People against Adulterated, Misbranded, and Deleterious Foods, Drugs, and Medicines."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

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

orable body that the Governor has signed and filed in the office of the Secretary of the State, H. B. No. 108, entitled "An Act to Amend Section 15, Chapter 109, Laws of Utah, 1901, as Amended by Section 1, Chapter 39, Laws of Utah, 1903, Relating to the Manner of Commencing Actions and Issuing Summons, and the Form Thereof, in City Courts, in Cities of the First Class;" H. B. No. 147, entitled "An Act to Amend Section 4430, Revised Statutes of Utah, 1898, as Amended by Chapter 101, Laws of Utah, 1903, Relating to Trespass and Injuries to Property;" and H. B. No. 175, entitled "An Act Amending Section 4136, Revised Statutes of Utah, 1898, Providing a Penalty for Bribing or Attempting to Bribe a Witness or Person about to be Called as a Witness."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 99, by Walton, entitled "An Act Providing for an Annual Convention of Health Officers."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

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. 144, by Johnson, entitled "An Act to Provide for the Regular and Contingent Expenses of the Sixth Session of the Legislature of the State of Utah."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 144 was referred to Committee on Engrossed and Enrolled Bills.

REPORT OF STANDING COMMITTEE.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 144, entitled "An Act to Provide for the Regular and Contingent Expenses of the Sixth Session of the Legislature of the State of Utah," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 144 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 8, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Surgeon General, on Governor's Staff: Dr. A. S. Bower.

State Board of Equalization: O. J. Salisbury, Thomas D. Dee.

State Food and Dairy Commissioner, John E. Peterson.

State Engineer: Caleb Tanner.

Park Commissioners: George Webb, Joseph R. Murdock.

Member Board of Trustees, State Industrial School; Harry Joseph.

Member Board of Trustees for the Deaf and Dumb and the Blind: Peter A. Simpkin.

Very Respectfully,
JOHN C. CUTLER, Governor.

EXECUTIVE SESSION.

At 4 p. m., the Senate went into executive session.

REGULAR SESSION RESUMED.

Upon regular session being resumed at 5:05, the President announced that the Senate advised and consented to the following appointments made by the Governor:

Surgeon General, on Governor's Staff: Dr. A. S. Bower.

State Board of Equalization: O. J. Salisbury, Thomas D. Dee.

State Food and Dairy Commissioner, John E. Peterson.

Park Commissioners: George Webb, Joseph R. Murdock.

Member Board of Trustees, State Industrial School; Harry Joseph.

Member Board of Trustees for the Deaf and Dumb and the Blind: Peter A. Simpkin, and refused to advise and consent to the appointment of Caleb Tanner as State Engineer.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 8, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 80, entitled "An Act Creating an Armory Board for the National Guard of Utah, Defining the Powers of the Board, and Making Certain Appropriations for the use of the Board."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

At 5:15, p. m., on motion of Mr. Bennion, the Senate adjourned until tomorrow at 10 a. m.

SIXTIETH DAY.

Senate Chamber,
March 9, 1905.

The Senate met at 10 a. m., pursuant to adjournment, President Love presiding.

Roll call; quorum present.

Prayer by the Chaplain.

The minutes of the fifty-ninth day's session were read and approved.

CONSIDERATION OF REPORTS OF SPECIAL COMMITTEE.

The reports of the Special Committee, appointed to investigate the matter of duplication of studies in the Agricultural College and the University of Utah, the special order for 10 a. m., were taken from the table, The report signed by Mr. Barber et al. was designated "Report A," and that signed by Mr. Hollingsworth et al. was designated "Report B."

Mr. Barber moved the adoption of "Report A." Mr. Hollingsworth moved to amend the motion by inserting in "Report A," after the first paragraph, ending with the words "favor the passage of the measures acompanying this report," the following:

First. J. S. and H. B. No. 2, (being S. B. No. 151), amending Section 2087, Revised Statutes of Utah, 1898, defining the courses of study in the Agricultural College of Utah.

Second. J. S. and H. B. No. 3, (being S. B. No. 152), amending Section 2292, Revised Statutes of Utah, 1898, defining the courses of study in the University of Utah.

Third. The passage of the following proposed amendment to Section 4, Article 10 of the Constitution of the State of Utah, to-wit: (being S. B. No. 149).

An Act Proposing an Amendment to Section 4, of Article X of the Constitution of the State of Utah, Relating to the Location, Rights, Courses of Study, etc., of the University and Agricultural College.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF UTAH, TWO-THIRDS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES CONCURRING THEREIN:

Section 1. There shall be submitted to the electors of this state, the following proposed amendment to Sec. 4, of Article X, of the Constitution of the State of Utah, to-wit:

Sec.. 4. The Agricultural College is hereby made a department of, and shall be controlled by, the University of Utah, but the identity of the former is preserved, and both are hereby permanently located at Salt Lake City. The University of Utah shall include a School of Arts and Sciences,' a state Normal School, a State School of Mines, an Agricultural College, and such other schools as may be established by law. All the rights, immunities, franchises, and endowments heretofore granted or conferred, are hereby granted and perpetuated unto the Agricultural College and unto the University of Utah, including its various schools. All instruction in said University below college grade, except as to a normal training school which shall be maintained at Salt Lake City, shall be given in Logan and places other than Salt Lake City, as may be provided by law; provided, that in the event that the land granted to the State as the site of the Agricultural College shall be declared forfeited, the foregoing provisions respecting a preparatory or high school at Logan shall become void, and the Legislature in such event, may provide for preparatory or high school instruction in the University, either at Salt Lake City or elsewhere. All public school instruction of college and university grade shall be given in the University of Utah only at Salt Lake City. This amendment shall take effect and be in force from and after July 1st, 1907.

Fourth. J. S. and H. B. No. 1, (being S. B. No. 150), entitled "An Act Creating a Commission to Make Findings with Reference to the Respective functions of the Agricultural College of Utah and University of Utah," and to report the same to the Seventh Legislature of Utsh." After amending it as follows, strike therefrom Section 2 and insert in lieu thereof the following "as an i for said Section 2."

The amendment carried, and "Report A" was adopted as amended.

S. B. No. 149, by Special Committee, entitled "An Act Proposing an Amendment to Section 4, of Article X. of the Constitution of the State of Utah, Relating to the Location, Rights, Courses of Study, etc., of the University and Agricultural College," was read the first time, and, under suspension of the rules, was read the second time, amended, read the third time, and roll call was deferred until 2:30 p. m.

S. B. Nos. 151 and 152 were read the first time.

On motion of Mr. Clegg, the Senate adjourned until 2:30 p. m.

The Senate convened at 2:30 p. m., pursuant to adjournment, President Love presiding.

The roll was called on S. B. No. 149, which failed to pass by the following vote:

Ayes, 10; nays, 8.

Those voting in the affirmative were Bamberger, Bennion, Clegg, Hollingsworth, Lawrence, Lewis, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Callister, Gardner, Johnson, Larsen, Loose, McKay, Walton.

S. B. No. 150, by Special Committee, entitled, "An Act Creating a Commission to Make Findings with Reference to the Respective Functions of the Agricultural College of Utah and the University of Utah, and to Report the Same to the Seventh Legislature of Utah," was read the first time, and, under suspension of the rules, read the second time, amended, read the third time, and passed by the following vote:

Ayes, 16, nays, 0; absent and not voting,1;excused 1

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Gardner.

Excused Bamberger.

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

S. B. No. 151, by Special Committee, entitled, "An Act Amending Section 2087, Revised Statutes of Utah, 1898," and S. B. No. 152, by Special Committee, entitled, "An Act Amending Section 2292, Revised Statutes of Utah, 1898," were referred to Committee on Education, on motion of Mr. Hollingsworth.

REPORT OF STANDING COMMITTEE.

Committee Room,
Committee Room, March 8th, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred House Bill No. 95, by Edward, entitled "An Act to amend Sections 2220, 2221, 2223, 2224, 2225, 2226, 2227, and 2271, Revised Statutes of Utah, 1898, and Section 2238, Revised Statutes of Utah, 1898, as amended by Chapter 98, Laws of Utah, 1901, Relating to the State Board of Corrections," beg leave to report that we have carefully considered the same and recommend that the bill do not pass. Your committee does recommend, however, that the Senate Bill No. 153 herewith submitted, entitled "An Act to amend Section 2220, Revised Statutes of Utah, 1898, relating to the State Board of Corrections," which your committee has very thoroughly considered and which carries into effect the only matter of merit in H. B. No. 95, be passed.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 153 was read the first and second times under suspension of the rules.

COMMUNICATIONS FROM STATE BOARD OF EXAMINERS.

Communications from the Secretary of the State Board of Examiners, returning S. C. No. 21, of Willard Cragun et al., for $509.53; S. C. No. 22, of Wm. N. Nalder et al., for $4,131.90; S. C. No. 24, of Daniel Lloyd et al., for $3,304.96, with the disapproval of the Board; and a claim of the Star Printing Co., for $8.30, (being S. C. No.

25), with the approval of the Board, and a claim of the Deseret News, for $375.88, (being S. C. No. 26), approved by the board for $104.75, were read.

The communications and claims were referred to Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 8, 1905.

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. 144, entitled "An Act to Provide for the Regular and Contingent Expenses of the Sixth Session of the Legislature of the State of Utah."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 233, by Anderson, entitled "An Act providing for the examination of banks in which public funds are deposited, and which are not otherwise subject to examination, and providing for the report to the Secretary of State of such examination, and the manner in which fees shall be collected for such examination."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 233 was read the first time and referred to Committee on Banks and Banking.

House of Representatives,
Salt Lake City, March 8, 1905.

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

able body that the House has this day rejected S. B. No. 128, by Park, entitled "An Act to amend Sections 4148 and 4149 of the Revised Statutes of Utah, 1898, defining common barratry, providing punishment therefore and prescribing condition under which conviction may be had.

The same is returned herewith.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 232, by Committee on Irrigation, entitled "An Act Codifying and Revising Certain Laws 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 Chapter 100, Laws of Utah, 1903, 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 by this Act or by said Chapter 100 May be Completed and Perfected; 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 transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 232 was read the first time and referred to Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. J. M. No. 1, by Lewis, entitled "To the Senate and House of Representatives of the United States of America in Congress assembled."

The same is returned herewith.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 86, by Lawrence, entitled "An Act to amend Sections 753, 754, and 757, of the Revised Statutes of Utah, 1898, as Amended by Chapter 79, Laws of Utah, 1903, Relating to the Practice of Dentistry; and Defining the Practice of Dentistry, Providing for the Revocation of License, and Providing for the punishmnet of Associations or Companies practicing Dentistry, Unless the Same Conform to the Requirements of This Act."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S B. No. 86 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 131, by Committee on Judiciary, entitled "An Act to amend Section 425, Revised Statutes of Utah, 1898 relating to loan, trust and guaranty associations becoming sole surety."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollings-

worth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 131 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 62, by Lawrence, entitled "An Act authorizing cities of the first and second classes to issue scrip against the funds to be raised by special taxes and to dispose of such scrip, and providing for the manner of issuing the same, and the enforcement and redemption thereof."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 62 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 206, by McCrea, entitled "An Act to secure the payment of labor performed and material furnished on public improvements."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 206 was read the first time and referred to Committee on County and Municipal Corporations.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 61, by Larsen, entitled "An Act for the establishment and maintenance of a trade school under the supervision of the Agricultural College of Utah in Sanpete County, and for the appointment of a commission to locate the same."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 65, by Park, entitled "An Act to amend Sections 1429, 1430, 1431, 1432, 1434, 1436, 1437, 1438, 1439, 1442, 1445, 1454, 1456, 1475, and 1488, Revised Statutes of Utah, 1898, relating to the composition of the militia; appointment, qualifications and duties of officers, their relative rank, retirement and pay of officers and men; provisions for those injured in service; and to military courts."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 65 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 95, by Hollingsworth, entitled "An Act creating a State

commission on voting or balloting machines, defining their powers, and providing for the use at the option of any board of county commissioners, or city council, of voting or balloting machines for receiving and registering the vote in one or more election districts of any county, city or town at any or all elections held therein, and for ascertaining the result at such elections; and providing for the punishment of all violations of the provisions of this Act."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 95 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 64, by Park, entitled "An Act relating to certain staff organizations of the State Militia; the appointment of officers; their qualifications; the composition of the organizations and the appointment of company armorers."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 64 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 92, by Johnson, entitled "An Act to regulate the practice of osteopathy in the State of Utah, and to provide for a State Board of Examiners, and to license Osteopaths to practice in this State, and to punish persons violating the Provisions of this Act."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 11; nays, 7.

Those voting in the affirmative were: Barber, Bennion, Callister, Hollingsworth, Johnson, Lawrence, Loose, McKay, Walton, Williams, Mr. President.

Those voting in the negative were: Bamberger, Clegg, Gardner, Larsen, Lewis, Park, Rasband.

S. B. No. 92 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 132, by Committee on Judiciary, entitled "An Act to amend Section 3, Chapter 65, Laws of Utah, 1899, entitled: 'An Act in relation to corporate suretyship on bonds and other obligations, providing for the acceptance as surety of corporations qualified to act as such, the release of such surety, the safe depositing of assets for which surety may be liable, the charging by fiduciaries

and litigants of the expense of procuring such surety.'"

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting 2.

Those voting in the affirmative were: Bamberger, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Barber, Callister.

S. B. No. 132 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 130, by Joint Committee on Bounties, entitled "An Act to encourage the destruction of certain wild animals; to provide bounties for the killing thereof; making an appropriation for the payment of such bounties, providing the manner in which such bounties may be procured; providing penalties for the procurement of such bounties by fraud and for violation of this Act and repealing Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903."

The same is returned for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate refused to concur in the House amendments.

Mr. Lawrence moved that a conference committee of

three be appointed to confer with a like committee from the House.

Upon the motion carrying the President appointed Senators Lawrence, Hollingsworth, and Walton to act as such committee.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, with amendment to the Senate amendment, S. B. No. 63, by Lawrence, entitled "An Act amending Section 264, Revised Statutes of Utah, 1898, relating to special taxes in cities, errors in proceedings concerning such special taxes and actions to recover such taxes paid under protest, by adding provisions thereto relating to re-levy of such special taxes after former levy is annulled, and validating special taxes heretofore levied and proceedings relating thereto.

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendment.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting 2.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Barber, Johnson.

S. B. No. 63 was referred to Commtitee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 8, 1905.

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

ed, S. B. No. 98, by Walton, entitled "An Act requiring out houses on school grounds to be maintained in a sanitary condition."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting, Barber, Johnson.

S. B. No. 98 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 20, by McCrea, entitled "An Act to amend Section 2050, Revised Statutes of the State of Utah, 1898, as amended by Chapter 26, Laws of Utah, 1899; Chapter 65 of the Laws of Utah, 1901; Chapter 133, of the Laws of Utah, 1901, and Chapter 85, Laws of Utah, 1901, relating to the salaries of certain State officers."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 20 was read the first time and referred to Committee on Salaries.

House of Representatives,
Salt Lake City, March 8, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 122, by Kinney, entitled "An Act for the regulation of the practice of medicine and surgery in the State of Utah, and for the appointment of a Board of Medical Examiners in the matter of said regulation, and providing for the repeal of Title 52, Revised Statutes of Utah, 1898."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 122 was read the first time and referred to Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred H. B. No. 127, by Joseph, entitled "An Act Relating to Taxing of Net Proceeds of the Saline Products of Lakes and Springs," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

BAMBERGER, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. B. No. 66, by Callister, entitled "An Act Making an Appropriation for the Utah Dairy Men's Association," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

McKAY, Chairman.

Report adopted.

S. B. No. 66 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred S. J. M. No. 4, by Callister, beg leave to report that they have had the same under consideration and recommend that the Memorial be passed.

McKAY, Chairman.

Report adopted.

S. J. M. No. 4 was read the second time.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. J. R. No. 3, by Miller, "Proposing an Amendment to Section 2, Article 10, of the Constitution, Relating to Education, Public School System. Maintenance," beg leave to report that they have had the same under consideration and recommend that the Resolution be passed.

BENNION, Chairman.

Report adopted.

H. J. R. No. 3 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 134, by Callister, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, Relating to Powers and Duties of Trustees," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

S. B. No. 134 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred H. B. No. 170, by Hone, entitled "An Act to Prevent Deception in the Sale of Renovated Butter, to License Manufacturers and Dealers in the Same," beg leave to report that they

have had the same under consideration, offer the following amendment thereto:

In the Title after the word "same" on the third line by adding the following: "and Prescribing a Penalty for the Violation Thereof."

And as amended recommend that the bill be passed.

WILLIAMS, Chairman.

Report adopted.

H. B. No. 170 was read the second time.

Committee Room, March 8, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 102, by Walton, entitled "An Act Providing for the Registration of all Births and Deaths Within the State, and Defining the Duties of the State Board of Health, and of the Secretary thereof, in Relation Thereto, Providing for the Division of the State into Registration Districts and the Appointment of Local Registrars, Defining their Duties and Fixing their Compensation, the Issuance of Birth and Death Certificates, and Burial Permits, Making an Appropriation to Carry the Provisions of this Act into Effect and Providing Penalties for Violation Thereof," beg leave to report that they have had the same under consideration, offer the following amendments thereto:

1. In line 7, of the Title, after the word "Compensation" by inserting the words "and Providing."

2. In the last line of the Title after the word "Thereof" by adding the following:

"And Repealing Sections 2029, 2030, 2031, 2032, 2033, 2034, 2035, and 2036, of the Revised Statutes of Utah, 1898, and Sections 19, 20, 21, 22, and 23, of Chapter 45, Laws of Utah, 1899."

3. Page 15, line 24, by striking out all of Section 24 and substituting the following:

"Sections 2029, 2030, 2031, 2032, 2033, 2034, 2035, and 2036, of the Revised Statutes of Utah, 1898, and Sections 19, 20, 21, 22, and 23, of Chapter 45, Laws of Utah, 1899, are hereby repealed."

And as amended recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

S. B. No. 102 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Elections, to whom was referred H. B. No. 111, by Fishburn, entitled "An Act to Amend Section 887, Revised Statutes of Utah, 1898, as Amended by Chapter 64, Laws of Utah, 1903; also Section 890, Revised Statutes of Utah, 1898, as Amended by Chapter 138, Laws of Utah, 1901; also Section 838, Revised Statutes of Utah, 1898, as Amended by Section 2, of Chapter 80, Laws of Utah, 1899; also Section 864, Revised Statutes of Utah, 1898, as Amended by Chapter 35, Laws of Utah, 1903; also Sections 309, 817, 824, 827, 828, 830, 831, 836, 839, 840, 841, 842, 843, 859, 860, 863, 864, 865, 867, 868, 869, 873, and 891, Revised Statutes of Utah, 1898; also Section 2, of Chapter 109, Laws of Utah, 1901; also Section 1, of Chapter 112, Laws of Utah, 1901, Relating to Elections," beg to report that we have very carefully considered the same and recommend that the bill do not pass. In support of such recommendation we beg to state that the bill possesses considerable merit in that it proposes to consolidate city elections with general elections thereby relieving to a great extent the burdens of the taxpayers as well as relieving the people of every city and town in the state from passing through an election campaign each year. But the bill continues in office the present administrations in all the cities and towns of the State until January 1st, 1907. This we submit is manifestly wrong because at the time such officials were elected their term of office was to expire January 1st, 1906, and to continue them in office for a longer time would be thwarting the will of the people. If the bill had provided that officials of the various cities and towns be elected in 1905 for a term of three years thus making the next following municipal election occur at the same time as the general election of 1908, then the measure would have our approval. Then there is a grave question as to the constitutionality of the proposed measure in that it legislates upon more than one subject, and further that it is in direct violation of a provision of the constitution to the effect that the fees, percentages or allowances of public officers shall not be increased or decreased during the term for which such officers are elected or appointed. And further that it is questionable whether

or not the bill in the present form is in harmony with Section 9 of Article 4 of our State Constitution.

For these reasons, we are of the opinion that the bill should not pass.

RASBAND,
Chairman.
HOLLINGSWORTH,
BENNION.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 82, by Walton, entitled "An Act Amending Section 1890, Revised Statutes of Utah, 1898, as Amended by Chapter 65, Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Day's Labor," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 82 was read by title, and signed by the President in open session in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 107, by McKay, entitled "An Act Amending Section 1243, Revised Statutes of Utah, 1898, Relating to Intoxicating Liquors, and the Granting of Licenses to sell the same by Boards of County Commissioners, and Providing that before a License is Granted to Sell Liquor at Retail in a County Outside of the Limits of an Incorporated City or Town, the Consent of a Majority of the Tax Paying Electors of the Precinct Wherein Such Liquor is sold must be Obtained," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 107 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Railroads, to whom was referred S. B. No. 44, by Hollingsworth, entitled "An Act to Prohibit the Payment of Mileage to Members of the Legislature and State Officials for Distances Traveled for which Officials use Passes or other Transportation," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LOOSE, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Mines and Minerals, to whom was referred H. B. No. 87, by Gundry, entitled "An Act to Amend Section 2, Chapter 14, Laws of Utah, 1899, Providing for the Manner of Locating and Recording Quartz and Placer Mining Claims," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

BAMBERGER, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 139, by Lawrence, entitled "An Act Amending Chapter 112, Laws of Utah, 1901, Entitled 'An Act to Create and Organize a Municipal Court in Certain Cities, and to Define the Powers and Duties, and Jurisdiction thereof, and Making the Judge of said Court, Ex-Officio Justice of the Peace of said Cities,' and Ex-Officio Justice of the Peace of the Precincts Embraced in said Cities,' By adding a Section Thereto Providing for the Publication of Summons," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 139 was read the second time.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 140, by Lawrence, entitled "An Act to Repeal Section 4036, of the Revised Statutes of Utah, 1898," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 140 was read the second time.

THIRD READING OF BILLS.

On motion of Mr. Bennion, S. B. No. 136 was placed at the foot of the calendar.

S. B. No. 142, by Committee on Appropriations and Claims, entitled "An Act Making an Appropriation out of the State Reservoir Land Grant Fund and Repealing Chapter 120, Session Laws of Utah, 1903, Entitled 'Reservoir Sites,'" 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, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Callister, Larsen.

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

S. B. No. 109, by Lawrence, entitled "An Act to Amend Section 2877 of the Revised Statutes of the State of Utah, for 1898, Relating to Limitations other than Real Property," was amended in title to read:

"An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations other than Real Property," and as amended in title and body, 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, Clegg, Gardner, Hollingsworth, John-

son, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Callister.

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

The President called Mr. Bamberger to the chair.

S. B. No. 133, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal Years Nineteen Hundred and Five and Nineteen Hundred and Six," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

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

S. C. R. No. 7, by Committee on Military Affairs, "Resolved by the Senate, the House concurring, that the Senators and Representative of Utah in the Congress of the United States of America be, and are Hereby Requested to Use their Efforts to the End that Congress shall Recognize the Faithful Services of the Indian War Veterans of Utah by Accepting Records of such Service Between the Years 1850 to 1872, Inclusive, from the State of Utah, and Filed with the Secretary of War, and by Granting pay for Thirty Days as Privates of Volunteer Militia to such Indian War Veterans of Utah as shall File such Proof, and that the Provisions of the Act of July 27th, 1892, as Amended by the Act of June 27th, 1902, shall be Applicable to said Indian War Veterans," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

S. B. No. 147, by Judiciary Committee, entitled "An Act Repealing Section 2531 Revised Statutes of Utah, 1898, Requiring County Recorders to Transmit Each Year to the County Assessors Abstracts of all Mortgages, Deeds of Trust, Contracts and Other Obligations by which Any Debt is Secured Remaining Unsatisfied at 12 m. on the First Monday in February of Each Year," 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: Bamberger, Barber, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Voting in the negative, Bennion.

Absent and not voting, Mr. President.

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

H. B. No. 160, by Edward, (by request), entitled "An Act Amending Section 1404, Revised Statutes of Utah, 1898, Relating to Liens on Personal Property," was read the third time, and failed to pass by the following vote:

Ayes, 7; nays, 8; absent and not voting, 2; excused, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Hollingsworth, Larsen, Lawrence.

Those voting in the negative were: Gardner, Johnson, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting, Callister, Mr. President.

Excused, Lewis.

H. J. R. No. 1, by Kinney, "Proposing Amendments to Section 3, Article XIII., of the Constitution as Amended November 6, 1900, and section 12, of said Article XIII, Relating to Uniform Tax and Exemptions Therefrom, And Authority of the Legislature to Provide for a Stamp tax or a tax Based on Income, Occupation, Licenses, or Franchises," 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, Barber, Bennion, Callister, Clegg, Gardner, Hollings-

worth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Williams.

Voting negative: Lewis.

Absent and not voting, Rasband, Walton, Mr. President.

H. B. No. 163, by Marks, entitled "An Act to Amend Section 974, Revised Statutes of Utah, 1898, as Amended by Chapter 18, Laws of Utah, 1899, Relating to Fees of Sheriffs," was amended, 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Barber, Lewis, Mr. President.

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

H. B. No. 224, by McCrea, entitled "An Act Making any City, Town, Village or School District Liable Jointly with the Principal Contractor upon Public Works, in Actions Instituted by Subcontractor or Material Men Against such Principal Contractor," 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, Callister, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting,Gardner, Loose, Mr. President.

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

The President resumed the chair.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. Preisdent:—Your Committee on Judiciary, to whom was referred H. B. No. 181, by Marks, entitled "An Act Providing for Juvenile Courts, Providing for the Appointment of the Probation Officers, Outlining their Duties, and Specifying their Compensation; Providing a Method of Procedure against Juvenile Delin-

quents, Specifying Places for their Temporary and Permanent Detention, and the Compensation for their Care; Providing for the Time and Place of Trial; Defining Delinquent Child and Delinquent Person; and Providing Punishment for all Delinquents," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 181 was read the second time.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 122, by Lawrence, (by request), entitled "An Act to Amend Title 17, of the Revised Statutes of Utah, 1898, Relating to Drainage Districts," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 122 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Salaries, to whom was referred H. B. No. 20, by McCrea, entitled "An Act to Amend Section 2050, Revised Statutes of the State of Utah, 1898, as Amended by Chapter 26, Laws of Utah, 1899; Chapter 65, Laws of Utah, 1901; Chapter 133, of the Laws of Utah, 1901, and Chapter 85, Laws of Utah, 1901," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

GARDNER, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 204, by Kinney, entitled "An Act Amending Section 3, of Chapter 97, Laws of

Utah, 1903, Relating to the Duties of State Chemist," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

H. B. No. 204 was read the second time.

Committee Room, March 9, 1905.

President of the Senate, and Speaker of the House:

Your Conference Committee on H. B. No. 16, beg leave to report that they have considered the same and offer as substitute therefor S. B. No. 141, entitled "An Act Providing for the Appointment of a Coal Mine Inspector, Defining his Duties, Fixing his Salary, and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of the Property Connected Therewith, and Repealing Chapter 2, Title 42, of the Revised Statutes of Utah, 1898, as Amended by Chapter 85, Laws of Utah, 1901," and having considered the same beg leave to recommend that the bill be passed.

BENNION,
Chairman Senate Conference Committee.
CURTIN,
Chairman House Conference Committee.

Report adopted.

S. B. No. 141 was read the first and second times, under suspension of the rules.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 144, entitled, "An Act to Provide for the Regular and Contingent Expenses of the Sixth Session of the Legislature of the State of Utah;" and S. B. No. 42, entitled, "An Act Creating a Commis-

sion 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, to Make an Appropriation Therefor, in Addition to that Made by Section 10 of Chapter 96, Laws of Utah, 1903, and Repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 96, Laws of Utah, 1903."

Very Respectfully,
JOHN C. CUTLER,
Governor,

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 155, by Kinney, entitled "An Act to Amend Section 978, Revised Statutes of Utah, 1898, Relating to Fees of Precinct Officers."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk

Communication filed.

H. B. No. 155 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your hon orable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 143, by Marks, entitled "An Act to Amend Section 1778 and 1781, Revised Statutes of Utah, 1898, relating to the Biennial Report of the State Superintendent of Public Instruction; Calling for Attendance upon conventions."

The same is transmitted herewith for the signature of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 143 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 165, by Marks, entitled "An Act to Amend Section 4355, Revised Statutes of Utah, 1898, defining larceny."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 165 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 166, by Marks, entitled "An Act to Amend Section 3952, Revised Statutes of Utah, 1898, Relating to Final Accounts and Settlement of Estates."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 166 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 107, entitled "An Act Amending Section 1243, Revised Statutes of Utah, 1898, Relating to Intoxicating Liquors and the Granting of Licenses to sell the Same by Boards of County Commissioners, etc."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 82, entitled "An Act Amending Section 1890, Revised Statutes of Utah, 1898, as Amended by Chapter 65, Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Days' Labor."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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 Requiring Reports to be Made on Cases of Tuberculosis, and Requiring rules of State Board of Health, Relating to such Disease, to be Complied with."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 89, entitled "An Act Amending Section 2, Chapter 43, Laws of Utah, 1899, Relating to Present Ownership maps."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905

Mr. President:—I am directed to inform your honorable body that the House has this day passed as amended S. B. No. 43, by Walton, entitled "An Act Amending Section 2, Chapter 59, Laws of Utah, 1901, Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir sites and the Construction of Reservoirs for the Purpose of Supply water to State and Other Lands.

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth,, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bamberger, Park.

S. B. No. 43 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No.

60, by Callister, entitled "An Act Making Further Appropriation for the Experimental Farms Provided for in Chapter 41, Laws of Utah, 1903."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 60 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 120 by Gardner, entitled "An Act Repealing Chapter 71, Laws of Utah, 1903, Entitled, "Arid Land Reclamation Fund Commission."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 120 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 150, by Joint Committee, entitled "An Act creating a Commission to Investigate the work of the Agricultural College of Utah and of the University of Utah, Defining its Powers and Duties, and Making an Appropriation therefor."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 150 went on the table subject to call, on motion of Mr. Hollingsworth.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 129, by Joint Committee, entitled "An Act Creating a State Board of Horticulture, Providing for the Publication and Distribution of its reports for the Appointment of County Fruit Tree Inspectors, Defining their Duties and the Duties of Orchardists and Nurserymen, making an Apporpriation for Carrying out the Provisions of this Act and Repealing Chapter 104, Laws of Utah, 1903."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 129 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 106, by Hollingsworth, entitled "An Act Amending Section 2655, Revised Statutes of Utah, 1898, relating to Real Estate held by any County Under tax Deeds to it and the Manner of Disposing of same.

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 106 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 7, by Johnson, entitled "An Act Making an Appropriation to meet the Outstanding Obligations and Cover the Remaining Expenses of the Louisiana Purchase Exposition Commission."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. C. R. No. 3, by Hollingsworth, relating to a Commission contemplating a uniform system of assessment, etc.

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. C. R. No. 7, by Joseph, relating to the unexpended balance of the appropriation made for the Utah Silk Commission at the Fifth Session of the Legislature of the State of Utah, etc.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The rules were suspended and H. C. R. No. 7 was read the first time and referred to Committee on Agriculture and Irrigation.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, with amendment to the Senate amendment, H. B. No. 138, by Committee on Agriculture and Horticulture, entitled "An Act Providing for the Establishment of a Central Utah Experiment station, and placing the same, with the Southern Utah Experiment farm, under the Direction and Management of the Agricultural College Experiment Station of Utah, and Repealing Chapter 85, Laws of Utah, 1899."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendment to the Senate amendment.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your hon orable body that the House has this day passed, as amended, H. C. R. No. 3, by Joseph, instructing the Treasurer of the Louisiana Purchase Exposition Commission to cover into the State treasury the sum of $2,131.12, etc.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Johnson, the rules were suspended, the enacting clause was stricken out of H. C. R. No. 3 by the following vote.

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed H. B. No. 230 by Kinney, entitled "An Act Amending Section 3685, Revised Statutes of Utah, 1898, Relating to the form of Pleadings in Justices' Courts."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 230 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed Messrs. Wilson, McCrea, and Thompson as a Conference Committee to act with a like committee from the Senate on S. B. 130.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State H. B. No. 86 entitled "An Act to Amend Section 9, Chapter 72, Laws of Utah, 1899, Relating to Court Stenographers and fees to be Collected;" and H. B. No. 158, entitled "An Act to Amend Section 1022, Revised Statutes of Utah, 1898, Defining the word "folio;" and H. B. No. 77, entitled "An Act to Amend Section 2664, Revised Statutes of Utah, 1898, Relating

to Reports and settlements of County Treasurers;" and H. B. No. 159, entitled "An Act to Amend Section 973, Revised Statutes of Utah, 1898, providing for the Collection of fees of County Recorders;" and H. B. No. 157, entitled "An Act to provide for Recording Instruments in the Office of County Recorders;" and H. B. No. 113, entitled "An Act to Prohibit the sale of Firearms to Minors, and the Carrying of Firearms by Minors, and prescribing penalties for violation thereof."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has returned with his veto, H. B. No. 151, entitled "An Act to Provide for the dismissal of Criminal Actions in the Courts of Justices of the Peace by the Justice or County Attorney, requiring the reasons for such dismissal to be entered upon the Docket of the Court, and Making the order for Dismissal a bar to any Prosecution for the same Offense if it is a misdemeanor," and his action has been sustained by the House.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

SENATE CLAIMS.

S. C. No. 27, a claim of Victor E. Stephenson for refund of $59.05 paid for school land, was referred to Committee on Appropriations and Claims.

S. C. No. 28, introduced by Callister, being a claim of John E. Jensen for refund of $150.00, paid for school land, was referred to Committee on Appropriations and Claims.

SENATE PETITION.

S. P. No. 10, signed by E. G. Woodbury et al., asking for an appropriation of $500.00 for building a road in Beaver county, was referred to Committee on Highways and Bridges.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive office,
Salt Lake City, March 8, 1905.

To the Honorable S. H. Love, President of the Senate;

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, Senate Joint Memorial No. 3, "Memorializing Congress to enact such legislation as will better protect the people against adulterated, misbranded and deleterious foods, drugs, and medicines."

Very Respectfully,
JOHN C. CUTLER,
Governor.

Communication filed.

THIRD READING OF BILLS.

H. B. No. 114, by Kinney, entitled "An Act Amending Sections 3669, and 3671, Revised Statutes of Utah, 1898, and Adding a new Section to be known as 3671-A, Relating to Change of Venue of Actions Pending Before Justices of the Peace," 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, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Park, Rasband, Mr. President.

Absent and not voting: Bennion, Callister, Lawrence, Walton, Williams.

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

H. B. No. 139, by Edward, entitled "An Act to Regulate the Purchase, Sale, Transfer, and Encumbrance of a Stock of Goods, Wares, or Merchandise, in Bulk, or of any Portion of a Stock of Goods, Wares and Merchandise, Otherwise than in the Usual Course of Trade, and Prescribing Penalties for the Violation Thereof," 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, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Park, Rasband, Williams, Mr. President.

Absent and not voting: Bennion, Lawrence, Walton.

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

H. B. No. 171, by Hawley, entitled "An Act in Relation to the Making of False Representation in Writing by a Person of his Assets or Financial Responsibility for the Purpose of Obtaining Credit Thereon, and Providing a Penalty therefor," was amended, read the third time, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose McKay, Park, Rasband, Walton, Williams, Mr. President.,

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

H. B. No. 178, by Marks, entitled "An Act Amending Section 388, Revised Statutes of Utah, 1898, Relating to the Making of Reports to the Secretary of State by Banking Corporations and Private Bankers and Providing for the Publication Thereof," was amended, 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, Bennion, Clegg, Gardner Hollingsworth, Larsen, Lawrence, Lewis, Loose, Park, Walton, Williams, Mr. President.

Absent and not voting: Barber, Callister, Johnson, McKay, Rasband.

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

S. B. No. 136, by Hollingsworth, (Substitute for S. B. No. 125,) entitled "An Act Imposing A License Tax Upon Itinerant Venders, Peddlers, and Canvassers of Agricultural and Domestic Implements and Machinery and Wagons, Buggies, Vehicles, and Other Articles; Providing for the Collection Thereof, and Providing a Penalty for the Violation Hereof," was amended, 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, Bennion, Callister, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Mr. President.

Those voting in the negative were: Clegg, Lewis.

Absent and not voting: Barber, Johnson, Williams.

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

The President called Mr. Lawrence to the chair.

S. B. 145, by Judiciary Committee, (Substitute for S. B. No. 18, by Lawrence, by request,) entitled "An Act Providing for the Recording of Plats of all Cemeteries and the Evidence of Burial Rights Therein," 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, Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, President.

Voting in the negative: Lewis.

Absent and not voting: Callister, Williams, Mr. President.

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

S. B. No. 146, by Park, entitled "An Act Providing for a Medal of Honor for Each of the Indian War Veterans for Actual Service in Suppressing Indian Hostilities in Utah, During the Years 1850 to 1872 inclusive," 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, Clegg, Gardner, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Callister, Hollingsworth, Mr. President.

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

S. J. M. No. 4, by Callister, "To the Senate and House of Representatives of the United States of America in Congress Assembled:

Your memorialists, the Honorable Governor and

Legislature of the State of Utah, respectfully memorialize your Honorable bodies to enact such legislation, at an early date, as will adequately protect the production of alfalfa seed within the United States," was read the third time, under a suspension of the rules, and failed to pass by the following vote:

Ayes, 7; nays, 9; absent and not voting, 2.

Those voting in the affirmative were: Callister, Hollingsworth, Johnson, Larsen, Lawrence, McKay, Williams.

Those voting in the negative were: Bamberger, Barber, Bennion, Clegg, Gardner, Lewis,Loose, Rasband, Walton.

Absent and not voting: Park, Mr. President.

S. B. No. 66, by Callister, (by Request,) entitled "An Act Making an Appropriation for the Utah Dairymen's Association," was read the third time, under a suspension of the rules, and failed to pass by the following vote:

Ayes, 6; nays, 11; absent and not voting, 1.

Those voting in the affirmative were: Barber, Callister, Hollingsworth, Larsen, McKay, Walton.

Those voting in the negative were: Bamberger, Bennion, Clegg, Gardner, Johnson, Lawrence, Lewis, Loose, Park, Rasband, Williams.

Absent and not voting: Mr. President.

S. B. No. 102, by Walton, entitled "An act Providing for the Registration of all Births and Deaths Within the State, and defining the Duties of the State Board of Health, and of the Secretary thereof, in relation thereto, Providing for the Division of the State into Registration Districts and the appointment of Local Registrars, Defining their duties and fixing their Conpensation and Providing the Issuance of Birth and Death Cirtificates, and Burial Permits, Making an Appropriation to carry the Provisions of this act into effect, and Providing Penalties for violation thereof, and Repealing Sections 2029, 2030, 2031, 2032, 2033, 2034, 2035, and 2036 of the Revised Statutes of Utah, 1898, and Sections 19, 20, 21, 22 and 23, of Chapter 45, Laws of Utah, 1899," was read the third time, 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, Bennion, Callister,Gardner, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Barber, Clegg, Johnson, Mr. President.

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

S. B. No. 134, by Callister, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, Relating to Powers and Duties of Trustees," was amended, 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: Bamberger, Barber, Bennion, Callister, Gardner, Hollinsgworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Clegg, Mr. President.

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

S. B. No. 140, by Lawrence, entitled "An Act to Repeal Section 4036 of the Revised Statutes of Utah, 1898," was amended in title to read, "An Act to Repeal Section 4036, Revised Statutes of Utah, 1898, Relating to Notices under the Probate Code," and as amended in title and body, was read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 15; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Clegg, Loose, Mr. President.

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

S. B. No. 139, by Lawrence, entitled "An Act Amending Chapter 112, Laws of Utah, 1901, Entitled 'An Act to Create and Organize a Municipal Court in Certain Cities, and to Define the Powers and Duties, and Jurisdiction Thereof, and Making the Judge of Said Court, ex-Officio Justice of the Peace of Said Cities, and ex-Officio Justice of the Peace of the Precincts Embraced

in Said Cities.' By Adding a Section Thereto Providing for the Publication of Summons,'" was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 15; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Walton.

Absent and not voting: Loose, Williams, Mr. President.

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

On motion of Mr. Lewis, S. B. No. 153 was passed until bill is printed.

H. B. No. 170, by Hone, entitled "An Act to Prevent Deception in the Sale of Renovated Butter, and to License Manufacturers and dealers in the Same, and Prescribing a Penalty for the Violation Thereof," was amended, 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: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Willaims.

Absent and not voting: Johnson, Mr. President.

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

H. J. R. No. 3, by Miller, entitled "Proposing an Amendment to Section 2, Article 10, of the Constitution, Relating to Education, Public School System. Maintenance," was read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 15; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

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

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 75, by Marks, entitled "An Act Providing for County School Districts of the First Class, Placing these Upon the Same Basis of Administration as School Districts in Cities of the Second Class, and Making Necessary Regulations Therefor," beg leave to report that they have had the same under consideration and recommend the following amendments:

1. In the title after the word "Therefor" by adding the following:

"And Repealing all Acts and parts of Acts in Conflict with the Provisions of this Chapter, so far as they Relate to County School Districts of the First Class as Herein Described."

2. By striking out all of sections 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33, and inserting in lieu thereof, to be known as Sec. 24, the following:

"Sec. 24. Examinations for teachers in school districts of the first class shall be conducted in like manner as examinations in other school districts; provided that the district Superintendent of schools, in counties where there is no county Superintendent of schools, shall perform the duties in relation to his district, that would otherwise devolve upon the county superintendent of schools."

3. One page 14, line 27, by changing "34" to "25," and on line 32, by changing "35" to "26."

4. On page 15, on line 1, by changing "36" to "27," line 7, by changing "37" to "28," "38" to "29," "39" to "30," "40" to "31," "41" to "32," "42" to "33," "43" to "34," "44" to "35," "45," to "36," "46" to "37," "47" to "38," "48" to "39," "49" to "40," "50" to "41," "51" to "42," "52" to "43," "53" to "44," "54" to "45," "55" to "46," "56" to "47," "57" to "48," "58" to "49," "59" to "50," "60" to "51," "61" to "52," "62" to "53," "63" to "54," by striking out all of Sec. "64," and making Sec. "65" read Sec. "55."

And as amended recommend that the bill be passed.

BENNION, Chairman.

Report adopted.

H. B. No. 75 was read the second and third times, under suspension of the rules.

The President resumed the chair.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. B. No. 232, by Committee on Irrigation, being substitute for H. B. Nos. 193, 195, and 197, entitled "An Act Codifying and Revising Certain Laws 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; Es-

tablishing 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; reserving the Existence and Providing for the Dissolution of Irrigation Districts; Repealing Chapter 100, Laws of Utah, 1903, 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 by this Act or by said Chapter 100 May be Completed and Perfected; 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 had the same under consideration and recommend that the bill be passed.

McKAY, Chairman.

Report adopted.

H. B. No. 232 was read the second time.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 82, entitled "An Act Amending Section 1890, Revised Statutes of Utah, 1898, as Amended by Chapter 65, Laws of Utah, 1903, Relating to the Erection of School Houses by Contract or Day's Labor;" and S. B. No. 89, entitled "An Act Amending Section 2, Chapter 43, Laws of Utah, 1899, Relating to Present Ownership maps;" and S. B. No. 97, entitled "An Act Requiring Reports to be made on Cases of Tuberculosis, and Requiring Rules of State Board of Health, Relating to Such Disease, to be Complied With."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Members of the State Board of Sheep Commissioners: John E. Austin, Lewis R. Anderson, J. S. Ostler.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Members of Board of Labor, Conciliation, and Arbitration: John Dern, Thomas C. Pancake.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointment, and ask your advice and consent thereto:

State Engineer: Caleb Tanner.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body

the following appointments, and ask your advice and consent thereto:

Members of State Board of Land Commissioners: William Spry, John DeGrey Dixon, William H. Thain, Henry N. Hayes, W. D. Candland.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Members of the Lewis & Clark Exposition Commission: Wesley K. Walton, F. W. Fishburn, Webb Green, Rudolph Kuchler.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

EXECUTIVE SESSION.

At this time the Senate went into executive session.

REGULAR SESSION RESUMED.

Upon regular session being resumed, the President announced that the Senate advised and consented to the following appointments made by the Governor:

Members of the State Board of Sheep Commissioners: John E. Austin, Lewis R. Anderson, J. S. Ostler.

Members of Board of Labor, Conciliation, and Arbitration: John Dern, Thomas C. Pancake.

State Engineer: Caleb Tanner.

Members of State Board of Land Commissioners: William Spry, John DeGrey Dixon, William H. Thain, Henry N. Hayes, W. D. Candland.

Members of the Lewis & Clark Exposition Commission: Wesley K. Walton, F. W. Fishburn, Webb Green, Rudolph Kuchler.

The President called Mr. Lewis to the chair.

H. B. No. 75, by Marks, entitled "An Act Providing for County School Districts of the First Class, placing these upon the Same Basis of Administration as School Districts in Cities of the Second Class, and Making Necessary Regulations Therefor; and Repealing all Acts and Parts of Acts in Conflict with the provisions of this Chapter so far as they relate to County School Districts of the First Class as Herein Described," was read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Mr. President.

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

The President resumed the chair.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 177, by Marks, entitled "An Act Creating a State Capitol Fund, Making appropriations Thereto, and Providing for the Investment Thereof."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 177 was read the first time and referred to Committee on Public Institutions.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 194, by Austin, entitled "An Act for Granting to the United States the Right of Way over State Lands for Ditches, Tunnels, and Telephone and Transmission Lines in Connection with Irrigation Works, and Providing for the Sale of Certain State Lands Within the Area of Irrigation Works Controlled or Constructed by the United States."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 194 was read the first time and referred to Committee on Public Lands.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 210, by Anderson, (by request), entitled "An Act to Amend Sections 218, 551, and 1686, Revised Statutes of Utah, 1898, Relating to Official Bonds, and to Provide for the Giving of Official Bonds, and for Additional Official Bonds in Cases of Officers Holding Over, or When the Security on such Bonds Becomes Inadequate, and to Provide for the Vacation of Offices in Case Officials Fail to give Additional Bonds in Certain Cases.

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 210 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the House has this day passed, as amended, H. B. No. 234, by Committee on Irrigation, entitled "An Act to Amend Section 316, Revised Statutes of Utah, 1898, as Amended by Section 1, of Chapter 81, Laws of Utah, 1901, Relating to the Formation of Private Corporations."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 234 was read the first time and referred to Committee on Private Corporations and Insurance.

House of Representatives,

Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your hon orable body that the House has this day passed, as amended, H. B. No. 226, by Kinney, entitled "An Act to Amend Section 2948, Revised Statutes of Utah, 1898, as Amended by Chapter 51, Laws of Utah, 1899, Relating to the Service of Summons."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 226 was read the first time and referred to Committee on Judiciary.

House of Representatives,

Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your hon orable body that the House has this day passed, as amended, H. B. No. 235, by Committee on Irrigation, entitled "An Act to Amend Section 965, Revised Statutes of Utah, 1898, as Amended by Chapter 60, Laws of Utah, 1901, Relating to Fees to be Collected by the Secretary of State."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 235 was read the first time and referred to Committee on Private Corporations and Insurance.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your hon orable body that the House has this day passed H. B. No. 236, by Stookey, entitled "An Act Amending Chapter 66, Laws of Utah, 1901, Relating to the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah, with a View of Determining the Amount thereof and the Liability of the State Therefor, and Barring from Payment all Certificates not Presented Within the Time Prescribed in This Act."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 236 was read the first time and referred to Committee on Judiciary.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 79, by Johnson, entitled "An Act to Amend Sections 3064, 3065, 3066, and 3067, of the Revised Statutes of Utah, 1898, Relating to Attachments."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 81, by Walton, entitled "An Act to Amend Section

981 of the Revised Statutes of Utah, 1898, Relating to the Fees of Constables."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 87, by Lawrence, entitled "An Act to Prohibit Bucket Shops, and Bucketshopping Within the State."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 127, by Lawrence, entitled "An Act Providing for the Licensing of Persons and Companies in the Trading Stamp Business, and Providing a Penalty for Violation of any Provision of this Act."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 147, by Judiciary Committee, entitled "An Act Repealing Section 2531, Revised Statutes of Utah, 1898, Requiring County Recorders to Transmit each Year to the County Assessors Abstracts of all Mortgages, Deeds of Trust, Contracts and other Obligations by Which any

Debts are Secured Remaining Unsatisfied at 12 m. on the First Monday in February of Each Year."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 163, by Marks, entitled "An Act to Amend Section 974, Revised Statutes of Utah, 1898, as Amended by Chapter 18, Laws of Utah, 1899, Relating to fees of Sheriffs."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 163 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 1, by Kinney, entitled "Proposing Amendments to Section 3, Article 13, of the Constitution, as Amended November 6, 1900, and Section 12, of said Article 13, Relating to Uniform Tax and Exemptions Therefrom and Authority of the Legislature to Provide for a Stamp Tax or a Tax Based on Income, Occupation Licenses or Franchises."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. R. No. 1 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 67, by Roberts, entitled "An Act to Amend Section 972, Revised Statutes of Utah, 1898, Relating to the Fees of Clerks of the District Courts and County Clerks."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 67 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 4, by Joseph, entitled "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as Amended by Laws of Utah, 1901, Relating to Sericulture."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 4 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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 Committee on Penitentiary and Prisons,

entitled "An Act Appropriating the Sum of $2,500.00 to Zebulon Jacobs, for Services Rendered to the State and for Permanent bodily Injuries."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 190 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 186, by Committee on Penitentiary and Prisons, entitled "An Act Appropriating the sum of $2,500.00 to David Wilcken, for Meritorious Services Rendered the State and for Permanent Bodily Injury Sustained."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 186 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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, by Marks, entitled "An Act to Amend Section 1785, Revised Statutes of Utah, 1898, Relating to the Duties of County Superintendents."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 146 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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, by Marks, entitled "An Act to Amend Section 1844, Revised Statutes of Utah, 1898, Relating to the Duties of Teachers."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 145 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 144, by Marks, entitled "An Act to Amend Sections 1806 and 1809, Revised Statutes of Utah, 1898, Relating to School Elections. How Called. Canvass of Votes."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 144 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 124, by Cottam, entitled "An Act Providing

Revenue for Common School Districts Where the Revenue from the State, County, and District School Tax is Insufficient."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 124 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 118, by Fishburn, entitled "An Act Providing for Uniform Examinations of County School Teachers Throughout the State, and repealing Sections 1794, 1795, 1796, 1797, and 1798, of the Revised Statutes of Utah, 1898, and all Acts Amendatory Thereto, and all Acts and parts of Acts in Conflict Herewith."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 118 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, with amendments to the Senate amendments, and as further amended, S. B. No. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds; for Appointment of a State Fish and Game Commissioner, Special Deputies; and County Fish and Game Wardens, and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21 Revised Statutes

of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 55 was referred to a Special Committee consisting of Messrs. Barber and Callister.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 94, by Hollingsworth, entitled "An Act to Tax Gifts, Legacies, and Inheritance in Certain Cases, and to Provide for the Assessment and Collection of the Tax, and Repealing Chapter 62, of the Laws of Utah, 1901, and Chapter 93, of the Laws of Utah, 1903."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 94 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 76, by Bamberger, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and Other Credits or Personal Property under the Control of the State and its Political Subdivisions, and their Respective Institutions or Offices, to Attachment, Garnishment and Execution, Under the Procedure Applicable in Other Cases, and Designating upon Whom Process shall be Served."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 76 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 59, by Bennion, entitled "An Act Amending Sections 1916 and 1962 and 1963, of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class; and Providing that Parents, Guardians, or other Persons, Having Control of Children of Certain Ages, Shall be Required to Send Such Children to School during Certain Periods, and Providing Punishment to Parents, Guardians, or other Persons having Control of Children for Failure so to do."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollings-

worth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 59 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 7, by Committee on Military Affairs, "Resolved by the Senate, the House Concurring, that the Senators and Representative of Utah in the Congress of the United States of America be, and are hereby Requested to use their Efforts to the End that Congress shall Recognize the Faithful Services of the Indian War Veterans of Utah, by Accepting Records of such Service between the Years 1850 to 1872, Inclusive, from the State of Utah, and Filed with the Secretary of War, and by Granting pay for Thirty days as Privates of Volunteer Militia to such Indian War Veterans of Utah as shall File such Proof, and that the Provisions of the Act of July 27th, 1892, as Amended by the Act of June 27th, 1902, shall be Applicable to said Indian War Veterans."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. C. R. No. 7 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 133, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal Years Nineteen Hundred and Five and Nineteen Hundred and Six."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 133 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 52, by Hollingsworth, entitled "An Act to Amend Section 322, Revised Statutes of Utah 1898, and Section 338, Revised Statutes of Utah, 1898 as Amended by Chapter 94, Laws of Utah, 1903, and as Amended by an Act Approved March 3, 1905, and Sections 340 and 444, Revised Statutes of Utah, 1898, Relating to the Powers of Corporations, the Manner of Making Amendments to Articles of Incorporations the Manner of Forming Consolidated Corporations Authorizing Railroad Companies to Issue Bonds and Secure the Same by Execution of Trust Deeds or Mortgages; and Defining what shall be Deemed Railroad Companies; and Approving and Validating Amendments made to Articles of Incorporations and the Organization of Consolidated Corporations, as well as Acts Done Thereunder."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote.

Ayes, 13; nays, 2; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Rasband, Walton,

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

Absent and not voting: Gardner, Park, Williams.

S. B. No. 52 was referred to Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 126, by Hawley, entitled "An Act to Amend Section 2057, Revised Statutes of Utah, 1898, as Amended by Chapter 71, Laws of Utah, 1899, Relating to Regulating the Salaries of County Officers," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LARSEN, Chairman.

Report adopted.

H. B. No. 126 was read the second time.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 189, by Marks, entitled "An Act to Amend Section 1708, Revised Statutes of Utah, 1898, Relating to Pawnbrokers and Second Hand Dealers," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 205, by Marks, entitled "An Act to Amend Section 3748, Revised Statutes of Utah, 1898, Relating to Filing Undertakings on Appeal from Justice's and City Courts to the District Court, and Justification of Sureties," beg leave to report that they

have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 230, by Kinney, entitled "An Act Amending Section 3685, Revised Statutes of Utah, 1898, Relating to the Form of Pleadings in Justices' Courts," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

H. B. No. 230 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Education, to whom was referred H. B. No. 225, by Kinney, entitled "An Act Providing for a Census of the Inhabitants of Utah, and the Manner of Taking the Same," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

BENNION, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 122, by Kinney, entitled "An Act for the Regulation of the Practice of Medicine and Surgery in the State of Utah, and for the Appointment of a Board of Medical Examiners in the Matter of said Regulation, and Providing for the Repeal of Title 52, Revised Statutes of Utah," beg leave to report that they have had the same under consideration, recommend the following amendments thereto.

1. On page 7, by re-inserting lines 1, 2, 3, and 4.

2. Page 7, line 25, by re-inserting the word "diagnose."

3. Page 7, by striking out the House amendment on line 34, and inserting in lieu thereof the following:

"Nor shall anything in this title be construed to apply to those who heal only by spiritual means without pretending to have knowledge of the science of medicine."

And as amended recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

H. B. No. 122 was read the second time.

THIRD READING OF BILLS.

H. B. No. 232, by Committee on Irrigation, (substitute for H. B. Nos. 193, 195, and 197, entitled "An Act Codifying and Revising Certain Laws 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 Appurtenent 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 Chapter 100, Laws of Utah, 1903, 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 by this Act or by said Chapter 100 may be Completed and Perfected; 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 amended, 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: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Rasband, Williams, Mr. President.

Absent and not voting: Park, Walton.

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

H. B. No. 204, by Kinney, entitled "An Act Amending Section 3, of Chapter 97, Laws of Utah, 1903, Relating to the Duties of State Chemist," was read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 15; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Rasband, Walton, Mr. President.

Absent and not voting: Callister, Park, Williams.

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

S. B. No. 150, by Joint Committee, entitled "An Act Creating a Commission to Investigate the Work of the Agricultural College of Utah, and of the University of Utah, Defining its Powers and Duties, and Making an Appropriation Therefor," was taken from the table, and the Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Rasband, Walton, Mr. President.

Absent and not voting: Park, Williams.

S. B. No. 150 was referred to Committee on Engrossed and Enrolled Bills.

S. B. No. 141, by Joint Conference Committee, (substitute for H. B. No. 16), entitled "An Act Providing for the Appointment of a Coal Mine Inspector, Defining his Duties, Fixing his Salary and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of the Property Connected Therewith, and Repealing Chapter 2, Title 42, Revised Statutes of Utah, 1898, as amended by Chapter 85, Laws of Utah, 1901," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 13; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, McKay, Rasband, Walton, Mr. President.

Absent and not voting: Larsen, Lewis, Loose, Park, Williams.

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

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 95, by

Hollingsworth, entitled "An Act Creating a State Commission on Voting or Balloting Machines, Defining their Powers, and Providing for the Use at the Option of any Board of County Commissioners, or City Council of Voting or Balloting Machines for Receiving and Registering the Vote in One or More Election Districts of Any County, City, or Town at any or all Elections held therein; and for Ascertaining the Result at such Elections; and Providing for the Punishment of all Violations of the Provisions of this Act," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 95 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 86, by Lawrence, entitled "An Act to Amend Sections 753, 754, and 757, of the Revised Statutes of Utah, 1898, as Amended by Chapter 79, Laws of Utah, 1903, Relating to the Practice of Dentistry, and Defining the Practice of Dentistry, Providing for the Revocation of License, and Providing for the Punishment of Associations or Companies Practicing Dentistry, Unless the same Conform to the Requirements of this Act," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 86 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 64, by Park, entitled "An Act Relating to Certain Staff Organizations of the State Militia; the Appointment of Officers,

their Qualifications; the Composition of the Organizations and the Appointment of Company Armorers," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 64 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 43, by Walton, entitled "An Act Amending Section 2, Chapter 59, Laws of Utah, 1901, Creating the Reservoir Land Grant Fund and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State and Other Lands," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 43 was read by title, and signed by the President in open session in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 98, by Walton, entitled "An Act Requiring Out Houses on School Grounds to be Maintained in a Sanitary Condition," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 98 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 60, by Callister, entitled "An Act Making Further Appropriation for the Experimental Farms Provided for in Chapter 41, Laws of Utah, 1903, beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 60 was read by title, and signed by the President in open session, in the presence of the Senate.

On motion of Mr. Lawrence, the Committee on Engrossed and Enrolled Bills was authorized to employ additional clerical help.

THIRD READING OF BILLS.

H. B. No. 181, by Marks, entitled "An Act Providing for Juvenile Courts, Providing for the Appointment of the Probation Officers, Outlining their Duties and Specifying their Compensation; Providing a Method of Procedure Against Juvenile Delinquents, Specifying Places for their Temporary and Permanent Detention, and the Compensation for their Care; Providing for the Time and Place of Trial; Defining Delinquent Child and Delinquent Person; and Providing Punishment for all Delinquents," was amended, read the third time, 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, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Barber, Callister, Lawrence, Williams.

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

The President called Mr. Bamberger to the Chair.

H. B. No. 126, by Hawley, entitled "An Act to Amend Section 2057, Revised Statutes of Utah, 1898.

as Amended by Chapter 71, Laws of Utah, 1899, Relating to Regulating the Salaries of County Officers," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 11; nays, 1; absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Clegg, Hollingsworth, Johnson, Larsen, Lewis, Loose, McKay, Park, Rasband, Walton.

Voting in the negative: Gardner.

Absent and not voting: Barber, Bennion, Callister, Lawrence, Williams, Mr. Presdient.

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

Mr. Larsen gave notice that he would move the Senate to reconsider the vote by which H. B. No. 126 passed.

H. B. No. 230, by Kinney, entitled "An Act Amending Section 3685, Revised Statutes of Utah, 1898, Relating to the Form of Pleadings in Justices' Courts," was read the third time, 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, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton.

Absent and not voting: Barber, Callister, Williams, Mr. President.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 88, by Committee on Judiciary, entitled "An Act Relating to Changes of Venue in Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the district Court Where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro Tempore in Municipal Courts and Fixing His Compensation, and Repealing

Section 3, of Chapter 112, Laws of Utah, 1901, as Amended by Section 1, of Chapter 126, Laws of Utah, 1903."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 88 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 111, by Lawrence, entitled "An Act to Establish a Board of Commissioners for the Promotion of Uniformity of Legislation in the United States."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 84, by Park, entitled "An Act to Amend Section 1299, Revised Statutes of Utah, 1898, Making Certain Exemptions from Liability to Act as Juror."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 18; nays, 0.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollings-

worth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

S. B. No. 84 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 110, by Lawrence, (by request), entitled "An Act to Prevent Unjust Discrimination Against Publishers of Newspapers, by Persons, Association of Persons, and Corporations Engaged in the Business of Gathering and Distributing for Publication Information or News, and Declaring such Combinations to be Unlawful."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 110 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 146, by Park, entitled "An Act Providing for a Medal of Honor for Each of the Indian War Veterans for Actual Service in Suppressing Indian Hostilities in Utah, During the Years 1850 to 1872, Inclusive."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 146 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the House has this day passed S. No. 121, by Barber, entitled "An Act Extending the Tin for Complying with the Provisions of Title 69, Revis Statutes of Utah, 1898, In Relation to Townsites."

The same is returned herewith for your further a tion.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 121 was referred to Committee on E grossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your h orable body that the House has this day passed S. No. 124, by Hollingsworth, entitled "An Act Amendi Section 3421, Revised Statutes of Utah, 1898, Relati to Distance which Subpoena May run Under Code Civil Procedure."

The same is returned herewith for your further tion.

Respectfully,
W. E. VIGUS, Chief Clerk

Communication filed.

S. B. No. 124 was referred to Committee on I grossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905

Mr. President:—I am directed to inform your h orable body that the House has this day passed S. No. 71, by Hollingsworth· entitled "An Act Amend Section 2592, of the Revised Statutes of Utah, 1898, F ing time When Fiscal Year Commences."

The same is returned herewith for your further tion.

Respectfully,
W. E. VIGUS, Chief Clerk

Communication filed.

S. B. No. 71 was referred to Committee on Engros and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 112, by Lawrence, (by request), entitled "An Act Amending Section 3683, of the Revised Statutes of Utah, 1898, Relating to the Service of Summons from Justices' Courts, as Amended by Chapter 70, of the Laws of Utah, 1899."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 112 was referred to Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 198, by Merrill, entitled "An Act to Amend Section 3129, Revised Statutes of Utah, 1898, Relating to Jury Trials, The Demand Therefor and the Fees to be Paid" beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 120, by Gardner, entitled "An Act Repealing Chapter 71, Laws of Utah, 1903, Entitled 'Arid Land Reclamation Fund Commission,'" beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 120 was read by title and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 132, by Committee on Judiciary, entitled "An Act to Amend Section 3, Chapter 65, Laws of Utah, 1899, Entitled 'An Act in Relation to Corporate Suretyship on Bonds and other Obligations, Providing for the Acceptance as Surety of Corporations Qualified to Act as Such, the Release of such Surety, the Safe Depositing of Assets for which Surety may be Liable, the Charging by Fiduciaries and Litigants of the Expense of Procuring such Surety,'" beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 132 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 131, by Committee on Judiciary, entitled "An Act to Amend Section 425, Revised Statutes of Utah, 1898, Relating to Loan, Trust and Guaranty Associations Becoming Sole Surety," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 131 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 62, by Lawrence, (by request), entitled "An Act Authorizing Cities of the First and Second Classes to Issue Scrip against the Funds to be Raised by Special Taxes and to Dispose of such Scrip, and Providing for the Manner of Issuing the Same, and

the Enforcement and Redemption Thereof," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 62 was read by title, and signed by the President in open session, in the presence of the Senate.

MISCELLANEOUS BUSINESS.

On motion of Mr. Hollingsworth, the Secretary was directed to address a communication to the Speaker of the House, requesting that a committee of three be appointed from that body to confer with a like committee from the Senate, respecting S. B. No. 57. The President appointed Messrs Hollingsworth, Walton, and Barber to act as such committee.

On motion of Mr. Park, the Secretary was directed to address a communication to the Speaker of the House, asking the return to the Senate of H. B. No. 20.

On motion of Mr. Hollingsworth, the Secretary was directed to address a communication to the Speaker of the House, requesting the return to the Senate of H. B. No. 160.

The President resumed the chair.

REPORT OF SPECIAL COMMITTEE.

In behalf of the special committee appointed to consider the House amendments to S. B. No. 55, Mr. Barber reported orally that the committee had carefully considered the amendments, and recommended that the Senate concur therein.

Report adopted.

The bill was read, as amended, and passed by the following vote:

Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Hollingsworth, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Walton, Mr. President.

Voting in the negative: Gardner.

Absent and not voting: Callister, Johnson, Williams.

S. B. No. 55 was referred to Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 92, by Johnson, entitled "An Act to Regulate the Practice of Osteopathy in the State of Utah, and to Provide for a State Board of Examiners, and to License Osteopaths to Practice in this State, and to Punish Persons Violating the Provisions of this Act," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 92 was read by title, and signed by the President in open session, in the presence of the Senate.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 208, by Thompson, entitled "An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations other than Real Property," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Rules beg leave to recommend that Rule 45 be so amended as to limit to one hour the right to move a reconsideration of any vote, under notice that at some future time the member giving such notice will so move to reconsider.

BENNION, Chairman.

Report adopted.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, under suspension of the rules, S. B. No. 109, by Lawrence, entitled "An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations other than Real Property."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 12; nays, 0; absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Hollingsworth, Lawrence, Lewis, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Barber, Gardner, Johnson, Larsen, Loose, Williams.

S. B. No. 109 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 140, by Lawrence, entitled "An Act to Repeal Section 4036, Revised Statutes of Utah, 1898, Relating to the Notices under Probate Code."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 136, by Hollingsworth, entitled "An Act Imposing a License Tax upon Itinerant Venders, Peddlers and Canvassers of Agricultural and Domestic Implements and Machinery and Wagons, Buggies, Vehicles, and other Articles; Providing for the Collection Thereof, and Providing a Penalty for the Violation Hereof."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 139, by Lawrence, entitled "An Act Amending Chapter ter 112, Laws of Utah, 1901, Entitled 'An Act to Create and Organize a Municipal Court in Certain Cities, and to Define the Powers and Duties, and Jurisdiction Thereof, and Making the Judge of Said Court, ex-officio Justice of the Peace of said Cities, and ex-officio Justice of the Peace of the Precincts Embraced in said Cities.' By adding a Section thereto Providing for the Publication of Summons."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 139 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, under suspension of the rules, S. B. No. 145, by

Judiciary Committee, entitled "An Act Providing for the Recording of Plats of all Cemeteries and the Evidence of Burial Rights Therein."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes 12; nays, 0; absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Hollingsworth, Lawrence, Lewis, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Barber, Gardner, Johnson, Larsen, Loose, Williams.

S. B. No. 145 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, under suspension of the rules, S. B. No. 134, by Callister, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, as Amended by Chapter 37, Laws of Utah, 1901, Relating to Powers and Duties of Trustees."

The same is transmitted herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 13; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Hollingsworth, Lawrence, Lewis, McKay, Park, Rasband, Walton, Mr. President.

Absent and not voting: Gardner, Johnson, Larsen, Loose, Williams.

S. B. No. 134 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 102, by Walton, entitled "An Act Providing for the Registration of all Births and Deaths Within the State, and Defining the Duties of the State Board of Health, and of the Secretary Thereof in Relation thereto, Providing for the Division of the State into Registration Districts and the Appointment of Local Registrars, Defining their Duties and Fixing their Compensation and Providing the Issuance of Birth and Death Certificates, and Burial Permits, Making an Appropriation to Carry the Provisions of this Act into Effect, and Providing Penalties for Violation thereof, and Repealing Sections 2029, 2030, 2031, 2032, 2033, 2034, 2035, and 2036, of the Revised Statutes of Utah, 1898, and Sections 19, 20, 21, 22, and 23, of Chapter 45, Laws of Utah, 1899."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 102 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 92, by Johnson, entitled "An Act to Regulate the Practice of Osteopathy in the State of Utah, and to Provide for a State Board of Examiners, and to License Osteopaths to Practice in this State, and to Punish Persons Violating the Provisions of this Act."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 62, by Lawrence, (by request), entitled "An Act Authorizing Cities of the First and Second Classes to Issue Scrip against the Funds to be Raised by Special Taxes and to Dispose of such Scrip, and Providing for the Manner of Issuing the Same, and the Enforcement and Redemption Thereof."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 131, by Committee on Judiciary, entitled "An Act to Amend Section 425, Revised Statutes of Utah, 1898, Relating to Loan, Trust and Guaranty Associations Becoming sole Surety."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 132, by Committee on Judiciary, entitled "An Act to Amend Section 3, Chapter 65, Laws of Utah, 1899, entitled 'An Act in Relation to Corporate Suretyship on Bonds and Other Obligations, Providing for the Acceptance as Surety of Corporations Qualified to Act as Such, the Release of Such Surety, the Safe Depositing of Assets for which Surety May be Liable, the Charging by Fiduciaries and Litigants of the Expense of Procuring such Surety.'"

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 120, by Gardner, entitled "An Act Repealing Chapter 71, Laws of Utah, 1903, entitled 'Arid Land Reclamation Fund Commission.'"

The same is transmitted herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 95, by Hollingsworth, entitled "An Act Creating a State Commission on Voting or Balloting Machines, Defining their Powers, and Providing for the use at the Option of any Board of County Commissioners, or City Council of Voting or Balloting Machines for Receiving and Registering the Vote in one or More Elec-

tion Districts of any County, City, or Town, at any or all Elections Held Therein; and for Ascertaining the Result at such Elections; and Providing for the Punishment of all Violations of the Provisions of this Act."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 86, by Lawrence, entitled "An Act to Amend Sections 753, 754, and 757, of the Revised Statutes of Utah, 1898, as Amended by Chapter 79, Laws of Utah, 1903, Relating to the Practice of Dentistry, and Defining the Practice of Dentistry, Providing for the Revocation of License, and Providing for the Punishment of Associations or Companies Practicing Dentistry, Unless the same Conform to the Requirements of this Act."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 64, by Park, entitled "An Act Relating to Certain Staff Organizations of the State Militia; the Appointment of Officers; their Qualifications, the Composition of the Organizations and the Appointment of Company Armorers."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 106, by Hollingsworth, entitled "An Act Amending Section 2655, Revised Statutes of Utah, 1898, Relating to Real Estate Held by any County under Tax Deeds to it and the Manner of Disposing of Same."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 60, by Callister, entitled "An Act Making Further Appropriation for the Experimental Farms Provided for in Chapter 41, Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 63, by Lawrence, entitled "An Act Amending Section 264, Revised Statutes of Utah, 1898, Relating to Special Taxes in Cities, Errors in Proceedings Concerning such Special Taxes and Actions to Recover such Taxes Paid under Protest, by Adding Provisions thereto Relating to re-levy of such Special taxes after Former Levy is Annulled, and Validating Special Taxes Heretofore Levied and Proceedings Relating Thereto."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 98, by Walton, entitled "An Act Requiring Out Houses on School Grounds to be Maintained in a Sanitary Condition."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 43, by Walton, entitled "An Act Amending Section 2, Chapter 59, Laws of Utah, 1901, Creating the Reservoir Land Grant Fund, and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying Water to State and Other Lands."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 224, by McCrea, entitled "An Act Making any City, Town, Village or School District Liable Jointly with the Principal Contractor upon Public Works, in Actions Instituted by Sub-contractor or Material Men Against Such Principal Contractor."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 224 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 170, by Hone, entitled "An Act to Prevent Deception in the Sale of Renovated Butter, and to License Manufacturers and Dealers in the Same, and Prescribing a Penalty for the Violation thereof."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 170 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 3, by Miller, entitled "Proposing an Amendment to Section 2, Article 10, of the Constitution, Relating to Education, Public School System, Maintenance."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. J. R. No. 3 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 178, by Marks, entitled "An Act Amending Section 388, Revised Statutes of Utah, 1898, Relating to the Making of Reports to the Secretary of State by Banking Corporations and Private Bankers and Providing for the Publication Thereof."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 178 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 171, by Hawley, entitled "An Act in Relation to the Making of False Representation in Writing by a Person, of his Assets or Financial Responsibility for the Purpose of Obtaining Credit Thereon, and Providing a Penalty Therefor."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 171 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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, by Edwards, entitled "An Act to Regulate the Purchase, Sale, Transfer, and Incumbrance of a Stock of Goods, Wares, or Merchandise, in Bulk, or of any Portion of a Stock of Goods, Wares, and Merchandise, Otherwise than in the Usual Course of Trade, and Prescribing Penalties for the Violation Thereof."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 139 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed Messrs. Thompson, Miller, and Tolton, as a Committee to Confer with a like committee from the Senate, on S. B. No. 57.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the House has this day rejected S. B. No. 105, by Hollingsworth, entitled "An Act Making it the Duty of the 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 the Salaries of the County Auditor and his Deputies and Assistants during the time such Auditor, his Deputies and assistants are working upon the Tax Rolls, and Providing for the Apportionment of said sum to the Various Taxing Funds, and Repealing Chapter 131, Laws of Utah, 1903."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 100, by Walton, entitled "An Act to Establish and Maintain a State Laboratory for Bacteriological Purposes and Providing for the Appointment and Compensation of a Director Thereof and Making an Appropriation Therefor."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 72, by Hollingsworth, entitled "An Act Amending Sections 2516, 2517, 2519, and 2596, of the Revised Statutes of Utah, 1898, Relating to the time of Making Assessments for Purposes of Taxation and as to the time When Lien for Taxes Attaches."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote.

Ayes, 14; nays, 0; absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen, Lewis, Loose, Park.

S. B. No. 72 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 141, by Joint Conference Committee entitled "An Act Providing for the Appointment of a Coal Mine Inspector, Defining his Duties, Fixing His Salary and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed therein, and for the Protection of the Property Connected Therewith, and Repealing Chapter 2, Title 42, Revised Statutes of Utah, 1898, as Amended by Chapter 85, Laws of Utah, 1901."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 141 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 105, by Hawley, entitled "An Act to Amend Section 1, of Chapter 137, of the Session Laws of the State of Utah, 1903, to Regulate the Practice of

Barbering, the Registering, the 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 transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 105 was read the first time and referred to Committee on Public Health.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, H. B. No. 227, by Kinney, entitled "An Act Amending Section 1108, Revised Statutes of Utah, 1898, as Amended by Chapter 102, Laws of Utah, 1903, Requiring Local Boards of Health and Health Officers to Report Certain Diseases."

The same is transmitted herewith for your action.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 227 was read the first time and referred to Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 210, by Anderson, (by request), entitled "An Act to Amend Sections 218, 551, and 1686, Revised Statutes of Utah, 1898, Relating to Official Bonds, and to Provide for the Giving of Official Bonds, and for Additional Official Bonds in Cases of Officers Holding Over, or When the Security on such Bonds Becomes Inadequate, and to Provide for the Vacation of Offices in case Officers fail to give Additional Bonds in Certain Cases," beg leave to report that they

have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 236, by Stookey, entitled "An Act Amending Chapter 66, Laws of Utah, 1901, Relating to the Examination of Outstanding Witness and Juror Certificates of District Courts of the Territory of Utah, with a View of Determining the Amount thereof and the Liability of the State Therefor, and Barring from Payment all Certificates not Presented within the Time Prescribed in this Act," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. R. No. 3, by Bamberger, (by request), beg leave to report that they have had the same under consideration and recommend that the resolution be passed.

LAWRENCE, Chairman.

Report adopted.

S. R. No. 3 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Institutions, to whom was referred H. B. No. 117, by Marks, entitled "An Act Creating a State Capitol Fund, Making Appropriations Thereto, and Providing for the Investment Thereof," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

HOLLINGSWORTH, Chairman.

Report adopted.
H. B. No. 117 was read the second time.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred H. B. No. 226, by Kinney, entitled "An Act to Amend Section 2948, Revised Statutes of Utah, 1898, as Amended by Chapter 51, Laws of Utah, 1899, Relating to the Service of Summons," beg leave to report that they have had the same under consideration and recommend that the bill be passed..

LAWRENCE, Chairman.

Report adopted.
H. B. No. 226 was read the second time.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 98, entitled "An Act Requiring Out Houses on School Grounds to be Maintained in a Sanitary Condition;" and S. B. No. 43, entitled "An Act Amending Section 2, Chapter 59, Laws of Utah, 1901, Creating the Reservoir Land Grant Fund, and Providing for the Procuring of Reservoir Sites and the Construction of Reservoirs for the Purpose of Supplying water to State and other Lands;" and S. B. No. 64, entitled "An Act Relating to Certain Staff Organizations of the State Militia; the Appointment of Officers; their Qualifications; the Composition of the Organizations; and the Appointment of Company Armorers;" and S. B. No. 120, entitled "An Act Repealing Chapter 71, Laws of Utah, 1903, entitled 'Arid Land Reclamation Fund Commission.'"

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 165, entitled "An Act to Amend Section 4355, Revised Statutes of Utah, 1898, Defining Larceny;" and H. B. No. 155, entitled "An Act to Amend Section 978, Revised Statutes of Utah, 1898, Relating to Fees of Precinct Officers;" and H. B. No. 4, entitled "An Act to Repeal Chapter 2, Title 59, of the Revised Statutes of Utah, 1898, as Amended by the Laws of Utah, 1901, Relating to Sericulture;" and H. B. No. 166, entitled "An Act to Amend Section 3952, Revised Statutes of Utah, 1898, Relating to Final Accounts and Settlement of Estates;" and H. B. No. 190, entitled "An Act Appropriating the Sum of $2,500.00 to Zebulon Jacobs for Services Rendered to the State, and for Permanent Bodily Injury;" and H. B. No. 186, entitled "An Act Appropriating the Sum of $2,500.00 to David Wilcken for Meritorious Services Rendered the State, and for Permanent Bodily Injuries Sustained."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 67, entitled "An Act to Amend Section 972, Revised Statutes of Utah, 1898, Relating to the Fees of Clerks of the District Courts and County Clerks;" and H. B. No. 118, entitled "An Act Providing for Uniform Examinations of County School Teachers Throughout the State, and Repealing Sections 1794, 1795, 1796, 1797, and 1798, of the Revised Statutes of Utah, 1898, and all Acts Amendatory Thereto, and all Acts and Parts of Acts in Conflict Herewith;" and H. J. R. No. 1, entitled "Proposing Amendments to Section 3, Article XIII, of the Constitu-

tion, as Amended November 6th, 1900, and Section 12, of Said Article XIII. relating to Uniform Tax and Exemptions Therefrom, and Authority of the Legislature to Provide for a Stamp Tax, or a Tax Based on Income, Occupation, License, or Franchise;" and H. B. No. 144, entitled "An Act to Amend Sections 1806 and 1809, Revised Statutes of Utah, 1898, Relating to School Elections, how Called, Canvass of Votes;" and H. B. No. 163, entitled "An Act to Amend Section 974, Revised Statutes of Utah, 1898, as Amended by Chapter 18, Laws of Utah, 1899, Relating to Fees of Sheriffs;" and H. B. No. 146, entitled "An Act to Amend Section 1785, Revised Statutes of Utah, 1898, Relating to the Duties of County Superintendents;" and H. B. No. 145, entitled "An Act to Amend Section 1844, Revised Statutes of Utah, 1898, Relating to the Duties of Teachers."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

THIRD READING OF BILLS.

H. B. No. 122, by Kinney, entitled "An Act for the Regulation of the Practice of Medicine and Surgery in the State of Utah, and for the Appointment of a Board of Medical Examiners in the Matter of Said Regulation, and Providing for the Repeal of Title 52, Revised Statutes of Utah, 1898," was amended, read the third time, under suspension of the rules, and failed to pass by the following vote:

Ayes, 9; nays, 8; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Bennion, Clegg, Hollingsworth, Lawrence, Park, Rasband, Walton, Mr. President.

Those voting in the negative were: Barber, Gardner, Johnson, Larsen, Lewis, Loose, McKay, Williams.

Absent and not voting: Callister.

The President called Mr. Bennion to the chair.

S. R. No. 3, by Bamberger, (by request), requesting that the Committee on Judiciary of the Senate of the

Seventh Legislature of the State of Utah, prepare within thirty days after the beginning of the first session of said body an act amending Article IV., of the Constitution of the State of Utah, was read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 14; nays, 2; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Gardner, Loose.

Absent and not voting: Callister, Walton.

H. B. No. 177, by Marks, entitled "An Act Creating a State Capitol Fund, Making Appropriations Thereto, and Providing for the Investment Thereof," was amended, read the third time, under suspension of the rules, and failed to pass by the following vote:

Ayes, 6; nays, 10; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Clegg, Hollingsworth, Johnson, Lewis, Park,.

Those voting in the negative were: Barber, Bennion, Gardner, Larsen, Lawrence, Loose, McKay, Rasband, Williams, Mr. President.

Absent and not voting: Callister, Walton.

The President resumed the chair.

H. B. No. 226, by Kinney, entitled "An Act to Amend Section 2948, Revised Statutes of Utah, 1898, as Amended by Chapter 51, Laws of Utah, 1899, Relating to the Service of Summons," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, Loose, McKay, Park, Rasband, Williams, Mr. President.

Absent and not voting: Walton.

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

S. B. No. 153, by Committee on Public Institutions, (substitute for H. B. No. 95), entitled "An Act to Amend Section 2220, Revised Statutes of Utah, 1898, Relating to the State Board of Corrections," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 10; nays, 5; absent and not voting, 3.

Those voting in the affirmative were: Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, McKay, Park, Rasband, Williams.

Those voting in the negative were: Bamberger, Bennion, Lawrence, Lewis, Mr. President.

Absent and not voting: Barber, Loose, Walton.

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

The President called Mr. Lawrence to the chair.

Consent was given to introduce the following bills:

S. B. No. 154, by Joint Committee, entitled "An Act Proposing an Amendment to Section 2, Article 10, of the Constitution of the State of Utah, and an Amendment to Section 4, Article 10, of the Constitution of the State of Utah, Relating to the Establishment and Maintenance of the Public School System and Location and Rights of the University of Utah, and Consolidating the University of Utah and the Agricultural College," was read the first, second, and third times, under suspension of the rules, and failed to pass by the following vote:

Ayes, 10; nays, 8.

Those voting in the affirmative were: Bamberger, Bennion, Clegg, Hollingsworth, Lawrence, Lewis, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Callister, Gardner, Johnson, Larsen, Loose, McKay, Walton.

The President resumed the chair.

S. B. No. 155, by Hollingsworth, entitled "An Act Amending Sections 174 and 175, Revised Statutes of Utah, 1898, Relating to the Classification of Cities and the Changing of Classes of Such Cities," was read the first, 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Lewis, McKay, Park, Rasband, Mr. President.

Absent and not voting: Barber, Loose, Walton, Williams.

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

On motion of Mr. Park, the committee report recommending that H. B. No. 20 do not pass, was reconsidered and the committee report not adopted.

On motion of Mr. Bennion, the enacting clause was stricken from H. B. No. 20.

REPORTS OF STANDING COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 76, by Bamberger,entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property under the Control of the State and its Political Subdivisions, and their Respective Institutions or Offices, to Attachment, Garnishment and Execution, Under the Procedure Applicable in Other Cases and Designating upon whom Process shall be Served," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 76 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S.B. No. 59, by Bennion, entitled "An Act Amending Sections 1916 and 1962 and 1963 of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class, and Providing that Parents, Guardians, or other Persons having Control of

Children of Certain Ages Shall be Required to Send such Children to School, During Certain Periods, and Providing Punishment to Parents, Guardians, or other Persons Having Control of Children for Failure so to do," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 59 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 71, by Hollingsworth, entitled "An Act Amending Section 2592, of the Revised Statutes of Utah, 1898, Fixing Time When Fiscal Year Commences," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 71 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 145, by Judiciary Committee, entitled "An Act Providing for the Recording of Plats of all Cemeteries and the Evidence of Burial Rights Therein," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 145 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and

and Enrolled Bills, to whom was referred S. B. No. 146, by Park, entitled "An Act Providing for a Medal of Honor for each of the Indian War Veterans, for Actual Service in Suppressing Indian Hostilities in Utah, During the Years 1850 to 1872, Inclusive," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 146 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 109, by Lawrence, entitled "An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations Other than Real Property," beg leave to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 109 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 134, by Callister, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, as Amended by Chapter 37, Laws of Utah, 1901, Relating to Powers and Duties of Trustees," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 134 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 24, by Walton, entitled "An Act to Amend Sections 800, 801, 816, and 868, Revised Statutes of Utah, 1898, Relating to the Registering of Voters."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 14; nays, 0; absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, McKay, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Larsen, Lewis, Loose, Park.

S. B. No. 24 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 146, entitled "An Act Providing for a Medal of Honor for each of the Indian War Veterans for Actual Service in Suppressing Indian Hostilities in Utah During the Years 1850 to 1872, Inclusive."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 134, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, as Amended by Chapter 37, Laws of Utah, 1901, Relating to Powers and Duties of Trustees."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 109, entitled "An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations Other than Real Property."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 59, entitled "An Act Amending Sections 1916 and 1962 and 1963, of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners in Cities of the First and Second Class and Providing that Parents, Guardians, or other Persons Having Control of Children of Certain Ages, Shall be Required to send such Children to School During Certain

Periods, and Providing Punishment to Parents, Guardians or Other Persons Having Control of Children for Failure so to do."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 76, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property under the Control of the State and its Political Subdivisions, and their Respective Institutions or Offices, to Attachment, Garnishment and Execution, Under the Procedure Applicable in Other Cases, and Designating upon Whom Process Shall be Served."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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 Providing for the Recording of Plats of all Cemeteries and the Evidence of Burial Rights Therein."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 71, entitled "An Act Amending Section 2592 of the Revised Statutes of Utah, 1898, Fixing time When Fiscal Year Commences."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 126, by Hawley, entitled "An Act to Amend Section 2057, Revised Statutes of Utah, 1898, as Amended by Chapter 71, Laws of Utah, 1899, Relating to Regulating the Salaries of County Officers."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 126 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 114, by Kinney, entitled "An Act Amending Sections 3669 and 3671, Revised Statutes of Utah, 1898, and Adding a new Section to be known as 3671-A, Relating to Change of Venue of Actions Pending Before Justices of the Peace."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 114 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 204, by Kinney, entitled "An Act Amending Section 3, of Chapter 97, Laws of Utah, 1903, Relating to the Duties of State Chemist."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 204 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 138, by Committee on Agriculture and Horticulture, entitled "An Act Providing for the Establishment of a Central Utah Experiment Station, and Placing the Same with the Southern Utah Experiment Farm, under the Direction and Management of the Agricultural College Experiment Station of Utah, and Repealing Chapter 85, Laws of Utah, 1899."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 138 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 230, by Kinney, entitled "An Act Amending Section 3685, Revised Statutes of Utah, 1898, Relating to the Form of Pleadings in Justices' Courts."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 230 was read by title, and signed by the President in open session, in the presence of the Senate.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 151, entitled "An Act Amending Section 2087, Revised Statutes of Utah, 1898, Defining the courses of Study in the Agricultural College of Utah," beg leave to report that they have had the same under consideration and recommend that the title be amended to read as follows: "An Act Prescribing and Limiting Courses of Instruction in the Agricultural College, and Amending Section 2087 of the Revised Statutes of Utah, 1898," and as amended, recommend that the bill be passed. BENNION, Chairman.

Report adopted.

S. B. No. 151 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Education, to whom was referred S. B. No. 152, entitled "An Act Amending Section 2292, Revised Statutes of Utah, 1898,

Defining the Courses of Study in the University of Utah," beg leave to report that they have had the same under consideration, and recommend that the title be amended to read as follows: "An Act Prescribing and Limiting Courses of Instruction in the University of Utah, and Amending Section 2292 of the Revised Statutes of Utah, 1898," and as amended, recommend that the bill be passed. BENNION, Chairman.

Report adopted.

S. B. No. 152 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 227, by Kinney, entitled "An Act Amending Section 1108, Revised Statutes of Utah, 1898, as Amended by Chapter 102, Laws of Utah, 1903, Requiring Local Boards of Health and Health Officers to Report Certain Diseases," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

H. B. No. 227 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Appropriations and Claims, to whom was referred S. B. No. 56, by Lawrence, entitled "An Act for the Erection of a Monument for the Deceased Soldiers and Sailors of the Spanish American War," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

We desire to go on record as being in hearty sympathy and full accord with the purpose of the measure and only regret that the depleted condition of the State finances will not permit favorable action at the present session.

WILLIAMS, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Appropriations and Claims herewith present S. B. No. 143, entitled "An Act Making Appropriations for General Purposes," and recommend its passage as amended.

WILLIAMS, Chairman.

Report adopted.

S. B. No. 143 was read the first and second times, under suspension of the rules.

REPORT OF SPECIAL JOINT COMMITTEE.

Committee Room, March 9, 1905.

To the Honorable S. H. Love, President of the Senate, and Thomas Hull, Speaker of the House of Representatives:

Your Special Joint Committee,to whom was referred the investigation of alleged bounty frauds and the report of the State Auditor, which report was presented pursuant to a concurrent resolution, beg to report that they have considered the matter, heard the testimony of witnesses, and in view of the necessarily limited time for an investigation involving a matter of such magnitude, respectfully submit that a thorough and more complete investigation should be made and therefore recommend:

That the State Auditor be directed to immediately commence a thorough investigation as to validity of all outstanding certificates for bounties issued under the provisions of Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903, and after notice to the holders of any of such certificates, said State Auditor forthwith proceed to ascertain which of said certificates so outstanding and issued under the authority of the laws aforesaid are genuine and legal claims against the State, and thereupon report his findings to the State Board of Examiners.

And we further recommend that such certificates as are found by the State Auditor and State Board of Examiners to be valid, be thereupon paid under the provisions of the bill herewith presented, being S. B. No.

156, which your committee having carefully considered, recommends be passed.

LAWRENCE,
Chairman Special Joint Committee.

Report adopted, and committee discharged.

On motion of Mr. Hollingsworth, the Joint Committee, appointed to investigate duplication of studies in the University of Utah and the Agricultural College, was discharged.

FIRST, SECOND, AND THIRD READINGS OF BILLS.

S. B. No. 156, by Special Joint Committee on Bounty Frauds, entitled "An Act Requiring the State Auditor and the State Board of Examiners to Examine into the Validity of Outstanding Certificates for the Payment of Bounties Issued Under the Provisions of Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903, for Determining the Liability of the State Therefor and Authorizing the Payment of such of said Certificates as are ascertained to be valid and making an Appropriation," was read the first, second, and third times, 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: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President

Absent and not voting: Barber, Lewis.

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

S. B. No. 151, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in e Agricultural College, and Amending Section 2087, Revised Statutes of Utah, 1898," was amended, read the third time under suspension of the rules, and passed by the following vote:

Ayes, 11; nays, 5; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Larsen, Loose, McKay, Walton.

Absent and not voting: Callister, Lewis.

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

S. B. No. 152, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the University of Utah, and Amending Section 2292, Revised Statutes of Utah, 1898," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 11; nays, 5; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Larsen, Loose, McKay, Walton.

Absent and not voting: Callister, Lewis.

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

The President called Mr. Bennion to the chair.

H. B. No. 227, by Kinney, entitled "An Act Amending Section 1108, Revised Statutes of Utah, 1898, as Amended by Chapter 102, Laws of Utah, 1903, Requiring Local Boards of Health and Health Officers to Report Certain Diseases," was amended, read the second and third times, under suspension of the rules, and passed by the following vote:

Ayes, 15; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams.

Absent and not voting: Larsen, Lewis, Mr. President.

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

S. B. No. 143, by Committee on Appropriations and Claims, entitled "An Act Making Appropriations for General Purposes," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 13; nays, 4; absent and not voting, 1.

Those voting in the affirmative were: Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Loose, McKay, Rasband, Walton, Mr. President.

Those voting in the negative were: Bamberger, Lawrence, Park, Williams.

Absent and not voting: Lewis.

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

REPORTS OF STANDING COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 112, by Lawrence, (by request), entitled "An Act Amending Section 3683, of the Revised Statutes of Utah, 1898, Relating to the Service of Summons from Justices' Courts, as Amended by Chapter 70, of the Laws of Utah, 1899," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 112 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 129, by Joint Committee, entitled "An Act Creating a State Board of Horticulture, Providing for the Publication and Distribution of its Reports, for the Appointment of County Fruit Tree Inspectors, Defining their Duties, and the Duties of Orchardists and Nurserymen, Making an Appropriation for Carrying out the Provisions of this Act and Repealing Chapter 104, Laws of Utah, 1903," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S B. No. 129 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 124, by Hollingsworth, entitled "An Act Amending Section 3421, Revised Statutes of Utah, 1898, Relating to Distance which Subpoena may run Under Code of Civil Procedure," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 124 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 133, by Johnson, entitled "An Act to Provide revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal years Nineteen Hundred and Five and Nineteen Hundred and Six," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 133 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 121, by Barber, entitled "An Act Extending the Time for Complying with the Provisions of Title 69, Revised Statutes of Utah, 1898, in Relation of Townsites," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 121 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 75, by Marks, entitled "An Act Providing for County School Districts of the First Class, Placing these upon the Same Basis of Administration as School Districts in Cities of the Second Class, and Making Necessary Regulations Therefor; and Repealing all Acts and Parts of Acts in Conflict with the Provisions of this Chapter, so far as they Relate to County School Districts of the First Class as Herein Described."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 75 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 153, by Committee on Public Institutions, entitled "An Act to Amend Section 2220, Revised Statutes of Utah, 1898, Relating to the State Board of Corrections.

The same is returned for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 153 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 123, by Hollingsworth, entitled "An Act Amending Article 1, Title 3, of Chapter 83, Laws of Utah, 1899, entitled 'An Act Relating to Negotiable Instruments, (being an Act to Establish a Law Uniform with the Laws of other States on that Subject), and Providing that Depositors shall notify Banks Within three Months after the Return to such Depositors by any Bank of Vouchers Which were Forged or Raised, and Exempting Banks from such Liability After Expiration of such period Unless such Notice is Given."

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed S. B. No. 155, by Hollingsworth, entitled "An Act Amending Sections 174 and 175, Revised Statutes of Utah, 1898, Relating to the Classification of Cities and the Changing of Classes of such Cities."

The same is returned for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 155 was referred to Committee on Engrossed and Enrolled Bills.

The President resumed the chair.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I have the honor to return herewith, without approval, S. B. No. 107, entitled "An Act Amending

Section 1243, Revised Statutes of Utah, 1898, Relating to Intoxicating Liquors and the Granting of Licenses to sell the Same, by Boards of County Commissioners, and Providing that Before a License is Granted to sell Liquor at Retail, in a County outside of the Limits of an Incorporated City or Town, the Consent of a Majority of the Tax-paying Electors of the Precinct Wherein Such Liquor is sold, Must be Obtained."

My reason for this action consists in the fact that a portion of the bill is somewhat indefinite, and this indefiniteness would probably lead to litigation of an expensive nature. It is in the proviso, commencing on line seven of the second page of the bill. In order to be clear and incapable of serious misconstruction, this part of the measure, I would suggest, should be amended to read as follows: "Provided, that the applicant for a license to carry on a retail liquor business within any voting district of a County, outside the limits of an incorporated city or town, must submit with his application a petition signed by at least a majority of the electors of such voting district, as shown by the registration lists of such district for the preceding year, consenting that the said application be granted, and that the license applied for be issued."

If the amendment herein suggested is inserted in the bill, I shall be willing to give to the measure my approval. Very respectfully,

JOHN C. CUTLER, Governor.

Communication and bill were referred to Committee on Judiciary, on motion of Mr. Hollingsworth.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 124, entitled "An Act Amending Section 3421, Revised Statutes of Utah, 1898, Relating to Distance which Subpoena may Run Under Code of Civil Procedure."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 133, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal Years 1905 and 1906."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 121, entitled "An Act Extending the Time for Complying with the Provisions of Title 69, Revised Statutes of Utah, 1898, in Relation to Townsites."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 129, entitled "An Act Creating a State Board of Horticulture, Providing for the Publication and Distribution of its Reports; for the Appointment of County Fruit Tree Inspectors, Defining their Duties and the Duties of Orchardists and Nurserymen, Making an Appropriation for Carrrying out the Provisions of this Act and Repealing Chapter 104, Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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 Amending Section 3683, of the Revised Statutes of Utah, 1898, Relating to the Service of Summons from Justices' Courts, as Amended by Chapter 70, of the Laws of Utah, 1899."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 226, entitled "An Act to Amend Section 2948, Revised Statutes of Utah, 1898, as Amended by Chapter 51, Laws of Utah, 1899, Relating to the Service of Summons."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 226 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 181, entitled "An Act Providing for Juvenile Courts, Providing for the Appointment of the Probation Officers, Outlining their Duties and Specifying their Compensation; Providing a Method of Procedure against Juvenile Delinquents, Specifying Places for their Temporary and Permanent Detention, and the Compensation for their Care; Providing for the time and Place of Trial; Defining Delinquent Child and Delinquent Person; and Providing Punishment for all Delinquents."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 181 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 152, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the University of Utah and Amending Section 2292 of the Revised Statutes of Utah, 1898."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 152 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 151, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the Agricultural College and Amending Section 2087, of the Revised Statutes of Utah, 1898."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 151 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr President:—I am directed to inform your honorable body that the House has this day passed, as amended, S. B. No. 20, by Lawrence, entitled "An Act Amending Section 3588, Revised Statutes of Utah, 1898, (as Amended by Chapter 25, Laws of Utah, 1901), also Section 3598, of said Revised Statutes Relating to 'Eminent Domain' Providing for the uses in and for Which the Right of Eminent Domain may be Exercised, and Damages, How Assessed."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate refused to concur in the House Amendments.

S. B. No. 20 was referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 107, by McKay, entitled "An

Act Relating to Intoxicating Liquors and the Granting of Licenses to sell the Same by Boards of County Commissioners, and Providing that Before a License is Granted to sell Liquor at Retail in a County Outside of the Limits of an Incorporated City or Town, the Consent of a Majority of the Tax-paying Electors of the Precinct Wherein such Liquor is sold must be Obtained," and the Governor's veto of said bill, beg leave to report that they have had the same under consideration and recommend that the veto be sustained and that the said bill be not passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Health, to whom was referred H. B. No. 105, by Hawley, entitled "An Act to Amend Section 1, Chapter 137, of the Session Laws of the State of Utah, 1903, to Regulate the Practice of Barbering, the Registering, the 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," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

H. B. No. 105 was read the second time.

THIRD READING OF BILLS..

S.B. No. 122, by Lawrence, (by request), entitled "An Act to Amend Title 17, Revised Statutes of Utah, 1898, Relating to Drainage Districts," was amended, read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 15 nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Clegg, Johnson, Lewis.
The title of the bill was made the title of the act.

H. B. No. 105, by Hawley, entitled "An Act to Amend Section 1, Chapter 137, of the Session Laws of the State of Utah, 1903, to Regulate the Practice of Barbering, the Registering, the 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," was read the third time, under suspension of the rules, 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, Hollingsworth, Lawrence, McKay, Park, Rasband, Walton, Williams, Mr. President.

Those voting in the negative were: Johnson, Larsen, Loose.

Absent and not voting: Callister, Clegg, Lewis.

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

RESOLUTION.

S. R. No. 4, by Johnson:

Be it Resolved, That the Secretary, Docket Clerk, and Minute Clerk of the Senate under the direction of the President of the Senate are hereby authorized and directed to revise and proof read the Journal of the Senate of the Sixth State Legislature, the compensation therefor 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. 4 was read the first, second, and third times and passed.

COMMUNICATIONS.

March 9, 1905.

To the Honorable S. H. Love, President, and Members of the Senate, of the Utah Legislature:

Gentlemen:—As my services are no longer required

and I may not have the pleasure of meeting with you again in this capacity, I take this method of expressing to you, Mr. President and Senators, Sergeant-at-Arms, and all the officers of this house, my sincere thanks for the uniform courtesy and respect extended to me, and when we retire to the seclusion of our homes, may memory never fail to remind us of the pleasant associations we have had, and the fellowship we have enjoyed. May it continue through life

HUGH S. GOWANS, Chaplain.

Communication filed.

Office of the Secretary of State,
Salt Lake City, March 9, 1905.

To the Senate:

I am directed by the State Board of Examiners to return to your Honorable Body the attached claim, No. 182, of the Lambert Paper Company, filed with the Board this day, for paper alleged to have been furnished the Irrigation Commission of Utah during the years 1894-5, amounting to $191.80 and interest $153.45, total $345.25, and to report that the board has not approved the claim for the reason that it was submitted at such a late date that the Board would be unable to give it proper consideration and secure evidence supporting it in time to refer it back to the present legislature. I am also directed to report that this claim was considered by the State Board of Examiners at a meeting held on March 10, 1903, and disapproved for the reason that the Board held it was not a legal charge against the State.

Very respectfully,
C. S. TINGEY,
Secretary State Board of Examiners.

Communication filed.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that

I have this day approved and filed in the office of the Secretary of State, S. B. No. 95, entitled "An Act Creating a State Commission on Voting Machines, Defining their Powers, etc.;" and S. B. No. 86, entitled "An Act to Amend Sections 753, 754, and 757, of the Revised Statutes of Utah, 1898, as Amended by Chapter 79, Laws of Utah, 1903, Relating to the Practice of Dentistry, etc.;" and S. B. No. 134, entitled "An Act to Amend Section 1815, Revised Statutes of Utah, 1898, as Amended by Chapter 37, Laws of Utah, 1901, Relating to Powers and Duties of Trustees;" and S. B. No. 71, entitled "An Act Amending Section 2592, of the Revised Statutes of Utah, 1898, Fixing time When Fiscal Year Commences;" and S. B. No. 146, entitled "An Act Providing for a Medal of Honor for each of the Indian War Veterans, etc."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 131, entitled "An Act to Amend Section 425, Revised Statutes of Utah, 1898, Relating to Loan, Trust, and Guaranty Associations Becoming sole Surety;" and S. B. No. 106, entitled "An Act Amending Section 2655, Revised Statutes of Utah, 1898, Relating to Real Estate held by any County Under Tax Deeds to it, and the Manner of Disposing of Same;" and S. B. No. 62, entitled "An Act Authorizing Cities of the First and Second Classes to Issue Scrip Against the Funds to be Raised by Special Taxes, and to dispose of such Scrip, and Providing for the Manner of Issuing the Same, and the Enforcement and Redemption Thereof;" and S. B. No. 63, entitled "An Act Amending Section 264, Revised Statutes of Utah, 1898, Relating to Special Taxes in Cities, Errors in Proceedings Concerning such Special Taxes, and Actions to Recover such Taxes Paid under Protest, by adding Provisions thereto Relating to Re-levy of such Special Taxes after Former Levy is An-

nulled, and validating Special Taxes Heretofore Levied and Proceedings Relating Thereto."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I have the honor to return herewith, without approval, S. B. No. 133, entitled "An Act to Provide Revenue for the Support of the Government of the State, etc."

My reason for this action is the fact that an error occurs in the third section of the bill, in that no tax is authorized for general county purposes, and the county school levy authorized is one mill higher than the legal rate. I think this is due to a clerical error, and the bill should be corrected so that Section 3 will read as follows: "The Board of county commissioners of the several counties of the State are hereby authorized to levy on all taxable property in their respective counties, for each of the fiscal years of 1905 and 1906, an ad valorem tax of not to exceed five mills on the dollar of valuation for general county purposes, and not to exceed four mills on the dollar of valuation for county school purposes, and may levy a tax not exceeding one mill on the dollar additional for the care, maintenance, and relief of the indigent sick and otherwise dependent poor."

If the bill is so amended, I shall be pleased to give it my approval.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

The Senate sustained the Governor's veto.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body

the following appointments, and ask your advice and consent thereto:

Members State Board of Horticulture: Thomas Judd, J. E. Cox, J. D. Wadley, C. A. Hickenlooper.

Assistant Adjutant General on Governor's Staff: H. M. H. Lund.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

EXECUTIVE SESSION.

The Senate went into executive session.

REGULAR SESSION RESUMED.

Upon regular session being resumed, the President announced that the Senate advised and consented to the following appointments made by the Governor:

Members State Board of Horticulture: Thomas Judd, J. E. Cox, J. D. Wadley, C. A. Hickenlooper.

Assistant Adjutant General on Governor's Staff: H. M. H. Lund.

INTRODUCTION, FIRST, SECOND, AND THIRD READINGS OF BILL.

Consent was given to introduce the following bill:

S. B. No. 157, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal Years Nineteen Hundred and Five and Nineteen Hundred and Six," was read the first, 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,

Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Lawrence, Loose, Park, Walton, Williams, Mr. President.

Absent and not voting: Larsen, Lewis, McKay, Rasband.

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

REPORTS OF STANDING COMMITTEES.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 20, by Lawrence, entitled "An Act Amending Section 3588, Revised Statutes of Utah, 1898, (as Amended by Chapter 25, Laws of Utah, 1901), also Section 3598 of said Revised Statutes, Relating to 'Eminent Domain' Providing for the uses in and for Which the Right of Eminent Domain may be Exercised, and Damages, how Assessed," beg leave to report that they have had the same under consideration and recommend that the Senate do concur in the House amendments to the bill, and that the said bill be passed.

LAWRENCE, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 234, by Committee on Irrigation, entitled "An Act to Amend Section 316, Revised Statutes of Utah, 1898, as Amended by Section 1, Chapter 81, Laws of Utah, 1901, Relating to the Formation of Private Corporations," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

PARK, Chairman.

Report adopted.

H. B. No. 234 was read the second time.

On motion of Mr. Bamberger, the Senate directed the Secretary to send a communication to the Speaker of the House, asking the return of H. B. No. 236.

PRESENTATION OF GAVEL.

Mr. Park, on behalf of the members and officers of the Senate, presented President Love with a gavel.

President Love, in responding, thanked the members and officers.

INTRODUCTION, FIRST, SECOND, AND THIRD READINGS OF BILL.

At the request of Mr. Lawrence, consent was given to introduce S. B. No. 158, by Judiciary Committee, entitled "An Act Repealing Chapter 137, Laws of Utah, 1901, entitled 'An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears, and Mountain Lions Within the State of Utah, to Provide for a Bounty for the Killing of the Same, to Prevent Frauds in Obtaining such Bounty, and to Provide Penalties for the Violation Thereof,' and repealing Chapter 48, Laws of Utah, 1903, 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.'"

The bill was read the first, second, and third times 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, Barber, Bennion, Callister, Gardner, Hollingsworth, Lawrence, McKay, Park, Walton, Williams, Mr. President.

Absent and not voting: Clegg, Johnson Larsen, Lewis, Loose, Rasband.

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

RECONSIDERATION OF H. B. NO. 236.

On motion of Mr. Bamberger, the committee report rejecting H. B. No. 236 was reconsidered. The rules were suspended, and H. B. No. 236, by Stookey, entitled "An Act Amending Chapter 66, Laws of Utah, 1901, Relating to the Examination of Outstanding Witness and Juror

Certificates of District Courts of the Territory of Utah, With a View of Determining the Amount Thereof and the Liability of the State Therefor, and Barring from Payment all Certificates not Presented Within the Time Prescribed in this Act," was read the first, second, and third times, and passed by the following vote:

Ayes, 12; nays, 0; absent and not voting, 6.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Gardner, Hollingsworth, Lawrence, McKay, Park, Walton, Williams, Mr. President.

Absent and not voting: Clegg, Johnson, Larsen, Lewis, Loose, Rasband.

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

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Private Corporations and Insurance, to whom was referred H. B. No. 235, by Committee on Irrigation, entitled "An Act to Amend Section 965, Revised Statutes of Utah, 1898, as Amended by Chapter 60, Laws of Utah, 1901, Relating to Fees to be Collected by the Secretary of State," beg leave to report that they have had the same under consideration and recommend the following amendment thereto:

Page 1, lines 25, 26, and 27, page 2, lines 1 and 2, strike all matter on such lines and insert in lieu thereof the following:

"For filing each certified copy of an amendment to articles of Incorporation increasing the capital stock of any corporation, twenty-five cents for each one thousand dollars of the increase of such capital stock, and five dollars for issuing certificate thereof," and as amended, recommend that the bill be passed.

PARK, Chairman.

Report adopted.

H. B. No. 235 was read the second time.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Lands,

to whom was referred H. B. No. 194, by Austin, entitled "An Act for Granting to the United States the Right of Way, over State Lands for Ditches, Tunnels, and Telephone and Transmission Lines in Connection with IrrigationWorks, and Providing for the Sale of Certain State Lands within the Area of Irrigation Works Controlled or Constructed by the United States," beg leave to report that they have had the same under consideration and recommend that the bill be passed.

WALTON, Chairman.

Report adopted.

H. B. No. 194 was read the second time.

THIRD READING OF BILLS.

H. B. No. 235, by Committee on Irrigation, entitled "An Act to Amend Section 965, Revised Statutes of Utah, 1898, as Amended by Chapter 60, Laws of Utah, 1901, Relating to Fees to be Collected by the Secretary of State," was read the third time under suspension of the rules, and passed by the following vote:

Ayes, 13; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Bamberger, Barber, Callister, Gardner, Hollingsworth, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Bennion, Clegg, Johnson, Larsen, Lewis.

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

H. B. No. 234, by Committee on Irrigation, entitled "An Act to Amend Section 316, Revised Statutes of Utah, 1898, as Amended by Section 1, Chapter 81, Laws of Utah, 1901, Relating to the Formation of Private Corporations," was read the third time, 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, Bennion, Callister, Clegg, Gardner, Hollingsworth, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Barber, Johnson, Larsen, Lewis.

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

H. B. No. 194, by Austin, entitled "An Act for Granting to the United States the Right of way Over State Lands for Ditches, Tunnels, and Telephone and Transmission Lines in Connection with Irrigation Works, and Providing for the sale of Certain State Lands Within the Area of Irrigation Works Controlled or Constructed by the United States," was read the third time, under suspension of the rules, and passed by the following vote:

Ayes, 17; nays, 0; absent and not voting, 1.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Lewis.

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

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, as amended, under suspension of the rules, S B. No. 156, by Special Joint Committee on Bounty Frauds, entitled "An Act Requiring the State Auditor and the State Board of Examiners to Examine into the Validity of Outstanding Certificates for the Payment of Bounties Issued under the Provisions of Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903, for Determining the Liability of the State therefor and Authorizing the Payment of such of said Certificates as are Ascertained to be valid; Making Provisions for such as are Ascertained to be Invalid and Making an Appropriation."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 14; nays, 0; absent and not voting, 4.

Those voting in the affirmative were: Bamberger, Bennion, Callister, Clegg, Gardner, Hollingsworth, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Barber, Johnson, Larsen, Lewis.

S. B. No. 156 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 178, entitled "An Act Amending Section 388, Revised Statutes of Utah, 1898, Relating to the Making of Reports to the Secretary of State by Banking Corporations and Private Bankers, and Providing for the Publication Thereof;" and H. B. No. 143, entitled "An Act to Amend Sections 1778 and 1781, Revised Statutes of Utah, 1898, Relating to the Biennial report of the State Superintendent of Public Instruction; and Calling for Attendance upon Conventions;" and H. B. No. 126, entitled "An Act to Amend Section 2057, Revised Statutes of Utah, 1898, as Amended by Chapter 71, Laws of Utah, 1899, Relating to Regulating the Salaries of County Officers;" and H. B. No. 204, entitled "An Act Amending Section 3, of Chapter 97, Laws of Utah, 1903, Relating to the Duties of State Chemist."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 114, entitled "An Act Amending Sections 3669 and 3671, Revised

Statutes of Utah, 1898, and Adding a new Section to be Known as Section 3671-A, Relating to Change of Venue of Actions Pending Before Justices of the Peace;" and H. B. No. 171, "An Act in Relation to the Making of False Representation in Writing by a Person of his Assets or Financial Responsibility for the Purpose of Obtaining Credit Thereon, and Providing a Penalty Therefor;" and H. B. No. 224, "An Act Making any City, Town, Village, or School District, Liable Jointly with the Principal Contractors upon Public Works, in Actions Instituted by Sub-contractor or Material Men Against such Principal Contractor;" and H. B. No. 170, "An Act to Prevent Deception in the Sale of Renovated Butter, and to License Manufacturers and Dealers in the Same, and Prescribing a Penalty for the Violation Thereof;" and H. B. No. 230, "An Act Amending Section 3685, Revised Statutes of Utah, 1898, Relating to the Form of Pleadings in Justices' Courts;" and H. B. No. 139, "An Act to Regulate the Purchase, Sale, Transfer, and Encumberance of a Stock of Goods, Wares, or Merchandise, in Bulk, or of any Portion of a Stock of Goods, Wares, and Merchandise, Otherwise than in the Usual Course of Trade, and Prescribing Penalties for the Violation Thereof."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 157, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the several Counties of the State, and District and County Schools, for the Fiscal Years Nineteen Hundred and Five and Nineteen Hundred and Six."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

S. B. No. 157 was referred to Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled bills, to whom was referred S. B. No. 72, by Hollingsworth, entitled "An Act Amending Sections 2516, 2517, 2519, and 2596, of the Revised Statutes of Utah, 1898, Relating to the Time of Making Assessments for Purposes of Taxation and as to the time when Lien for Taxes Attaches," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 72 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 155, by Hollingsworth, entitled "An Act Amending Sections 174 and 175, Revised Statutes of Utah, 1898, Relating to the Classification of Cities and the Changing of Classes of such Cities," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 155 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 84, by Park, entitled "An Act to Amend Section 1299, Revised Statutes of Utah, 1898, Making Certain Exemptions from Liability to Act as Juror," beg to report that they have

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

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 84 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 24, by Walton, entitled "An Act to Amend Sections 800, 801, 816, and 868, Revised Statutes of Utah, 1898, Relating to the Registering of Voters," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 24 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. C. R. No. 7, by Committee on Military Affairs, beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. C. R. No. 7 was read, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 139, by Lawrence, entitled "An Act Amending Chapter 112, Laws of Utah, 1901, entitled 'An Act to Create and Organize a Municipal Court in Certain Cities and to Define the Powers and Duties and Jurisdiction Thereof and Making the Judge of Said Court ex-officio Justice of the

Peace of said Cities, and ex-officio Justice of the Peace of the Precincts Embraced in said Cities,' by Adding a Section Thereto Providing for the Publication of Summons," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 139 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 232, by Committee on Irrigation, entitled "An Act Codifying and Revising Certain Laws 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 Abandon-

ment of use, change in Manner of 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 Chapter 100, Laws of Utah, 1903, 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 by this Act or by said Chapter 100, may be Completed and Perfected; 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 transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 232 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has vetoed H. B. No. 181, entitled "An Act Providing for Juvenile Courts, etc.," and his veto has been sustained by the House.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 139, entitled "An Act Amending Chapter 112, Laws of Utah, 1901, entitled 'An Act to Create and Organize a Municipal Court in Certain Cities, and to Define the Powers and Duties, and Jurisdiction Thereof, and Making the Judge of said Court, ex-officio Justice of the Peace of said Cities, and ex-officio Justice of the Peace of the Precincts Embraced in Said Cities.' By Adding a Section Thereto Providing for the Publication of Summons."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 7, entitled "Resolution for Faithful Services of the Indian War Veterans of Utah."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 24, entitled "An Act to Amend Sections 800, 801, 816, and 868, Revised Statutes of Utah, 1898, Relating to the Registering of Voters."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 155, entitled "An Act Amending Sections 174 and 175, Revised Statutes of Utah, 1898, Relating to Classification of Cities and the Changing of Classes of Such Cities."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 84, entitled "An Act to Amend Section 1299, Revised Statutes of Utah, 1898, Making Certain Exemptions from Liability to Act as Juror."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 72, entitled "An Act Amending Sections 2516, 2517, 2519, and 2596, of the Revised Statutes of Utah,

1898, Relating to the time of Making Assessments for Purposes of Taxation and as to the time when Lien for Taxes Attaches."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, and as amended, S. B. No. 122, by Lawrence, (by request), entitled "An Act to Amend Sections 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, and 779, Revised Statutes of Utah, 1898, Relating to Drainage Districts."

The same is returned herewith for you further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Johnson, Lewis.

S. B. No. 122 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, as amended, S. B. No. 143, by

Committee on Appropriations and Claims, entitled "An Act Making Appropriations for General Purposes."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

On motion of Mr. Rasband, the Senate refused to concur in the House amendments, and a conference Committee of three, consisting of Messrs. Williams and Bennion, of the Committee on Appropriations and Claims, and Mr. Hollingsworth, of the Committee on Public Institutions, was appointed to confer with a like committee from the House.

RESOLUTIONS.

S. R. No. 5, by Barber, Resolved that the thanks of the members and employes of the Senate are hereby extended to the Rocky Mountain Bell Telephone Company, and to the Utah Independent Telephone Company, for the free use of their lines and splendid service during the session.

At the request of Mr. Lawrence, roll was called, and S. R. No. 5 was adopted by the following vote:

Ayes, 12; nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Hollingsworth, Larsen, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Gardner, Lawrence, Loose, Mr. President.

Absent and not voting: Johnson, Lewis.

S. R. No. 6, by Barber, Resolved that the thanks of the members and employes of the Senate are hereby extended to the Oregon Short Line Railway Company, Rio Grande Western Railway Company, the San Pedro, Los Angeles and Salt Lake Railway Company, and to the Consolidated Railway and Power Company, for courtesies extended to the members and employes of the Senate during the session.

At the request of Mr. Lawrence, roll was called, and S. R. No. 6 was adopted by the following vote:

Ayes, 12; nays, 4; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Hollingsworth, Larsen, McKay, Park, Rasband, Walton, Williams.

Those voting in the negative were: Gardner, Lawrence, Loose, Mr. President.

Absent and not voting: Johnson, Lewis.

S. R. No. 7, by Bennion, Be it resolved that the thanks of the members of this body are due, and are hereby extended, to the representatives of the press for the uniformly fair and courteous treatment given us during the session and for the truthful and accurate reports of the Senate proceedings.

Resolution was unanimously adopted.

REPORTS OF STANDING COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 110, by Lawrence, entitled "An Act to Prevent Unjust Discrimination against Publishers of Newspapers, by Persons, Associations of Persons, and Corporations Engaged in the Business of Gathering and Distributing for Publication, Information or News, and Declaring Such Combinations to be Unlawful," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 110 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 153, by Committee on Public Institutions, entitled "An Act to Amend Section 2220, Revised Statutes of Utah, 1898, Relating to the State Board of Corrections," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 153, was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 150, by Joint Committee, entitled "An Act Creating a Commis sion to Investigate the work of the Agricultural College of Utah, and of the University of Utah, Defining its Powers and Duties and Making 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.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 150 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 110, entitled "An Act to Prevent Unjust Discrimination Against Publishers of Newspapers, by Persons, Association of Persons, and Corporations Engaged in the Business of Gathering and Distributing for Publication, Information or News, and Declaring such Combinations to be Unlawful."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 150, entitled "An Act Creating a Commission to Investigate the Work of the Agricultural College of Utah and of the University of Utah, Defining its Powers and Duties, and Making an Appropriation Therefor."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 153, entitled "An Act to Amend Section 2220, Revised Statutes of Utah, 1898, Relating to the State Board of Corrections."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed Messrs. Fishburn, Simons, and McCrea, as a Conference Committee to confer with a like committee from the Senate, on S. B. No. 143.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORT OF CONFERENCE COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Special Conference Commit-

tee, to whom was referred S. B. No. 130, by Joint Committee on Bounties, entitled "An Act to Encourage the Destruction of Certain Wild Animals; to Provide Bounties for the Killing Thereof; Making an Appropriation for the Payment of such Bounties; Providing the Manner in Which Bounties may be Procured; Providing Penalties for the Procurement of Such Bounties by Fraud and for Violation of this Act, and Repealing Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903," and to confer with a like committee from the House on the proposed amendments of said bill, beg leave to report that they have had the same under consideration and recommend that the Senate do concur in the House amendments.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 130 was read as amended and passed by the following vote:

Ayes, 13; nays, 2; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Loose, McKay, Rasband, Walton, Williams.

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

Absent and not voting: Johnson, Lewis, Park.

S. B. No. 130 was referred to Committee on Engrossed and Enrolled Bills.

COMMUNICATIONS FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 59, entitled "An Act Amending Sections 1916, 1962, and 1963, of the Revised Statutes of Utah, 1898, Providing for the Appointment of Associate Examiners," etc.; and S. B. No. 112, entitled "An Act Amending Section 3683 of the Revised Statutes of Utah, 1898, Relating to the Service of Summons,"

etc.; and S. B. No. 124, entitled "An Act Amending Section 3421, Revised Statutes of Utah, 1898, Relating to Distance Which Subpoena may run Under Code of Civil Procedure."

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 109, entitled "An Act to Amend Section 2877, Revised Statutes of Utah, 1898, Relating to Limitations other than Real Property;" and S. B. No. 76, entitled "An Act Subjecting the Salaries and Wages of Public Officials and Employees and other Credits or Personal Property Under the Control of the State and its Political Subdivisions, and their Respective Institutions or Officers, to Attachment, Garnishment, and Execution," etc.; and S. B. No. 129, entitled "An Act Creating a State Board of Horticulture," etc.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to transmit to your honorable body the following appointments, and ask your advice and consent thereto:

Members of the State Board of Corrections: Elias A. Smith, J. E. Frick.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

EXECUTIVE SESSION.

The Senate went into executive session.

Upon regular session being resumed, the President announced that the Senate advised and consented to the following appointments of the Governor:

Members of the State Board of Corrections: Elias A. Smith, J. E. Frick.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day rejected S. B. No. 158, by Judiciary Committee, entitled "An Act Repealing Chapter 137, Laws of Utah, 1901, Entitled 'An Act to Encourage the Destruction of Coyotes, Wolves, Lynx, Wild Cats, Bears, and Mountain Lions Within the State of Utah, to Provide for a Bounty for the Killing of the Same, to Prevent Frauds in Obtaining Such Bounty, and to Provide Penalties for the Violation Thereof,' and Repealing Chapter 48, Laws of Utah, 1903, 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.' "

The same is returned herewith.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, H. B. No. 238, by Marks, entitled

"An Act Providing for Juvenile Courts, Providing for the Appointment of the Probation Officers, Outlining their Duties and Specifying their Compensation; Providing a Method of Procedure Against Juvenile Delinquents, Specifying Places for their Temporary and Permanent Detention, and the Compensation for their Care; Providing for the time and Place of Trial; Defining Delinquent Child and Delinquent Person; and Providing Punishment for all Delinquents."

The same is transmitted herewith for your action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 238 was read the first, second, and third times, 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: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Johnson, Lewis.

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

House of Representatives,
Salt Lake City, March 9, 1905.

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. 227, by Kinney, entitled "An Act Amending Section 1108, Revised Statutes of Utah, 1898, as Amended by Chapter 102, Laws of Utah, 1903, Requiring Local Boards of Health and Health Officers to Report Certain Diseases."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 227 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 236, by Stookey, entitled "An Act Amending Chapter 66, Laws of Utah, 1901, Relating to the Examination of Outstanding Witness and Jury Certificates of District Courts of the Territory of Utah, with a view of Determining the Amount thereof and the Liability of the State Therefor, and Barring from Payment all Certificates not Presented Within the Time Prescribed in this Act."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 236 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 235, by Committee on Irrigation, entitled "An Act to Amend Section 965, Revised Statutes of Utah, 1898, as Amended by Chapter 60, Laws of Utah, 1901, Relating to Fees to be Colected by the Secretary of State."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 235 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 234, by Committee on Irrigation, entitled "An Act to Amend Section 316, Revised Statutes of Utah, 1898, as Amended by Section 1, Chapter 81, Laws of Utah, 1901, Relating to the Formation of Private Corporations."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 234 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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, by Hawley, entitled "An Act to Amend Section 1, Chapter 137, of the Session Laws of the State of Utah, 1903, to Regulate the Practice of Barbering, the Registering, the 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 transmitted herewith for the signature of the President of the Senate.

Respectfully,

W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 105 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 194, by Austin, entitled "An Act for Granting to the United States the Right of Way Over State Lands for Ditches, Tunnels, and Telephone and Transmission Lines in Connection with Irrigation Works, and Providing for the Sale of Certain State Lands Within the Area of Irrigation Works Controlled or Constructed by the United States."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 194 was read by title, and signed by the President in open session, in the presence of the Senate.

CONFERENCE COMMITTEE REPORT.

Committee Room, March 9, 1905.

To the President of the Senate and the Speaker of the House:

Your Conference Committee, to whom was referred S. B. No. 143, by Committee on Appropriations and Claims, entitled "An Act Making Appropriations for General Purposes," beg leave to report and recommend as follows.

1. That all House amendments be concurred in, except the following:

Page 1, line 27, strike out the figures "$6,500," and insert in lieu thereof "$7,500."

Page 5, line 30, strike out the figures "$4,000," and insert in lieu thereof "$5,000."

Page 7, line 25, strike out the figures "$500," and insert in lieu thereof "$1,000."

Page 7, line 33, that the amount "$5,000" be stricken out and "$4,500" be inserted in lieu thereof.

Page 17, line 22, that the amount "$135,000," be stricken out and that there be inserted in lieu thereof "$130,000."

Page 17, line 23, that the amount "$5,500," be stricken out and there be inserted in lieu thereof the amount "$10,500."

Page 18, at the end of line 8, insert the following

words: "to be paid out of the same fund into which said money was paid."

Page 19, the amount at the end of line 26, "$70" be stricken out, and there be inserted in lieu thereof "$150;" and on line 27, the amount "$50" be stricken out, and there be inserted in lieu thereof "$57.75."

WILLIAMS, Chairman.

Report adopted.

The Senate concurred in all House amendments except item for contingent expenses of State Chemist, State Board of Equalization, and clerical and contingent expenses of Bureau of Statistics.

The bill was read as amended and passed by the following vote:

Ayes, 14; nays, 1; absent and not voting, 3.

Those voting in the affirmative were: Barber, Bennion, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Voting in the negative: Bamberger.

Absent and not voting: Callister, Johnson, Lewis.

REPORT OF STANDING COMMITTEE.

Senate Judiciary Committee Room,
March 9, 1905.

Mr. President:—Your Committee on Judiciary, to whom was referred S. B. No. 20, by Lawrence, entitled "An Act Amending Section 3588, Revised Statutes of Utah, 1898, (as Amended by Chaper 25, Laws of Utah, 1901), also Section 3598 of said Revised Statutes, Relating to 'Eminent Domain' Providing for the uses in and for which the Right of Eminent Domain may be Exercised, and Damages, how Assessed," beg leave to report that they have had the same under consideration and recommend the following amendments:

In line 18, page 1, by striking out the following words: "Water works and water systems supplying municipal corporations with water," and as amended recommend that the Senate do concur in the other House amendments to the bill, and as amended recommend that the bill be passed.

LAWRENCE, Chairman.

Report adopted.

S. B. No. 20 was read the second and third times, as amended and failed to pass by the following vote:

Ayes, 9; nays, 6; absent and not voting, 3.

Those voting in the affirmative were: Bamberger, Bennion, Hollingsworth, Lawrence, McKay, Park, Rasband, Williams, Mr. President.

Those voting in the negative were: Barber, Clegg, Gardner, Larsen, Loose, Walton.

Absent and not voting: Callister, Johnson, Lewis.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the House has this day passed, under suspension of the rules, as amended, S. B. No. 142, by Committee on Appropriations, entitled "An Act Making an Appropriation out of the State Reservoir Land Grant Fund and Repealing Chapter 120, Laws of Utah, 1903, Entitled Reservoir Sites."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendments.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Clegg, Gardner, Hollingsworth, Johnson, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Absent and not voting: Callister, Lewis.

S. B. No. 142 was referred to Committee on Engrossed and Enrolled Bills.

House of Representatives,
Salt Lake City, March 9, 1905.

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

suspension of the rules, as amended on page seven with amendment to the Senate amendments, S. B. No. 143, by Committee on Appropriations and Claims, entitled "An Act Making Appropriations for General Purposes."

The same is returned herewith for your further action.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

The Senate concurred in the House amendment to the Senate amendment.

The bill was read as amended, and passed by the following vote:

Ayes, 16; nays, 0; absent and not voting, 2.

Those voting in the affirmative were: Bamberger, Barber, Bennion, Callister, Clegg, Gardner, Hollingsworth, Larsen, Lawrence, Loose, McKay, Park, Rasband, Walton, Williams, Mr. President.

Voting in the negative: 0.

Absent and not voting: Johnson, Lewis.

S. B. No. 143 was referred to Committee on Engrossed and Enrolled Bills.

REPORTS OF STANDING COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 102, by Walton, entitled "An Act Providing for the Registration of all Births and Deaths Within the State, and Defining the Duties of the State Board of Health, and of the Secretary Thereof, in relation Thereto, Providing for the Division of the State into Registration Districts and the Appointment of Local Registrars, Defining their Duties and Fixing their Compensation, and Providing the Issuance of Birth and Death Certificates, and Burial Permits, Making an Appropriation to Carry the Provisions of this Act into Effect, and Providing Penalties for Violation Thereof, and Repealing Sections 2029, 2030, 2031, 2032, 2033, 2034, 2035, and 2036, of the Revised Statutes of Utah, 1898, and Sections 19, 20, 21, 22, and 23, of Chapter 45, Laws of Utah, 1899," beg leave to re-

port that we have carefully engrossed and enrolled the same, and herewith present the act for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 102 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 94, by Hollingsworth, entitled "An Act to Tax Gifts, Legacies, and Inheritance in Certain Cases, and to Provide for the Assessment and collection of the Tax, and Repealing Chapter 62, of the Laws of Utah, 1901, and Chapter 93, of the Laws of Utah, 1903," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 94 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 156, by Special Joint Committee on Bounty Frauds, entitled "An Act Requiring the State Auditor and the State Board of Examiners to Examine into the Validity of Outstanding Certificates for the Payment of Bounties Issued under the Provisions of Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903, for Determining the Liability of the State Therefor and Authorizing the Payment of such of Said Certificates as are Ascertained to be Valid, Making Provisions for such as are Ascertained to be Invalid, and Making an Appropriation," beg to report that they have engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 156 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 157, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State, and for the Several Counties of the State, and District and County Schools, for the Fiscal Years Nineteen Hundred and Five and Nineteen Hundred and Six," beg to report that they have engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 157 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 151, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the Agricultural College and Amending Section 2087 of the Revised Statutes of Utah, 1898," beg to report that they have engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 151 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 152, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the University of Utah, and Amending Section 2292 of the Revised Statutes of Utah, 1898," beg to report that they have engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 152 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 238, by Marks, entitled "An Act Providing for Juvenile Courts, Providing for the Appointment of the Probation Officers, Outlining their Duties, and Specifying their Compensation; Providing a Method of Procedure Against Juvenile Delinquents, Specifying Places for their Temporary and Permanent Detention, and the Compensation for their Care; Providing for the time and Place of Trial; Defining Delinquent Child and Delinquent Person; and Providing Punishment for all Delinquents."

The same is transmitted herewith for the signature of the President of the Senate.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

H. B. No. 238 was read by title, and signed by the President in open session, in the presence of the Senate.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. B. No. 75, entitled "An Act Providing for County School Districts of the First Class, Placing these Upon the same Basis of Administration as School Districts in Cities of the Second Class, and Making Necessary Regulations Therefor."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. B. No. 226, entitled "An Act to Amend Section 2948, Revised Statutes of Utah, 1898, as Amended by Chapter 51, Laws of Utah, 1899, Relating to the Service of Summons."

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Governor has signed and filed with the Secretary of State, H. B. No. 232, entitled "An Act Codifying and Revising Certain Laws Providing for Determining and Recording Water Rights," etc.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 65, entitled "An Act to Amend Sections 1429, 1430, 1431, 1432, 1434, 1436, 1437, 1438, 1439, 1442, 1445, 1454, 1456, 1475, and 1488, Revised Statutes of Utah, 1898, Relating to the Composition of the Militia; Appointment, Qualifications and Duties of Officers, their Relative Rank, Retirement and Pay of Officers and Men; Provisions for those Injured in Service; and to Military Courts."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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 to Tax Gifts, Legacies, and Inheritance in Certain Cases and to Provide for the Assessment and Collection of the Tax, and Repealing Chapter 62, of the Laws of Utah, 1901, and Chapter 93, of the Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 102, entitled "An Act Providing for the Registration of all Births and Deaths Within the State, and Defining the Duties of the State Board of Health, and of the Secretary Thereof, in Relation Thereto, Providing for the Division of the State into Registration Districts and the Appointment of Local Registrars, Defining Their Duties and Fixing Their Compensation, and Providing the Issuance of Birth and Death Certificates, and Burial Permits, Making an Appropriation to Carry the Provisions of this Act into Effect, and Providing Penalties for Violation Thereof, and Repealing Sections 2029, 2030, 2031, 2032, 2033, 2034, 2035, and 2036, of the Revised Statutes of Utah, 1898, and Sections 19, 20, 21, 22, and 23, of Chapter 45, Laws of Utah, 1899."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEE.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds; for Appointment of a State Fish and Game Commissioner, Special Deputies, and County Fish and Game Wardens and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901; and Chapter 116, Laws of Utah, 1903," beg leave to report that we have carefully engrossed and enrolled the same, and herewith present the bill to you for your signature. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 55 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 52, by Hollingsworth, entitled "An Act to Amend Section 322, Revised Statutes of Utah, 1898, and Section 338, Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and as Amended by an Act Approved March 3rd, 1905, and Sections 340 and 444, Revised Statutes of Utah, 1898, Relating to the Powers of Corporations, the Manner of Making Amendments to Articles of Incorporations, the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the Same by Execution of Trust Deeds or Mortgages; and Defining what shall be Deemed Railroad Companies, and Approving and Validating Amendments made to Articles of Incorporations and the Organization of Consolidated Corporations, as well as Acts done thereunder," beg to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 52 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 88, by Committee on Judiciary, entitled "An Act Relating to Changes of Venue in Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court Where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro Tempore in Municipal Courts and Fixing his Compensation, and Repealing Section 3, of Chapter 112, Laws of Utah, 1901, as Amended by Section 1, of Chapter 126, Laws of Utah, 1903," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature. HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 88 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 122, by Lawrence, (by request), entitled "An Act to Amend Sections 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, and 779, Revised Statutes of Utah, 1898, Relating to Drainage Districts," beg to report that they have carefully engrossed and enrolled the same and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 122 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 130, by Joint Committee on Bounties, entitled "An Act to En-

courage the Destruction of Certain Wild Animals; to Provide Bounties for the Killing Thereof; Making Appropriation for the Payment of such Bounties; Providing the Manner in which Such Bounties may be Procured; Providing Penalties for the Procurement of such Bounties by fraud and for Violation of this Act, and Repealing Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 130 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 141, by Joint Conference Committee, entitled "An Act Providing for the Appointment of a coal Mine Inspector, Defining his Duties, Fixing his Salary, and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of the Property Connected Therewith, and Repealing Chapter 2, Title 42, Revised Statutes of Utah, 1898, as Amended by Chapter 85, Laws of Utah, 1901," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 141 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 143, by Committee on Appropriations and Claims, entitled "An Act Making Appropriations for General Purposes," beg leave to report that they have carefully engrossed and

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

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 143 was read by title, and signed by the President in open session, in the presence of the Senate.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Engrossed and Enrolled Bills, to whom was referred S. B. No. 142, by Committee on Appropriations, entitled "An Act Making an Appropriation out of the State Reservoir Land Grant Fund, and Repealing Chapter 120, Laws of Utah, 1903, Entitled Reservoir Sites," beg leave to report that they have carefully engrossed and enrolled the same, and herewith present the act to you for your signature.

HOLLINGSWORTH, Chairman.

Report adopted.

S. B. No. 142 was read by title, and signed by the President in open session, in the presence of the Senate.

COMMUNICATION FROM THE GOVERNOR.

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable S. H. Love, President of the Senate:

Dear Sir:—I beg to inform your honorable body that I have this day approved and filed in the office of the Secretary of State, S. B. No. 155, entitled "An Act Amending Sections 174 and 175, Revised Statutes of Utah, 1898, Relating to Classification of Cities, etc.;" and S. B. No. 121, entitled "An Act Extending the time for Complying with the Provisions of Title 69, Revised Statutes of Utah, 1898, in Relation to Townsites;" and S. B. No. 153, entitled "An Act to Amend Section 2220, Revised Statutes of Utah, 1898, Relating to the State Board of Corrections;" and S. B. No. 84, entitled "An Act to Amend Section 1299, Revised Statutes of Utah, 1898, Making Certain Exemptions from Liability to act as Juror;" and S. B. No. 139, entitled "An Act Amending Chapter 112, Laws of Utah, 1901, Entitled 'An Act

to Create and Organize a Municipal Court,'" etc.; and S. B. No. 110, entitled "An Act to Prevent Unjust Discrimination Against Publishers of Newspapers," etc.; and S. B. No. 150, entitled "An Act Creating a Commission to Investigate the Work of the Agricultural College of Utah, and the University of Utah," etc.; and S. C. R. No. 7, entitled "Resolutions for Faithful Services of the Indian War Veterans of Utah," etc.

Very respectfully,
JOHN C. CUTLER, Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 156, by Special Joint Committee on Bounty Frauds, entitled "An Act Requiring the State Auditor and the State Board of Examiners to Examine into the Validity of Outstanding Certificates, for the Payment of Bounties Issued under the Provisions of Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903, for Determining the Liability of the State Therefor and Authorizing the Payment of such of Said Certificates as are Ascertained to be Valid, Making provisions for such as are Ascertained to be Invalid and Making an Appropriation."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 143, by Committee on Appropriations and Claims, entitled "An Act Making Appropriations for General Purposes."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 152, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the University of Utah, and Amending Section 2292 of the Revised Statutes of Utah, 1898."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 151, by Joint Committee, entitled "An Act Prescribing and Limiting Courses of Instruction in the Agricultural College and Amending Section 2087 of the Revised Statutes of Utah, 1898."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 157, by Johnson, entitled "An Act to Provide Revenue for the Support of the Government of the State and for the Several Counties of the State, and District and County Schools for the Fiscal Years Nineteen Hundred and Five and Nineteen Hundred and Six."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 122, by Lawrence, (by request), entitled "An Act to Amend Sections 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, and 779, Revised Statutes of Utah, 1898, Relating to Drainage Districts."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 52, by Hollingsworth, entitled "An Act to Amend Section 332, Revised Statutes of Utah, 1898, and Section 338, Revised Statutes of Utah, 1898, as Amended by Chapter 94, Laws of Utah, 1903, and as Amended

by an Act Approved March 3rd, 1905, and Sections 340 and 344, Revised Statutes of Utah, 1898, Relating to the Powers of Corporations, the Manner of Making Amendments to Articles of Incorporations, the Manner of Forming Consolidated Corporations; Authorizing Railroad Companies to Issue Bonds and Secure the same by Execution of Trust Deeds or Mortgages; and Defining What shall be Deemed Railroad Companies and Approving and Validating Amendments Made to Articles of Incorporations and the Organization of Consolidated Corporations, as Well as Acts Done Thereunder."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 88, by Committee on Judiciary, entitled "An Act Relating to Changes of Venue in Actions in Municipal Courts, Providing for Change of Judge in Lieu Thereof, and for the Certification of Causes to the District Court Where the Judge of the Municipal Court is Disqualified, and Providing for a Judge Pro Tempore in Municipal Courts and Fixing his Compensation, and Repealing Section 3, of Chapter 112, Laws of Utah, 1901, as Amended by Section 1, of Chapter 126, Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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

orable body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 142, by Committee on Appropriations, entitled "An Act Making an Appropriation out of the State Reservoir Land Grant Fund, and Repealing Chapter 120, Laws of Utah, 1903, Entitled Reservoir Sites."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 141, by Joint Conference Committee, entitled "An Act Providing for the Appointment of a Coal Mine Inspector, Defining his Duties, Fixing his Salary and Providing for the Inspection of Coal and Hydro-Carbon Mines; Providing for the Health and Safety of the Persons Employed Therein, and for the Protection of the Property Connected Therewith, and repealing Chapter 2, Title 42, Revised Statutes of Utah, 1898, as Amended by Chapter 85, Laws of Utah, 1901."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 130, by Joint Committee on Bounties, entitled "An Act to Encourage the Destruction of Certain Wild Animals; to Provide Bounties for the Killing Thereof; Making Appropriation for the Payment of such Boun-

ties; Providing the Manner in Which Such Bounties may be Procured; Providing Penalties for the Procurement of Such Bounties by Fraud and for Violation of this Act, and Repealing Chapter 137, Laws of Utah, 1901, and Chapter 48, Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

House of Representatives,
Salt Lake City, March 9, 1905.

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. 55, by Callister, entitled "An Act for the Protection of Fish, Game, and Birds; for Appointment of a State Fish and Game Commissioner, Special Deputies, and County Fish and Game Wardens, and Prescribing their Duties; to Provide Penalties for the Violation of this Act; and to Repeal Title 21, Revised Statutes of Utah, 1898; Chapter 26, Laws of Utah, 1899; Chapter 133, Laws of Utah, 1901, and Chapter 116, Laws of Utah, 1903."

The same is returned herewith for transmission to the Governor.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

APPOINTMENT OF COMMITTEE.

Mr. Hollingsworth moved that a committee of three be appointed to act with a like committee from the House, to wait upon His Excellency, the Governor, and inform him that the Legislature is now ready to adjourn. Upon the motion carrying, the President appointed Messrs. Hollingsworth, Barber, and Park to act as such committee.

Mr. Callister was excused from further attendance.

COMMUNICATION FROM THE HOUSE.

House of Representatives,
Salt Lake City, March 9, 1905.

Mr. President:—I am directed to inform your honorable body that the Speaker of the House has this day appointed a committee to act with a like committee from the Senate to call upon his Excellency the Governor and inform him that the Legislature is now ready to adjourn,—Messrs. Christensen, Edward, and Cottam were appointed as such committee.

Respectfully,
W. E. VIGUS, Chief Clerk.

Communication filed.

RESOLUTION.

On motion of Mr. Lawrence, the Senate went into a Committee of the Whole and considered the following resolution:

S. R. No. 8, by Committee of the Whole:

WHEREAS, A Joint Committee of the Senate and the House of Representatives of the Sixth Legislature of the State of Utah, was appointed to investigate the expenditure of money under and by virtue of an act creating a commission to provide for the display of Utah's resources at the Louisiana Purchase Exposition known as the Louisiana Purchase Exposition Commission and approved March 12, 1903; the members of said commission being Hoyt Sherman of Salt Lake County, Samuel Newhouse of Salt Lake County, L. W. Shurtliff of Weber County, Willis Johnson of Piute County, and Governor Heber M. Wells, the then chief executive of the State of Utah, and

WHEREAS, After a thorough investigation the report of said joint committee completely exonorated the members of said Commission of any alleged irregularity on the part of said Commission in the expenditure of money, and the said report of the joint committee was received and adopted by the Senate and the committee of the Senate discharged, and

WHEREAS, After the report was so rendered the House of Representatives refused to accept the report of said joint committee, and

WHEREAS, Said House of Representatives upon its sole responsibility appointed a committee of its own members, without the concurrence of the Senate, to further investigate the affairs of said commission, and

WHEREAS, Previous to the appointment of said committee by said House of Representatives the proper prosecuting officials had in their possession full information regarding the irregularities of the Secretary of said commission, and

WHEREAS, The testimony adduced before said committee of the House of Representatives disclosed irregularities already known and published, upon the part of the Secretary of said commission, but utterly failed to establish that any member of the said commission had in the slightest degree failed to fully and properly perform the duties for which he was appointed, and

WHEREAS, Through the act of said committee of the House of Representatives in sending to Saint Louis a sub-committee, and by other acts of said committee of the House of Representatives, an impression has been given out throughout this state, and throughout the nation at large that the members of the Louisiana Purchase Exposition Commission have been guilty of irregularities which the said committee of the House of Representatives utterly failed to establish,

NOW THEREFORE BE IT RESOLVED, That it is the unanimous opinion of this Senate that the said commissioners, Hoyt Sherman of Salt Lake County, Samuel Newhouse of Salt Lake County, L. W. Shurtliff of Weber County, Willis Johnson of Piute County, and Governor Heber M. Wells, the then chief executive of the State of Utah, have fully and faithfully discharged their duties with credit to themselves and the State of Utah, and be it further

RESOLVED, That this Senate deplores the act of the said House of Representatives, and said committee, and said sub-committee, in the undue and unwarranted aspersions cast thereby upon the characters of the men composing said Louisiana Purchase Exposition Commission, and that the Senate does hereby disclaim any re-

sponsibility for or any connection with the action of the House of Representatives in its proceedings.

The resolution was unanimously adopted.

REPORTS OF STANDING COMMITTEES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Public Lands, to whom was referred S. B. No. 14, by Rasband, entitled "An Act Amending Section 1, of Chapter 64, of the Laws of 1899, Relating to the State Board of Land Commissioners, their Appointment and Terms," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

WALTON, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Agriculture and Irrigation, to whom was referred H. C. R. No. 7, by Joseph, beg leave to report that they have had the same under consideration and recommend that the resolution do not pass. McKAY, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred H. B. No. 206, by McRea, entitled "An Act to Secure the Payment of Labor Performed and Material Furnished on Public Improvements," beg leave to report that they have had the same under consideration and recommend that the bill do not pass. LARSEN, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Banks and Banking, to whom was referred H. B. No. 233, by Anderson (J. A.), entitled "An Act Providing for the Examination of Banks in Which Public Funds are Deposited, and

which are not otherwise subject to examination, and Providing for the Report to the Secretary of State of Such Examination, and the Manner in Which Fees shall be Collected for such Examination," beg leave to report that they have had the same under consideration and recommend that the bill be not passed.

LEWIS, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 78, by Lawrence, entitled "An Act Amending Section 182, of the Revised Statutes of Utah, 1898, Relating to the Municipal Government of Incorporated Cities," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

LARSEN, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on County and Municipal Corporations, to whom was referred S. B. No. 77, by Lawrence, entitled "An Act to Amend Section 887 of the Revised Statutes of Utah, 1898, as Amended by Chapter 64 of the Laws of Utah, 1903, Fixing the Date of Municipal Elections and the Term of Municipal Officers," beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

LARSEN, Chairman.

Report adopted.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Manufactures and Commerce, to whom was referred S. B. No. 135, by Callister, entitled "An Act to Provide for a State Oil Inspector, Prescribing his Duties, Providing for the Appointment of Deputies, and for the Inspection of Illuminating Oils and Products of Petroleum, and Providing Compensation Therefor," beg leave to report that they

have had the same under consideration, and recommend that the bill do not pass.

WILLIAMS, Chairman.

Report adopted.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

Committee Room, March 9, 1905.

Mr. President:—Your Committee on Contingent Expenses respectfully report that they have carefully examined and found to be correct the attached vouchers and recommend the payment thereof, as follows:

For expenses, stamps, stationery, etc	$246.15	
R. M. Johnson, for raising flag 9 days	5.00	
T. F. Griffith, janitor	35.00	
W. F. Langerbacher, elevator boy	10.00	
John Lawrence, electrician	10.00	
E. S. Case, engineer	10.00	
For printing Senate Docket	108.00	
Daniel Parker, services for engrossing	20.00	
V. M. Pratt, services for engrossing	4.50	
G. A. Done, services for engrossing	16.00	
Willard Done, Messenger to the Governor	24.00	
M. H. Ross, for engrossing certificate for U. S. Senator	10.00	
R. R. Anderson, examining books St. Louis World's Fair Commission	37.50	
To the Appropriation Committee for extra clerk hire	60.00	
		$596.15

We recommend that the following amounts be allowed the employees as compensation for extra services:

H. L. Cummings, Secretary	24.00
Frank K. Nelson, Minute Clerk	24.00
B. Bachman, Docket Clerk	24.00
Theodosius Botkin, Reading Clerk	24.00
Fred Taylor, Engrossing Clerk	36.00
Alice Crismon, Committee Clerk	24.00
Annie McKay, Committee Clerk	24.00

H. S. Laney, Committee Clerk	24.00	
Juliette A. Marks, Mailing Clerk, and for engrossing.... .	36.00	
J. R. Edgheill, Sergeant-at-arms.....	24.00	
Frank Maxwell, Messenger..	24.00	
C. W. Booth, Messenger.....	24.00	
Alice R. Hamilton, Stenographer...	24.00	
William Longhurst, Doorkeeper	24.00	
W. W. Thorn, Doorkeeper	24.00	
H. D. Wiley, Watchman..	24.00	
		408.00
Total,		$1004.15

WESLEY K. WALTON,
HARDEN BENNION,
Committee on Contingent Expenses.

Report adopted, and vouchers filed with the Secretary.

COMMITTEE REPORT AND COMMUNICATION FROM THE GOVERNOR.

The committee appointed to wait upon the Governor returned and presented the following communication:

State of Utah, Executive Office,
Salt Lake City, March 9, 1905.

To the Honorable President and Senate:

Gentlemen:—I have the honor to acknowledge receipt of your communication, stating that you have completed your labors, and are ready to adjourn; and to inform you that I have no further communication to make to you.

I take this occasion to congratulate you on the high character of the work you have done, and the way in which you have conserved the interest of the people whom you represent. I thank you for the uniform courtesy you have shown me in our mutual relations.

I wish you all a safe and pleasant journey to your homes, and peace and prosperity in your lives and labors.

Very respectfully,

JOHN C. CUTLER, Governor.

Communication filed.

The minutes of the sixtieth day were approved.

At 11:30 p. m., on motion of Mr. Williams, the Senate adjourned sine die.

CERTIFICATION.

I, H. L. Cummings, 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 Sixth regular session of the Legislature of the State of Utah, held at Salt Lake City, Utah, commencing on the 9th day of January, 1905, and ending on the 9th day of March, 1905.

H. L. CUMMINGS,
Secretary.